

FORTY-SECOND DAY

Thursday, March 30, 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 Ken Miller, First Assembly of God Church, 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 Forty-First Day.

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

Senator Inouye, on behalf of Senators Levin and Matsuura and herself, introduced Michael and Angel Eads in recognition of their outstanding academic achievements. Accompanying Michael and Angel was their father, Pastor Don Eads.

Senator Tam then introduced Daniel B.T. Lau and State Representative Bertha F.K. Leong and congratulated them on being named the 1999 Model Chinese Father of the Year and Model Chinese Mother of the Year by the United Chinese Society. Accompanying the honorees were the following representatives of the United Chinese Society: Danny Young, president; Keith Lim, first vice president; and Henry Lee, executive secretary.

Senator Taniguchi introduced two legislative colleagues from the Council of State Governments and CSG-WEST -- the Honorable Denise Moreno Ducheny, California Assembly Member and chair of the CSG-WEST Committee on the Southern Border; and the Honorable Lynn Hettrick, Minority Leader of the Nevada Assembly and vice chair of CSG-WEST. Accompanying them was Cheryl Lee Duvauchelle, deputy executive director of CSG-WEST.

Senator Matsunaga then introduced Dr. Patricia Chinn, the 2000 Hawaii Medical Association Alliance Physician of the Year. Accompanying Dr. Chinn was her father, Dr. Herbert Chinn; Dr. Arlene Jouxson Meyers; and Maureen Lau.

Senator Anderson then introduced his student "shadow" for the day, Gabriella Mireles from Noelani School.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 260 to 264) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 260, submitting for consideration and confirmation to the Board of Agriculture, the nomination of NEIL N. NAKAMURA, term to expire June 30, 2004, was referred to the Committee on Economic Development.

Gov. Msg. No. 261, submitting for consideration and confirmation to the State Foundation on Culture and the Arts Commission, the nominations of STANLEY S. GIMA and IAN L. MATTOCH, terms to expire June 30, 2004, was referred to the Committee on Education and Technology.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nominations of RICHARD I.C. CALDITO SR., ABE

KAAHUI, HAROLD KOZUMA, DED., FREDERICK K. LEE, ROBERT Y. MASUDA, BETTY M. MATSUMURA and BRUCE W. MCCULLOUGH, terms to expire June 30, 2004, was referred to the Committee on Health and Human Services.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Environmental Council, the nominations of: VERNON D. INOSHITA, term to expire June 30, 2002; and DONN T. FUKUDA, ARNOLD L. LUM, BARBARA M. ROBESON, RAYMOND S. TABATA and PATRICIA TUMMONS, terms to expire June 30, 2004, was referred to the Committee on Labor and Environment.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Stadium Authority, the nominations of MICHAEL JAY GREEN and EDWARD K. HAMADA, terms to expire June 30, 2004, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 405 to 407) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 405, transmitting H.C.R. No. 94, H.D. 1, which was adopted by the House of Representatives on March 29, 2000, was placed on file.

By unanimous consent, H.C.R. No. 94, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was referred jointly to the Committee on Health and Human Services and the Committee on Economic Development.

Hse. Com. No. 406, returning S.B. No. 2024, which passed Third Reading in the House of Representatives on March 29, 2000, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2024, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH ON CANCER STUDIES," was deferred until Friday, March 31, 2000.

Hse. Com. No. 407, returning S.B. No. 2906, which passed Third Reading in the House of Representatives on March 29, 2000, was placed on file.

ORDER OF THE DAY

MATTER DEFERRED FROM
WEDNESDAY, MARCH 29, 2000

AGREE/DISAGREE

S.B. No. 2769 (H.D. 1):

On motion by Senator Nakata, seconded by Senator Chun and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2769, and requested a conference on the subject matter thereof.

THIRD READING

H.B. No. 2185, H.D. 2, S.D. 1:

Senator Kawamoto moved that H.B. No. 2185, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hanabusa.

Senator Kawamoto rose to support the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, many of us have received communications both from the House and the public about the concerns of this bill.

"This bill originally started out in my committee and was passed out but did not pass Ways and Means, and the House bill came over. At that time, we had a hearing with TIA and Water, Land, and Hawaiian Affairs. We had a hearing on the bill but we had some concerns on this bill which were expressed by letters to many of us. But we, thanks to Water, Land, and Hawaiian Affairs, came up with an S.D. 1 requiring the Maui County Council to approve the development and that decision making be made in public forum hearings and be subject to HRS Chapter 343, which is the environmental impact statement.

"There was another concern whether leasing a portion of the landfill was consistent to the executive order, and it is, because the revenues of this project will reduce the county cost of maintaining the site.

"So these are some concerns that were addressed in the letters, and therefore I recommend that all of our colleagues vote 'aye' on this bill.

"Thank you."

Senator Inouye then requested her vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2185, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2490, H.D. 1, S.D. 1:

Senator D. Ige moved that H.B. No. 2490, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator M. Ige rose to speak on the measure with reservations as follows:

"Mr. President, I just want to note my reservation on this measure.

"But Mr. President, before I do that, I do want to commend the Committee on Education and Technology. I believe by narrowing the types of exemptions and what the teachers need to go through to get that exemption I think is very commendable.

"Mr. President, I guess my concern is, if this is a problem and if our goal is to give our children the very best education, I think it's very important to have licensed instructors doing that. We can throw all the money we want in facilities or playground equipment but if we don't have the very best in the human element in communicating these thoughts to our kids, then all of that money is for naught.

"So Mr. President, I believe that I hope the committee can continue their work on this, but I believe it's very dangerous grounds in terms of precedent setting, in terms of licensed instructors.

"Thank you."

Senator Kanno then requested his vote be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2490, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

ADJOURNMENT

At 12:12 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, March 31, 2000.