

## THIRTY-SEVENTH DAY

Wednesday, March 21, 2001

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Bruce Dusseault, Baha'i Faith, Honolulu Community, after which the Roll was called showing all Senators present.

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

Senator Tam introduced and congratulated the 2001 Narcissus Queen Ying Ying Lee and her Court: First Princess Brandi Jim On, Second Princess Michelle Loo, Third Princess Racyne Young, and Fourth Princess Melodee Young. Accompanying the young women was Ban F. Chan, incoming President of the Chinese Chamber of Commerce.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 212 and 213) were read by the Clerk and were placed on file:

Gov. Msg. No. 212, dated March 13, 2001, transmitting the Comprehensive Review of the Provisions of Chapter 171, HRS, prepared by the Department of Land and Natural Resources, pursuant to Act 109, SLH 1996.

Gov. Msg. No. 213, dated March 20, 2001, transmitting the Annual Financial Report for the Hawaii Children's Trust Fund, prepared by the Department of Health, pursuant to Act 137, SLH 2000.

## STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1073) recommending that H.B. No. 633, H.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 H.B. No. 633, H.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. 1074) recommending that H.B. No. 636, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 636, H.D. 1, 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. 1075) recommending that H.B. No. 786, H.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 H.B. No. 786, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DONATED DENTAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 524, H.D. 1, pass Second Reading and be referred jointly to the Committee on Judiciary and 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 H.B. No. 524, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 540, H.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 H.B. No. 540, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 542, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 542, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEE SIMPLE RESIDENTIAL REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 544, H.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 H.B. No. 544, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 545 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 H.B. No. 545, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 546 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 H.B. No. 546, entitled: "A BILL FOR AN ACT RELATING TO THE DOWNPAYMENT LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 583, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 583, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 584, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 584, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 594, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 594, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION COURSES AND COURSE PROVIDERS FOR INSURANCE LICENSEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 596, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 596, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1086) recommending that H.B. No. 597, 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 H.B. No. 597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1087) recommending that H.B. No. 600, H.D. 1, 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 H.B. No. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 601, H.D. 1, 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 H.B. No. 601, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE MARKS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 557, H.D. 2, 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 H.B. No. 557, H.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE BERNICE PAUAAHI BISHOP MUSEUM, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 611, H.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 H.B. No. 611, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS AT PUBLIC LIBRARY FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 612, H.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 H.B. No. 612, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 614, H.D. 2, 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 H.B. No. 614, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 628, 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 H.B. No. 628, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1094) recommending that H.B. No. 730, H.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 H.B. No. 730, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 731, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1096) recommending that H.B. No. 735, 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 H.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 761, H.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 H.B. No. 761, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNACCREDITED DEGREE GRANTING INSTITUTIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 1016 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 H.B. No. 1016, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERS OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1099) recommending that H.B. No. 1028, H.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 H.B. No. 1028, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A MODEL UNITED NATIONS PROGRAM FOR HIGH SCHOOL STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 1411 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 H.B. No. 1411, entitled: "A BILL FOR AN ACT RELATING TO SECONDARY MARKET SERVICES CORP.-HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 1667, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and H.B. No. 1667, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT LOANS FOR TEACHERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1102) recommending that H.B. No. 1670, 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 English, seconded by Senator Hemmings and carried, the report of the Committee was

adopted and H.B. No. 1670, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT AND CONTINUATION OF PROFESSIONAL DEVELOPMENT SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

**ADJOURNMENT**

At 12:02 o'clock p.m., on motion by Senator English, seconded by Senator Hemmings and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 22, 2001.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate