

EIGHTEENTH DAY

Tuesday, February 12, 2002

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2002, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Brother Franklin Pao, SM, Marianist Center and Saint Louis Schools, after which the Roll was called showing all Senators present with the exception of Senator Menor who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 178 and 179) were read by the Clerk and were placed on file:

Gov. Msg. No. 178, dated February 4, 2002, transmitting the Barbers Point Naval Air Station Redevelopment Commission's Annual Report for Fiscal Year Ending June 30, 2001, pursuant to Section 206G-3, HRS.

Gov. Msg. No. 179, dated February 7, 2002, transmitting the report, "Progress on the Study: Planning for Sustainable Tourism in Hawaii," prepared by the Department of Business, Economic Development and Tourism pursuant to Act 231, SLH 2001.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 14, from the State Auditor dated February 11, 2002, transmitting a report, "Review of Revolving Funds, Trust Funds, and Trust Accounts of the Office of the Governor, Office of the Lieutenant Governor, Department of Education and Hawaii State Public Library System, and Office of Hawaiian Affairs," (Report No. 02-05), was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 37 to 40) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO SUPPORT LEGISLATION TO REPEAL THE RESCISSION ACT OF 1946 AND THE SECOND SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION ACT (1946), AND TO RESTORE FILIPINO WORLD WAR II VETERANS' TO FULL UNITED STATES VETERANS' STATUS AND BENEFITS."

Offered by: Senators Kim, Bunda, Inouye, Menor.

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH, EMERGENCY MEDICAL SERVICES SYSTEMS BRANCH."

Offered by: Senators Hanabusa, Chun, Kokubun, Buen, Matsunaga, Slom.

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE INFORMATION PURCHASE SYSTEM."

Offered by: Senators Hanabusa, Chun, Taniguchi, Kokubun, Tam, Buen, Matsunaga, Slom.

No. 40 "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE 'IOLANI PALACE."

Offered by: Senators Hanabusa, Chun, Kokubun, Tam, Buen, Slom.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 17 to 20) were read by the Clerk and were deferred:

Senate Resolution

No. 17 "SENATE RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO SUPPORT LEGISLATION TO REPEAL THE RESCISSION ACT OF 1946 AND THE SECOND SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION ACT (1946), AND TO RESTORE FILIPINO WORLD WAR II VETERANS' TO FULL UNITED STATES VETERANS' STATUS AND BENEFITS."

Offered by: Senators Kim, Bunda, Inouye, Menor.

No. 18 "SENATE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE 'IOLANI PALACE."

Offered by: Senators Hanabusa, Chun, Kokubun, Tam, Buen, Slom.

No. 19 "SENATE RESOLUTION REQUESTING A REVIEW OF THE PERFORMANCE INFORMATION PURCHASE SYSTEM."

Offered by: Senators Hanabusa, Chun, Taniguchi, Kokubun, Tam, Buen, Matsunaga, Slom.

No. 20 "SENATE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH, EMERGENCY MEDICAL SERVICES SYSTEMS BRANCH."

Offered by: Senators Hanabusa, Chun, Kokubun, Buen, Matsunaga, Slom.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection, and Housing, presented a report (Stand. Com. Rep. No. 2090) recommending that S.B. No. 2582 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. 2582, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," 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. 2091) recommending that S.B. No. 2704, 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. 2704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 2092) recommending that S.B. No. 2733, 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. 2733, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," 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. 2093) recommending that S.B. No. 2037, 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 majority of the Committee was adopted and S.B. No. 2037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Nakata and Matsuura, for the Committee on Labor and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 2094) recommending that S.B. No. 2114, 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 joint report of the Committees was adopted and S.B. No. 2114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2095) recommending that S.B. No. 2121 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. 2121, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAPAYA RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2096) recommending that S.B. No. 2132 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. 2132, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2097) recommending that S.B. No. 2665, 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. 2665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL MARKETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2098) recommending that S.B. No. 2673 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. 2673, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2099) recommending that S.B. No. 2873, 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. 2873, 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 Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2100) recommending that S.B. No. 2912 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. 2912, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AQUACULTURE PRODUCTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2101) recommending that S.B. No. 2942 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. 2942, entitled: "A BILL FOR AN ACT RELATING TO MEAT GRADING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2102) recommending that S.B. No. 2943 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. 2943, entitled: "A BILL FOR AN ACT RELATING TO SUSCEPTIBLE SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2103) recommending that S.B. No. 3034 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. 3034, entitled: "A BILL FOR AN ACT RELATING TO THE FARMERS' MARKET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Buen, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2104) recommending that S.B. No. 3038, 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. 3038, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN APICULTURE PROGRAM," 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. 2105) recommending that S.B. No. 2686, 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. 2686, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGE VERIFICATION OF SEXUAL PERFORMERS," 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. 2106) recommending that S.B. No. 2717, 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. 2717, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATION FOR SOCIAL SECURITY/MEDICARE EXPENSES," 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. 2107) recommending that S.B. No. 2721 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. 2721, entitled: "A BILL FOR AN ACT RELATING TO DENTAL 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. 2108) recommending that S.B. No. 2725 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. 2725, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," 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. 2109) recommending that S.B. No. 2764, 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. 2764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," 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. 2110) recommending that S.B. No. 2769 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. 2769, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," 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. 2111) recommending that S.B. No. 2770, 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. 2770, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC HEALTH NURSING SERVICES SPECIAL FUND," 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. 2112) recommending that S.B. No. 2775 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. 2775, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," 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. 2113) recommending that S.B. No. 2779, 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. 2779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OF DISEASE," 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. 2114)

recommending that S.B. No. 2782 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. 2782, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL LICENSING," 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. 2115) recommending that S.B. No. 2818, 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. 2818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES," 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. 2116) recommending that S.B. No. 2829, 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. 2829, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PERSONS WITH IMPAIRED SIGHT OR HEARING OR WHO ARE TOTALLY DISABLED THAT ARE ENGAGED IN BUSINESS," 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. 2117) recommending that S.B. No. 2934 pass Second Reading and be referred to the Committee on Tourism and Intergovernmental Affairs.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2934, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Tourism and Intergovernmental Affairs.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2118) recommending that S.B. No. 2005 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. 2005, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED SOLID WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Housing.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2119) recommending that S.B. No. 2007, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Tourism and Intergovernmental Affairs.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was

adopted and S.B. No. 2007, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Tourism and Intergovernmental Affairs.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2120) recommending that S.B. No. 2214 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. 2214, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Housing.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2121) recommending that S.B. No. 2278, 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. 2278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBINED HEAT AND POWER SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2122) recommending that S.B. No. 2516, 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. 2516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2123) recommending that S.B. No. 2667 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. 2667, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2124) recommending that S.B. No. 2795, 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. 2795, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No.

2125) recommending that S.B. No. 2804 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. 2804, entitled: "A BILL FOR AN ACT RELATING TO SUBLEASING OF PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2126) recommending that S.B. No. 2805 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. 2805, entitled: "A BILL FOR AN ACT RELATING TO SOIL AND WATER CONSERVATION DISTRICTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2127) recommending that S.B. No. 2811 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. 2811, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2128) recommending that S.B. No. 2909 pass Second Reading and be referred to the Committee on Tourism and Intergovernmental Affairs.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Tourism and Intergovernmental Affairs.

Senator Inouye, for the Committee on Water, Land, Energy, and Environment, presented a report (Stand. Com. Rep. No. 2129) recommending that S.B. No. 2987 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. 2987, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAPITAL IMPROVEMENT PROJECT," 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. 2130) recommending that S.B. No. 2284, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education.

On motion by Senator English, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was recommitted to the Committee on Education.

Senator Taniguchi, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2131) recommending that H.C.R. No. 7, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2131 and H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Wednesday, February 13, 2002.

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

The Senate reconvened at 12:21 o'clock p.m.

ORDER OF THE DAY

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM MONDAY, FEBRUARY 11, 2002

Stand. Com. Rep. No. 2088 (S.C.R. No. 28, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 2088 and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REVIEW THE STATE OF HAWAII'S PHOTO TRAFFIC ENFORCEMENT PROGRAM," was deferred until Wednesday, February 13, 2002.

Stand. Com. Rep. No. 2089 (S.R. No. 9, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 2089 and S.R. No. 9, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO REVIEW THE STATE OF HAWAII'S PHOTO TRAFFIC ENFORCEMENT PROGRAM," was deferred until Wednesday, February 13, 2002.

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 2020	Committee on Ways and Means
No. 2284	Committee on Education, then to the Committee on Ways and Means
No. 2982	Committee on Health and Human Services

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 20 for S.B. No. 2422.

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 o'clock p.m.

The Chair then granted the waiver.

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

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

“Mr. President, I’d like to just express a slight concern I have about the hearing notice that was posted yesterday 2 minutes before the hearing time . . . actually it was a Ways and Means meeting. I assume that it got your approval pursuant to Rule 20, but I’d like to ask that the Committee Chairs keep this practice to a minimum. It was on a short form bill and so it can be justified.

“My concern is that I’ve never seen this in all of my years in the Legislature and I’d like us to try to at least do our best to keep it at a minimum.

“Thank you.”

The President responded:

“We’ll take that into consideration.”

ADJOURNMENT

At 12:32 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., Wednesday, February 13, 2002.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate