

TWENTY-THIRD DAY

Tuesday, February 22, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Gary Secor, Rector, Cathedral of Our Lady of Peace Church, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, Ihara, Inouye, Iwase, Tam and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Twenty-Second Day.

STANDING COMMITTEE REPORTS

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 2427) recommending that S.C.R. No. 5, 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.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," 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. 2428) recommending that S.B. No. 2849 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2849, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senators Kanno and Taniguchi, jointly with Senator Nakata, for the Committee on Commerce and Consumer Protection and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2429) recommending that S.B. No. 2293 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. 2293, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 2430) recommending that S.B. No. 3118 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 3118, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN TERMINOLOGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2431) recommending that S.B. No. 2850, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 2850, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 1, 2000.

ORDER OF THE DAY

THIRD READING

S.B. No. 2938, S.D. 1:

On motion by Senator Levin, seconded by Senator Buen and carried, S.B. No. 2938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

S.B. No. 2940, S.D. 1:

Senator Levin moved that S.B. No. 2940, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Buen.

Senator Slom rose to speak in favor of the measure with reservations as follows:

"Mr. President, I rise to speak in support of the bill with reservations.

"I think that we can support a measure which puts caps on fees. The only problem is that the purpose of this measure is to establish what's called 'reasonable and consistent fees for financial institutions' in being reimbursed for charges that they incur in terms of providing documentation for state and other agencies.

"The problem that I have with the bill, Mr. President, is that what is called 'reasonable and consistent' is not a one-size-fits-all situation, and different financial institutions and different requirements for reporting may differ among those institutions, and some, in fact, may be penalized.

"In addition to that, Mr. President, I wish we would put half as much effort into restricting the fees that we continue to raise on the tax-paying public on various governmental agencies. So I will be voting, but with reservations.

"Thank you."

Senator Anderson added:

"Mr. President, I have the same reservations."

The motion was put by the Chair and carried, S.B. No. 2940, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

S.B. No. 2942:

On motion by Senator Levin, seconded by Senator Buen and carried, S.B. No. 2942, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Fukunaga, Ihara, Inouye, Iwase, Tam, Tanaka).

RE-REFERRAL OF SENATE BILL

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

Senate Bill Referred to:

No. 2170, S.D. 1 Committee on Commerce and Consumer Protection, then to the Committee on Judiciary

Senator Slom rose on a point of personal privilege and stated:

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

"I note that the governor is out of state again on his way to Silicon Valley, and he's taken a number of our colleagues and a number of other people from around the state. First of all, the 100 percent Republican delegation here is a little disappointed that there is no Republican representation. I thought that we looked at technology as a bipartisan or a nonpartisan effort, but obviously not.

"Also, I think that in deliberations we've had on existing high technology bills, again, what people from the technology professions tell us is -- clean up your act; clean up your business climate here; clean up your public school system; do those kinds of things. So I think that many of the problems are right here at home and they could be solved.

"And then, Mr. President, I am a little troubled because I do remember the last time that our governor went to, supposedly, Silicon Valley and he wound up formulating, at that time, the bill that later became known as the infamous 'Stop Linda Lingle' bill. So, I would hope, Mr. President, you could give the governor a call this afternoon, make sure everything is going well, and make sure he doesn't have any spare time so that he can work on legislation like that.

"Thank you very much, Mr. President."

Senator M. Ige also rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege as well.

"Mr. President, thank you for allowing me to use Rule 84. It was last Thursday that I was confronted with a situation that, in my opinion, needed immediate attention and response. So to all of you, I appreciate your patience.

"Mr. President, this situation should never have gotten this far. Compromising the health and safety of our children while learning should never, ever, be compromised. In an incident like this, parents should not have to come to this body for desperate action. Our departments must respond. Our government must not be too big to serve our people in a timely manner.

"Dr. LeMahieu speaks about accountability. This report, via its conclusions and recommendations, clearly -- I mean clearly -- proves that Dr. LeMahieu is good for his word. Accepting responsibility and being held accountable is truly refreshing. I now look forward to the codification of these recommendations in rules in June.

"Again, Mr. President, to you and all of my colleagues, thank you for your patience."

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 1, 2000.