

FIFTEENTH DAY

Wednesday, February 7, 2001

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Julia McKenna-Dubin, The Ministry for Divine Harmony, after which the Roll was called showing all Senators present with the exception of Senators Ihara, Matsunaga and Tam who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 136 to 143) were read by the Clerk and were placed on file:

Gov. Msg. No. 136, dated January 30, 2001, transmitting the Biosciences Advisory Council Report pursuant to H.C.R. No. 116 (2000).

Gov. Msg. No. 137, dated January 30, 2001, transmitting the Department of the Attorney General 2001 Goals and Objectives, pursuant to Act 100, Section 7, SLH 1999.

Gov. Msg. No. 138, dated January 31, 2001, transmitting the Department of Commerce and Consumer Affairs' Annual Compliance Resolution Fund Report, pursuant to Section 26-9, HRS.

Gov. Msg. No. 139, dated January 31, 2001, transmitting the 1999-2000 Annual Report prepared by the Public Utilities Commission, pursuant to Sections 93-12 and 269-5, HRS.

Gov. Msg. No. 140, dated January 31, 2001, transmitting the Report on the Status of the Environmental Health Education Funds as Established by Act 169, SLH 1994, prepared by the Department of Health.

Gov. Msg. No. 141, dated February 1, 2001, transmitting the Annual Report for Fiscal Year 1999-2000, General Appropriations Act of 1999, Act 91, prepared by the Civil Recoveries Division of the Department of the Attorney General, pursuant to Act 127, SLH 2000.

Gov. Msg. No. 142, dated February 1, 2001, transmitting the Annual Report for Fiscal Year 2000 on the Recommendation for Denial of Claims Filed Under the Legislative Relief Act prepared by the Department of the Attorney General, pursuant to Section 37-7, HRS.

Gov. Msg. No. 143, dated February 2, 2001, transmitting the Report on the Delegation of Capital Improvement Program Projects by the Department of Land and Natural Resources During Fiscal Year 1999-2000, prepared by the Department of Land and Natural Resources, pursuant to Act 91, Section 125, SLH 1999.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 11) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT ITS FINAL REPORT TO THE LEGISLATURE AS REQUIRED BY ACT 109, SESSION LAWS OF HAWAII 1996."

Offered by: Senator Buen.

SENATE RESOLUTION

The following resolution (S.R. No. 8) was read by the Clerk and was deferred:

Senate Resolution

No. 8 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT ITS FINAL REPORT TO THE LEGISLATURE AS REQUIRED BY ACT 109, SESSION LAWS OF HAWAII 1996."

Offered by: Senator Buen.

STANDING COMMITTEE REPORTS

Senators Nakata and Kim, for the Committee on Labor and the Committee on Tourism and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 22) recommending that S.B. No. 99 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was adopted and S.B. No. 99, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR COMMISSION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Nakata and Kim, for the Committee on Labor and the Committee on Tourism and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 23) recommending that S.B. No. 797 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was adopted and S.B. No. 797, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 857, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the majority of the Committee was adopted and S.B. No. 857, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LIVING WAGE LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 29, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 29, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 54 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 54, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 55 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 57 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 77 pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 77, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 82 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 82, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 181, as amended in S.D. 1, pass

Second Reading and be referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS," passed Second Reading and was referred jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 264 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATION FOR TAX EXEMPTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 598, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BIRTH DEFECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 644 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 644, entitled: "A BILL FOR AN ACT RELATING TO HEIRLOOM MARRIAGE CERTIFICATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 716, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 922, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 922, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 993, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 993, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 994, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 39) recommending that S.B. No. 1105, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION ON THE NATURAL PARENTS OF THE ADOPTED MINOR CHILD," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 1107, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 41) recommending that S.B. No. 1002, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1002, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 42)

recommending that S.B. No. 1003, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE FAMILY SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 43) recommending that S.B. No. 1004, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 44) recommending that S.B. No. 1064 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection and Housing.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1064, entitled: "A BILL FOR AN ACT RELATING TO RENEWAL REQUIREMENTS OF THE BOARD OF MEDICAL EXAMINERS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 45) recommending that S.B. No. 1108, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ASSISTANCE PAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 46) recommending that S.B. No. 1109 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1109, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE RECOVERY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 47) recommending that S.B. No. 1111, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1111, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENT FOR

NONINSTITUTIONAL PROVIDERS OF MEDICAL CARE FOR SERVICES,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 48) recommending that S.B. No. 1112 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1112, entitled: “A BILL FOR AN ACT RELATING TO OHANA CONFERENCING,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 49) recommending that S.B. No. 1119, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1119, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 50) recommending that S.B. No. 1123, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1123, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO VITAL RECORDS,” passed Second Reading and was referred to the Committee on Judiciary.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 51) recommending that S.B. No. 1228 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1228, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 52) recommending that S.B. No. 1257 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 1257, entitled: “A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO UPGRADE AND EXPAND THE MOLOKAI GENERAL HOSPITAL,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nakata, Kim and Menor, for the Committee on Labor, the Committee on Tourism and Intergovernmental Affairs, and the Committee on Commerce, Consumer Protection and Housing, presented a joint report (Stand. Com. Rep. No. 53) recommending that S.B. No. 152 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was adopted and S.B. No. 152, entitled: “A BILL FOR AN ACT RELATING TO HEALTH INSURANCE COVERAGE,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the majority of the Committee on Tourism and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 54) recommending that S.B. No. 456, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the majority of the Committee was adopted and S.B. No. 456, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATION TAX,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Tourism and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 55) recommending that S.B. No. 274, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 274, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY,” passed Second Reading and was placed on the calendar for Third Reading on Friday, February 9, 2001.

ADJOURNMENT

At 11:45 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., Thursday, February 8, 2001.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate