

## NINTH DAY

## Tuesday, January 30, 2001

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mark Alexander, Pastor, Sacred Hearts Parish, after which the Roll was called showing all Senators present with the exception of Senator Fukunaga who was excused.

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

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 119, submitting for consideration and confirmation as Administrator, State Procurement Office, the nomination of CHARLES M. KATSUYOSHI, term to expire June 30, 2002, was read by the Clerk and was referred to the Committee on Transportation, Military Affairs, and Government Operations.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 23, 2001, and Thursday, January 25, 2001:

Senate Bill Referred to:

No. 1144 Committee on Labor, then to the Committee on Ways and Means

No. 1145 Committee on Labor, then to the Committee on Ways and Means

No. 1146 Committee on Labor, then to the Committee on Ways and Means

No. 1147 Committee on Labor, then to the Committee on Ways and Means

No. 1148 Committee on Labor, then to the Committee on Judiciary

No. 1149 Committee on Labor, then to the Committee on Judiciary

No. 1150 Committee on Labor, then to the Committee on Judiciary

No. 1151 Committee on Labor, then to the Committee on Ways and Means

No. 1152 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1153 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1154 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1155 Committee on Labor, then to the Committee on Judiciary

No. 1156 Committee on Labor, then to the Committee on Ways and Means

No. 1157 Committee on Labor

No. 1158 Committee on Economic Development and Technology, then to the Committee on Judiciary

No. 1159 Jointly to the Committee on Water, Land, Energy, and Environment, the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1160 Jointly to the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary

No. 1161 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 1162 Committee on Water, Land, Energy, and Environment, then to the Committee on Transportation, Military Affairs, and Government Operations

No. 1163 Committee on Water, Land, Energy, and Environment

No. 1164 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 1165 Committee on Water, Land, Energy, and Environment, then to the Committee on Judiciary

No. 1166 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Economic Development and Technology, then to the Committee on Judiciary

No. 1167 Committee on Water, Land, Energy, and Environment

No. 1168 Committee on Water, Land, Energy, and Environment, then to the Committee on Judiciary

No. 1169 Committee on Economic Development and Technology, then to the Committee on Ways and Means

No. 1170 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Economic Development and Technology

No. 1171 Committee on Transportation, Military Affairs, and Government Operations

No. 1172 Committee on Economic Development and Technology

No. 1173 Committee on Water, Land, Energy, and Environment

No. 1174 Committee on Health and Human Services, then to the Committee on Judiciary

No. 1175	Committee on Health and Human Services	No. 1200	Committee on Transportation, Military Affairs, and Government Operations
No. 1176	Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing	No. 1201	Committee on Transportation, Military Affairs, and Government Operations
No. 1177	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1202	Committee on Transportation, Military Affairs, and Government Operations
No. 1178	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1203	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Water, Land, Energy, and Environment
No. 1179	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1204	Committee on Transportation, Military Affairs, and Government Operations
No. 1180	Committee on Ways and Means	No. 1205	Committee on Education, then to the Committee on Ways and Means
No. 1181	Committee on Judiciary, then to the Committee on Ways and Means	No. 1206	Committee on Education, then to the Committee on Ways and Means
No. 1182	Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1207	Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1183	Committee on Judiciary, then to the Committee on Ways and Means	No. 1208	Committee on Education, then to the Committee on Judiciary
No. 1184	Committee on Judiciary, then to the Committee on Ways and Means	No. 1209	Committee on Ways and Means
No. 1185	Committee on Judiciary	No. 1210	Committee on Education, then to the Committee on Ways and Means
No. 1186	Committee on Judiciary, then to the Committee on Ways and Means	No. 1211	Committee on Education, then to the Committee on Ways and Means
No. 1187	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1212	Committee on Education, then to the Committee on Ways and Means
No. 1188	Committee on Judiciary	No. 1213	Committee on Education, then to the Committee on Ways and Means
No. 1189	Committee on Ways and Means	No. 1214	Committee on Education, then to the Committee on Ways and Means
No. 1190	Committee on Ways and Means	No. 1215	Committee on Education, then to the Committee on Ways and Means
No. 1191	Committee on Ways and Means	No. 1216	Committee on Education, then to the Committee on Ways and Means
No. 1192	Committee on Ways and Means	No. 1217	Committee on Labor, then to the Committee on Ways and Means
No. 1193	Committee on Ways and Means	No. 1218	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1194	Committee on Economic Development and Technology, then to the Committee on Ways and Means	No. 1219	Committee on Water, Land, Energy, and Environment, then to the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1195	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1220	Committee on Education, then to the Committee on Ways and Means
No. 1196	Committee on Ways and Means	No. 1221	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1197	Committee on Economic Development and Technology, then to the Committee on Ways and Means		
No. 1198	Jointly to the Committee on Tourism and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means		
No. 1199	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means		

No. 1222	Committee on Health and Human Services, then to the Committee on Labor, then to the Committee on Ways and Means	No. 1243	Committee on Education, then to the Committee on Labor
No. 1223	Committee on Hawaiian Affairs, then to the Committee on Ways and Means	No. 1244	Jointly to the Committee on Economic Development and Technology, the Committee on Tourism and Intergovernmental Affairs, the Committee on Health and Human Services and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
No. 1224	Committee on Education, then to the Committee on Ways and Means	No. 1245	Jointly to the Committee on Economic Development and Technology and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1225	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1246	Committee on Ways and Means
No. 1226	Committee on Agriculture, then to the Committee on Ways and Means	No. 1247	Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing
No. 1227	Jointly to the Committee on Agriculture and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means	No. 1248	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1228	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1249	Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1229	Committee on Judiciary	No. 1250	Jointly to the Committee on Economic Development and Technology and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1230	Committee on Education, then to the Committee on Ways and Means	No. 1251	Jointly to the Committee on Health and Human Services and the Committee on Labor, then to the Committee on Ways and Means
No. 1231	Jointly to the Committee on Health and Human Services, the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1252	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Labor
No. 1232	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1253	Committee on Ways and Means
No. 1233	Committee on Ways and Means	No. 1254	Committee on Education, then to the Committee on Ways and Means
No. 1234	Committee on Ways and Means	No. 1255	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 1235	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1256	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1236	Committee on Education, then to the Committee on Ways and Means	No. 1257	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1237	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1258	Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means
No. 1238	Committee on Agriculture, then to the Committee on Ways and Means	No. 1259	Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means
No. 1239	Committee on Health and Human Services	No. 1260	Committee on Water, Land, Energy, and Environment, then to the Committee on Tourism and Intergovernmental Affairs
No. 1240	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1261	Committee on Water, Land, Energy, and Environment, then to the Committee on Commerce, Consumer Protection and Housing
No. 1241	Committee on Labor, then to the Committee on Transportation, Military Affairs, and Government Operations		
No. 1242	Committee on Labor, then to the Committee on Ways and Means		

No. 1262	Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means	No. 1280	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Water, Land, Energy, and Environment
No. 1263	Committee on Water, Land, Energy, and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 1281	Committee on Agriculture, then to the Committee on Ways and Means
No. 1264	Committee on Agriculture, then to the Committee on Ways and Means	No. 1282	Jointly to the Committee on Economic Development and Technology and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1265	Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means	No. 1283	Committee on Education, then to the Committee on Ways and Means
No. 1266	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1284	Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1267	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1285	Committee on Economic Development and Technology, then to the Committee on Ways and Means
No. 1268	Jointly to the Committee on Tourism and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means	No. 1286	Committee on Labor, then to the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1269	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary	No. 1287	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Labor
No. 1270	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1288	Committee on Health and Human Services, then to the Committee on Judiciary
No. 1271	Committee on Economic Development and Technology, then to the Committee on Ways and Means	No. 1289	Committee on Health and Human Services
No. 1272	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary	No. 1290	Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1273	Committee on Judiciary, then to the Committee on Ways and Means	No. 1291	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1274	Committee on Water, Land, Energy, and Environment, then to the Committee on Commerce, Consumer Protection and Housing	No. 1292	Committee on Education, then to the Committee on Ways and Means
No. 1275	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1293	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1276	Jointly to the Committee on Economic Development and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary	No. 1294	Committee on Ways and Means
No. 1277	Jointly to the Committee on Agriculture and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1295	Jointly to the Committee on Health and Human Services and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1278	Committee on Health and Human Services, then to the Committee on Judiciary	No. 1296	Committee on Judiciary, then to the Committee on Ways and Means
No. 1279	Jointly to the Committee on Agriculture, the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and Intergovernmental Affairs	No. 1297	Committee on Ways and Means
		No. 1298	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
		No. 1299	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Tourism and Intergovernmental Affairs
		No. 1300	Committee on Agriculture, then to the Committee on Ways and Means

No. 1301	Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means	No. 1323	Committee on Health and Human Services
No. 1302	Committee on Ways and Means	No. 1324	Committee on Commerce, Consumer Protection and Housing
No. 1303	Jointly to the Committee on Education and the Committee on Health and Human Services	No. 1325	Jointly to the Committee on Health and Human Services and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1304	Committee on Education, then to the Committee on Ways and Means	No. 1326	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 1305	Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1327	Committee on Commerce, Consumer Protection and Housing
No. 1306	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1328	Committee on Ways and Means
No. 1307	Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1329	Committee on Health and Human Services, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary
No. 1308	Committee on Education, then to the Committee on Ways and Means	No. 1330	Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1309	Committee on Transportation, Military Affairs, and Government Operations	No. 1331	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1310	Committee on Economic Development and Technology, then to the Committee on Commerce, Consumer Protection and Housing	No. 1332	Committee on Commerce, Consumer Protection and Housing
No. 1311	Jointly to the Committee on Health and Human Services and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1333	Committee on Commerce, Consumer Protection and Housing
No. 1312	Committee on Economic Development and Technology, then to the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means	No. 1334	Committee on Health and Human Services, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary
No. 1313	Committee on Ways and Means	No. 1335	Committee on Commerce, Consumer Protection and Housing
No. 1314	Committee on Economic Development and Technology, then to the Committee on Ways and Means	No. 1336	Committee on Economic Development and Technology, then to the Committee on Water, Land, Energy, and Environment
No. 1315	Committee on Education, then to the Committee on Ways and Means	No. 1337	Committee on Water, Land, Energy, and Environment, then to the Committee on Judiciary
No. 1316	Committee on Health and Human Services, then to the Committee on Ways and Means	No. 1338	Committee on Health and Human Services, then to the Committee on Ways and Means
No. 1317	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary	No. 1339	Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing
No. 1318	Committee on Labor, then to the Committee on Judiciary	No. 1340	Jointly to the Committee on Tourism and Intergovernmental Affairs and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
No. 1319	Committee on Commerce, Consumer Protection and Housing	No. 1341	Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary
No. 1320	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary		
No. 1321	Committee on Judiciary		
No. 1322	Committee on Judiciary, then to the Committee on Ways and Means		

No. 1342 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 1343 Committee on Commerce, Consumer Protection and Housing

No. 1344 Committee on Education, then to the Committee on Ways and Means

No. 1345 Committee on Ways and Means

No. 1346 Committee on Agriculture

No. 1347 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Education

No. 1348 Committee on Economic Development and Technology, then to the Committee on Ways and Means

No. 1349 Committee on Commerce, Consumer Protection and Housing

No. 1350 Committee on Hawaiian Affairs, then to the Committee on Ways and Means

No. 1351 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 1352 Committee on Labor, then to the Committee on Ways and Means

No. 1353 Committee on Agriculture

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions offered on Thursday, January 25, 2001:

Senate  
Concurrent  
Resolution Referred to:

No. 5 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary

No. 6 Committee on Education

No. 7 Committee on Health and Human Services

No. 8 Committee on Judiciary

No. 9 Committee on Education

No. 10 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions offered on Thursday, January 25, 2001:

Senate  
Resolution Referred to:

No. 3 Committee on Education

No. 4 Committee on Health and Human Services

No. 5 Committee on Judiciary

No. 6 Committee on Education

No. 7 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill Referred to:

No. 189 Jointly to the Committee on Water, Land, Energy, and Environment, the Committee on Agriculture and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 258 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 441 Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 446 Committee on Labor, then to the Committee on Ways and Means

No. 450 Jointly to the Committee on Transportation, Military Affairs, and Government Operations, the Committee on Labor and the Committee on Judiciary, then to the Committee on Ways and Means

No. 552 Jointly to the Committee on Economic Development and Technology and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 573 Committee on Labor, then to the Committee on Ways and Means

No. 574 Committee on Labor, then to the Committee on Ways and Means

No. 575 Committee on Labor, then to the Committee on Ways and Means

No. 576 Committee on Labor, then to the Committee on Ways and Means

No. 577 Committee on Labor, then to the Committee on Ways and Means

No. 712 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 778 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and

Intergovernmental Affairs, then to the Committee on Ways and Means

No. 779 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

No. 987 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1005 Committee on Labor, then to the Committee on Ways and Means

No. 1010 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, Energy, and Environment

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

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

“In my previous incarnation as a member of the Legislature in the other Chamber, I took great pride in being the Legislator who introduced the least amount of bills, having subscribed to the philosophy that the government that needs to govern the least, governs the best. I lament having to make a confession here today on the floor of this august body that I had staff research this very important subject – the least amount of bills introduced as a primary introducer. This year I will have to relinquish the title to Senator Mercado Kim. I just thought this body should know that.”

#### ADJOURNMENT

At 11:43 o'clock a.m., on motion by Senator English, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 31, 2001.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate