

## TWENTY-FIRST DAY

Thursday, February 17, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Norman Okasako, Senior Pastor, Mililani Missionary Church, after which the Roll was called showing all Senators present with the exception of Senator Iwase who was excused.

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

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

Senator Bunda introduced Sharon Nakagawa, principal at Waialua Elementary School, and congratulated her on being a recipient of the 1999 National Distinguished Principals Award from the National Association of Elementary School Principals and the United States Department of Education.

Senator M. Ige then introduced Elly Tepper of Keolu Elementary School and congratulated her on being named the Hawaii State Teacher of the Year.

At 11:47 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.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 177 to 179) were read by the Clerk and were placed on file:

Gov. Msg. No. 177, dated February 9, 2000, transmitting the report, "A Study on the Design for Phase III of QUEST," pursuant to Act 116, Section 66.2, SLH 1998.

Gov. Msg. No. 178, dated February 17, 2000, transmitting the 1999 Annual Report on Home Property Liens, prepared by the Department of Human Services pursuant to Section 346-29.5, HRS.

Gov. Msg. No. 179, informing the Senate that on February 16, 2000, he signed into law Senate Bill No. 1345 as Act 2, entitled: "RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY."

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 27 and 28) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS."

Offered by: Senator Iwase.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 28 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO

COMMUNICATE TO THE GENERAL PUBLIC CONCERNING THE IMPORTANCE OF AND HOW TO MAINTAIN PROPER DENTAL HEALTH AND HYGIENE INSTEAD OF RELYING ON WATER FLUORIDATION."

Offered by: Senator Tam.

Referred to: Committee on Health and Human Services, then to the Committee on Ways and Means

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 10 and 11) were read by the Clerk and were referred to committees:

Senate Resolution

No. 10 "SENATE RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS."

Offered by: Senator Iwase.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Education and Technology, then to the Committee on Ways and Means

No. 11 "SENATE RESOLUTION REQUESTING A REVIEW AND EVALUATION OF AIR CONDITIONING MAINTENANCE SERVICE AT THE STATE CAPITOL."

Offered by: Senator Tam.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means

## STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2137) recommending that S.B. No. 2523, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2138) recommending that S.B. No. 2690, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2690, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2139) recommending that S.B. No. 2200 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2200, entitled: "A BILL FOR AN ACT RELATING TO THE

PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2140) recommending that S.B. No. 2280, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2280, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO QUANTIFY BENEFITS OF UNDERGROUNDING UTILITY LINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2141) recommending that S.B. No. 2289, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2142) recommending that S.B. No. 2296 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2296, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2143) recommending that S.B. No. 2976, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2976, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2144) recommending that S.B. No. 2075 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2075, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2145) recommending that S.B. No. 2443 pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

2443, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2146) recommending that S.B. No. 2457, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2147) recommending that S.B. No. 2493, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2493, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2148) recommending that S.B. No. 2496, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2149) recommending that S.B. No. 2875, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2875, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2150) recommending that S.B. No. 2878, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2878, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2151) recommending that S.B. No. 3019 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3019, entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR THE HEALTHY START PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, jointly with Senator Inouye, for the Committee on Labor and Environment and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2152) recommending that S.B. No. 2746, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2153) recommending that S.B. No. 2096, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2096, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2154) recommending that S.B. No. 2143, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2155) recommending that S.B. No. 2189, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING CITATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2156) recommending that S.B. No. 2193, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS IN SCHOOL ZONES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2157) recommending that S.B. No. 2300, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2158) recommending that S.B. No. 2308, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2308, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2159) recommending that S.B. No. 2318, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2160) recommending that S.B. No. 2403, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2403, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2161) recommending that S.B. No. 2504, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2504, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC OFFENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2162) recommending that S.B. No. 2686, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2163) recommending that S.B. No. 2760, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITIGATION INVOLVING HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2164) recommending that S.B. No. 2766, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2165) recommending that S.B. No. 2950, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2166) recommending that S.B. No. 3082 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3082, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2167) recommending that S.B. No. 3104, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2168) recommending that S.B. No. 2005 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2169) recommending that S.B. No. 2741 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2741, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 18, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2170) recommending that S.B. No. 2917, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2917, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, jointly with Senator Inouye, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2171) recommending that S.B. No. 2984, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING FOR COMMERCIAL TELECOMMUNICATION USES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2172) recommending that S.B. No. 3163 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3163, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN CULTURAL AND EDUCATIONAL FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2173) recommending that S.B. No. 2482, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2482, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY BUSINESS TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2174) recommending that S.B. No. 2709, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2175) recommending that S.B. No. 2748, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2748, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2176) recommending that S.B. No. 2779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2177) recommending that S.B. No. 2781, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2781, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2178) recommending that S.B. No. 2910 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2179) recommending that S.B. No. 2912, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2180) recommending that S.B. No. 3005 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3005, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AQUACULTURE DISEASE PREVENTION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2181) recommending that S.B. No. 3015, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3015, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL AND INDUSTRIAL IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2182) recommending that S.B. No. 3018, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2183) recommending that S.B. No. 3064 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 3064, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2184) recommending that S.B. No. 2782 pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2782, entitled: "A BILL FOR AN ACT RELATING TO BIOLOGICAL MATERIALS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2185) recommending that S.B. No. 2868, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2868, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT DISPOSAL SURCHARGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2186) recommending that S.B. No. 2869 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2869, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2187) recommending that S.B. No. 2880, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2880, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2188) recommending that S.B. No. 2956 pass Second Reading and be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2956, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," passed Second Reading and was referred to the Committee on Transportation and Intergovernmental Affairs.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2189) recommending that S.B. No. 3054 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3054, entitled: "A BILL FOR AN ACT RELATING TO CARBON SEQUESTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2190) recommending that S.B. No. 2925 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2925, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," passed Second Reading and was referred to the Committee on Judiciary.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2191) recommending that S.B. No. 2941 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 2941, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2192) recommending that S.B. No. 2353, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2193) recommending that S.B. No. 2484, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID RECOVERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2194) recommending that S.B. No. 2522, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2195) recommending that S.B. No. 2763, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 2763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senator Chun Oakland, for the Committee on Judiciary and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2196) recommending that S.B. No. 3154, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 3154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2197) recommending that S.B. No. 2345, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2198) recommending that S.B. No. 2561, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 2199) recommending that S.B. No. 3043, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3043, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE

ADMINISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### THIRD READING

S.B. No. 2885:

On motion by Senator Chun Oakland, seconded by Senator Fukunaga and carried, S.B. No. 2885, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Iwase).

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, February 16, 2000:

Senate Concurrent Resolution	Referred to:
No. 25 Protection	Committee on Commerce and Consumer
No. 26	Committee on Judiciary, then to the Committee on Ways and Means

Senator Tam, for the Committee on Government Operations and Housing, requested a waiver pursuant to Senate Rule 20 for S.B. Nos. 2521 and 2387, and the Chair granted the waiver.

Senator Kanno, for the Committee on Commerce and Consumer Protection, requested a waiver pursuant to Senate Rule 20 for S.B. No. 2170, and the Chair granted the waiver.

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

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

"You asked earlier in the Order of the Day if there were any governor's messages and we always get governor's messages, but the governor gave us a message last night, gave a message to the people of Pearl City but also to the state, which I find extremely disturbing.

"We talked about the issue of the youthful sex offender treatment center in Pearl City yesterday, but the governor's remarks, I think, bear discussing. The governor said, 'Of course there wasn't a public hearing on it, but it's so inefficient to hold a public hearing every time we want to do something.' That's a message to the people of Pearl City and that's a message to the State of Hawaii -- that it's inconvenient and inefficient to inform them about what the government is going to do to them. This is more of an issue, not of 'NIMBY' (not in my back yard), but a simple courtesy and respect in allowing people to be part of the decision-making process. No wonder they don't vote. No wonder they don't participate. They've given up because here you have the chief administrator saying that it is inconvenient and inefficient to hold a public hearing.

"In addition to that, the governor gave his personal guarantee -- for whatever that's worth -- that there's no safety concerns of these youthful sex offenders. Why, he said for example, these offenders are age 12 to 17 and their victims have only been family members. I would remind my colleagues and the governor that we have six- and seven-year-olds that are killing other people. So to say that, and to make that guarantee, I don't think is solace to the people of Pearl City or anywhere else.

Perhaps the governor would show his good faith by inviting the youthful sex offenders to stay at Washington Place to show, in fact, that there is no danger to the community.

"It also brings up the issue, however, of referendum. We are the only state that has neither initiative, referendum, nor recall, so we don't allow the public to really get involved and give their opinion. And I think that instead of worrying about being inefficient or being inconvenient to the government, we better start thinking about what's convenient and efficient for the public who support all of us and pay all the bills.

"Thank you, Mr. President."

Senator Kawamoto also rose on a point of personal privilege and said:

"Mr. President, in the paper this morning, also, we see here that the 'Senate's fireworks ban effort fizzling.' Let me assure you that the fireworks position of the Senate has not been fizzling but is striving to go forward.

"After we had a caucus, we looked at it and we said to ourselves, all the members of the Conference Committee felt that we needed to get a strong bill out. And so what we did is we looked at the positive. We're asking for the same things we asked for the bill previously. We're asking that fireworks only be used for religious and cultural activities. We're asking for some strict restrictions in the guidelines of the fireworks, but we're leaving the management of fireworks to the counties and its enforcement.

"So we're not fizzling, but we're trying to get a bill passed that we all can say is a strong bill that's going to control fireworks, going to ban the aerials, and these kinds of things are what we passed forward with. So rest assured, fellow Senators, that we are not fizzling. We are trying to do our best to get a bill through.

"The other thing I'd like to add is that the governor also indicated that . . . Besides the sex offender bill that affects us quite a bit -- both Senator D. Ige and myself -- we also have the governor saying that he still supports a total ban and the fact that we should be talking to the victims of the activities this past year. Mr. President, rest assured to you and other Senators and to the governor, we've been talking to these people, and we've been talking to them at one o'clock in the morning, two o'clock in the morning, three o'clock in the morning. Everywhere we go, they talk to us about fireworks, and that's the reason why we find fireworks very interesting and the fact that we need to do something about it.

"Again, we're focussing on the end product of fireworks -- What do we want this bill to do? And that's where we want to go.

"Like my good friend Joe Tanaka here, you know, when he plays golf (going away from fireworks), if he makes an eagle on one hole, it does not matter on the par 4 that he skulled a 5 iron into the hole; what matters is the number is still 2 on the score card. So that's what we're working for -- not on how we got there, but how we arrived and the end product of our bill. So that's what we're looking for at this time.

"Thank you very much, Mr. President."

#### ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 18, 2000.