

THIRTY-SEVENTH DAY

Wednesday, March 22, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Richard Pease, Central Oahu Corps, Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

At 11:45 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.

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

Senator Chun Oakland, with the assistance of Senators Ihara, Iwase, Nakata, Sakamoto, Levin and Matsuura, introduced and congratulated the following recipients of the NIU Awards sponsored by Volunteer Legal Services Hawaii: Professor Wayne Tanna and his students at Chaminade University and UH West Oahu, Outstanding Contribution To The Delivery Of Legal Services Award; Alicia Leonhard representing the Law Firm of Alston Hunt Floyd and Ing, Distinguished Contribution By A Law Firm Award; David Andrew, Distinguished Contribution By An Individual Award; Gayle Nakama, Quest For Justice Award; Dyan Medeiros, Spirit Of Hawaii Lawyers Care Award; and Edward Hudcovic, Spirit Of Volunteer Legal Services Award.

Senator Chun Oakland, with the assistance of Senators Slom, Ihara, Chumbley and Inouye, then introduced and congratulated the following YWCA's Leaderluncheon 2000 Honorees: Dr. Julia Frohlich; Sister Francine Gries, OSF; Patti J. Lyons; and representing Belt Collins Hawaii, Anne Mapes and James Bell. Accompanying the honorees was Susan Doyle, executive director of the YWCA.

Senator Chun Oakland, on behalf of Senator Anderson and herself, recognized the contributions of Waimanalo Health Center and Waimanalo Elementary and Intermediate School for participating in Nickelodeon's "The Big Help" Project and introduced Marium Holokai, Principal of Waimanalo Elementary and Intermediate School; and the following students: Cody Hashimoto, Puanani Reis, Bronson Reis-Moniz, and Trisha Castillo.

At 12:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

STANDING COMMITTEE REPORTS

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2834) recommending that the Senate advise and consent to the nomination of DANA S. ISHIBASHI to the Defender Council, in accordance with Gov. Msg. No. 155.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2834 and Gov. Msg. No. 155 was deferred until Thursday, March 23, 2000.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2835) recommending that H.B. No. 1275, H.D. 1, 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 H.B. No. 1275, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2836) recommending that H.B. No. 1387, H.D. 2, 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 H.B. No. 1387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2837) recommending that H.B. No. 2534, H.D. 2, 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 H.B. No. 2534, H.D. 2, 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, jointly with Senator Nakata, for the Committee on Health and Human Services and the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 2838) recommending that H.B. No. 2511, H.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 H.B. No. 2511, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," 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. 2839) recommending that H.B. No. 2513, H.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 H.B. No. 2513, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," 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. 2840) recommending that H.B. No. 2022 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 H.B. No. 2022, entitled: "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," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 23, 2000.

Senators Fukunaga and Levin, jointly with Senator Chun Oakland, for the Committee on Ways and Means and the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2841) recommending that H.B. No. 2551, H.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 joint report of the Committees was adopted and H.B. No. 2551, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 23, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2842) recommending that H.B. No. 1969, H.D. 2, 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 H.B. No. 1969, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," 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. 2843) recommending that H.B. No. 1994, H.D. 2, 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 H.B. No. 1994, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR 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. 2844) recommending that H.B. No. 2406, H.D. 1, 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 H.B. No. 2406, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 24, 2000.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2845) recommending that H.B. No. 2407, H.D. 1, 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 H.B. No. 2407, H.D. 1, 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. 2846)

recommending that H.B. No. 2569, H.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 H.B. No. 2569, H.D. 1, 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. 2847) recommending that H.B. No. 2607, H.D. 2, 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 H.B. No. 2607, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," 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. 2848) recommending that H.B. No. 2801, H.D. 2, 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 H.B. No. 2801, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 2849) recommending that H.B. No. 2802 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 H.B. No. 2802, 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 Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 2850) recommending that H.B. No. 2996, H.D. 2, 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 H.B. No. 2996, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," 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. 2851) recommending that H.B. No. 2997 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 H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," 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. 2852) recommending that H.B. No. 2528, H.D. 2, 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 H.B. No.

2528, H.D. 2, 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. 2853) recommending that H.B. No. 2529, H.D. 2, 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 H.B. No. 2529, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," 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. 2854) recommending that H.B. No. 3021, H.D. 1, 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 H.B. No. 3021, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," 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. 2855) recommending that H.B. No. 2410, H.D. 1, 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 H.B. No. 2410, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," 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. 2856) recommending that H.B. No. 2423, 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 H.B. No. 2423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," 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. 2857) recommending that H.B. No. 2646, H.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 H.B. No. 2646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 89 Committee on Labor and Environment,
then to the Committee on Ways and Means

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

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

"I just visited my vice-chair and he'll be leaving the hospital tomorrow. He looks good. He wishes you all well and thanks everyone very much for their prayers.

"Thank you."

ADJOURNMENT

At 12:35 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., Thursday, March 23, 2000.