

THIRTY-FIFTH DAY

Tuesday, March 19, 2002

The Senate of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2002, convened at 11:47 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Father Anthony Rosario, Our Lady of the Mount, after which the Roll was called showing all Senators present.

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

At this time, Senator Matsuura recognized Meredith Mattos-Mohajerin for her service to the Hawaii State Senate.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

HOUSE COMMUNICATION

Hse. Com. No. 314, returning S.B. No. 2662, S.D. 2, which passed Third Reading in the House of Representatives on March 18, 2002, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 2864) recommending that H.B. No. 1864, 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. 1864, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VISITATION," 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. 2865) recommending that H.B. No. 2223, 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. 2223, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," 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. 2866) recommending that H.B. No. 2258, H.D. 2, 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. 2258, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPY," 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. 2867) recommending that H.B. No. 2426, 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. 2426, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES AGAINST CHILDREN," 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. 2868) recommending that H.B. No. 2428, 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. 2428, H.D. 1, 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. 2869) recommending that H.B. No. 2432 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. 2432, entitled: "A BILL FOR AN ACT RELATING TO DIRECT PAYMENT OF CHILD 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. 2870) recommending that H.B. No. 2433, 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. 2433, H.D. 1, 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. 2871) recommending that H.B. No. 2467 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. 2467, 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. 2872) recommending that H.B. No. 2496, H.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. 2496, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," 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. 2873) recommending that H.B. No. 2507, H.D. 3, 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. 2507, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF DIVORCES AND ANNULMENTS," 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. 2874) recommending that H.B. No. 2514 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. 2514, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," 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. 2875) recommending that H.B. No. 2618, H.D. 1, 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 H.B. No. 2618, H.D. 1, 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 Nakata, for the majority of the Committee on Labor, presented a report (Stand. Com. Rep. No. 2876) recommending that H.B. No. 1843 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 H.B. No. 1843, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2877) recommending that H.B. No. 2460, 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. 2460, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 2878) recommending that H.B.

No. 2500, 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. 2500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REFERENCES AFFECTED BY ACT 253, SESSION LAWS OF HAWAII 2000," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Nakata and Inouye, for the Committee on Labor and the Committee on Water, Land, Energy, and Environment, presented a joint report (Stand. Com. Rep. No. 2879) recommending that H.B. No. 2599, 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 joint report of the Committees was adopted and H.B. No. 2599, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE," 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. 2880) recommending that H.B. No. 2352, H.D. 1, 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 H.B. No. 2352, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was recommitted to the Committee on Education.

ORDER OF THE DAY

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM MONDAY, MARCH 18, 2002

Stand. Com. Rep. No. 2863 (S.C.R. No. 18):

On motion by Senator English, seconded by Senator Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION ADOPTING OUTCOME INDICATORS OF WELL-BEING FOR HAWAII'S CHILDREN AND FAMILIES," was adopted.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Wednesday, March 13, 2002, and Thursday, March 14, 2002:

Senate Concurrent Resolution	Referred to:
No. 102	Committee on Health and Human Services
No. 104	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health and Human Services, then to the Committee on Ways and Means

- No. 105 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 106 Committee on Transportation, Military Affairs, and Government Operations
- No. 107 Committee on Education
- No. 108 Committee on Commerce, Consumer Protection and Housing
- No. 109 Committee on Judiciary, then to the Committee on Ways and Means
- No. 110 Committee on Agriculture
- No. 111 Committee on Labor, then to the Committee on Ways and Means
- No. 112 Committee on Economic Development and Technology, then to the Committee on Ways and Means
- No. 114 Committee on Commerce, Consumer Protection and Housing
- No. 115 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 116 Committee on Transportation, Military Affairs, and Government Operations
- No. 117 Committee on Economic Development and Technology, then to the Committee on Water, Land, Energy, and Environment
- No. 119 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means
- No. 120 Committee on Education, then to the Committee on Ways and Means
- No. 121 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 122 Committee on Water, Land, Energy, and Environment, then to the Committee on Judiciary
- No. 123 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs
- No. 125 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 126 Committee on Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 127 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 128 Committee on Education
- No. 129 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 130 Jointly to the Committee on Education and the Committee on Health and Human Services
- No. 131 Committee on Education
- No. 132 Committee on Education
- No. 134 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 135 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Health and Human Services
- No. 136 Committee on Economic Development and Technology, then to the Committee on Ways and Means
- No. 137 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Hawaiian Affairs
- No. 138 Committee on Education, then to the Committee on Ways and Means
- No. 139 Committee on Economic Development and Technology, then to the Committee on Ways and Means
- No. 140 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 142 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means
- No. 143 Committee on Health and Human Services, then to the Committee on Ways and Means
- No. 144 Committee on Education, then to the Committee on Ways and Means
- No. 145 Jointly to the Committee on Education and the Committee on Tourism and Intergovernmental Affairs
- No. 146 Jointly to the Committee on Education and the Committee on Transportation, Military Affairs, and Government Operations
- No. 147 Committee on Health and Human Services, then to the Committee on Education
- No. 148 Committee on Health and Human Services, then to the Committee on Transportation, Military Affairs, and Government Operations
- No. 149 Committee on Health and Human Services, then to the Committee on Commerce, Consumer Protection and Housing
- No. 150 Committee on Education, then to the Committee on Judiciary
- No. 151 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary

No. 152 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs

No. 153 Committee on Labor

No. 155 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. 156 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Tourism and Intergovernmental Affairs

No. 157 Committee on Economic Development and Technology, then to the Committee on Ways and Means

No. 158 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, Energy, and Environment

No. 159 Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 160 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 161 Committee on Tourism and Intergovernmental Affairs

No. 163 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 164 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 165 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary, then to the Committee on Ways and Means

No. 166 Committee on Agriculture, then to the Committee on Ways and Means

No. 168 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary

No. 169 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 170 Committee on Agriculture, then to the Committee on Ways and Means

No. 171 Committee on Commerce, Consumer Protection and Housing

No. 172 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 173 Committee on Hawaiian Affairs, then to the Committee on Economic Development and Technology

No. 174 Committee on Transportation, Military Affairs, and Government Operations

No. 175 Committee on Education

No. 176 Jointly to the Committee on Education and the Committee on Economic Development and Technology

No. 177 Committee on Health and Human Services, then to the Committee on Education

No. 178 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 179 Jointly to the Committee on Health and Human Services and the Committee on Education

No. 180 Committee on Labor, then to the Committee on Ways and Means

No. 181 Committee on Education

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 14, 2002:

Senate Resolution Referred to:

No. 56 Committee on Education

No. 57 Committee on Commerce, Consumer Protection and Housing

No. 58 Committee on Judiciary, then to the Committee on Ways and Means

No. 59 Committee on Health and Human Services

No. 60 Committee on Agriculture

No. 62 Committee on Commerce, Consumer Protection and Housing

No. 63 Committee on Transportation, Military Affairs, and Government Operations

No. 64 Committee on Economic Development and Technology, then to the Committee on Water, Land, Energy, and Environment

No. 66 Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means

No. 67 Committee on Education, then to the Committee on Ways and Means

No. 68 Committee on Health and Human Services, then to the Committee on Ways and Means

No. 69 Committee on Water, Land, Energy, and Environment, then to the Committee on Judiciary

No. 70 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs

No. 72 Committee on Agriculture, then to the Committee on Transportation, Military Affairs, and Government Operations

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| <p>No. 73 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Economic Development and Technology</p> <p>No. 74 Committee on Transportation, Military Affairs, and Government Operations</p> <p>No. 75 Jointly to the Committee on Education and the Committee on Health and Human Services</p> <p>No. 76 Committee on Education</p> <p>No. 77 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means</p> <p>No. 78 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</p> <p>No. 79 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Tourism and Intergovernmental Affairs</p> <p>No. 80 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Health and Human Services</p> <p>No. 81 Committee on Economic Development and Technology, then to the Committee on Ways and Means</p> <p>No. 82 Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>No. 83 Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>No. 84 Committee on Education, then to the Committee on Ways and Means</p> <p>No. 85 Jointly to the Committee on Education and the Committee on Tourism and Intergovernmental Affairs</p> <p>No. 86 Committee on Economic Development and Technology</p> <p>No. 87 Committee on Health and Human Services, then to the Committee on Education</p> <p>No. 88 Committee on Health and Human Services, then to the Committee on Transportation, Military Affairs, and Government Operations</p> <p>No. 89 Committee on Education, then to the Committee on Judiciary</p> <p>No. 90 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Judiciary</p> <p>No. 91 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Tourism and Intergovernmental Affairs</p> <p>No. 92 Committee on Labor</p> <p>No. 94 Committee on Economic Development and Technology, then to the Committee on Ways and Means</p> | <p>No. 95 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Water, Land, Energy, and Environment</p> <p>No. 96 Committee on Education, then to the Committee on Judiciary</p> <p>No. 97 Jointly to the Committee on Economic Development and Technology and the Committee on Water, Land, Energy, and Environment, then to the Committee on Ways and Means</p> <p>No. 98 Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>No. 99 Committee on Tourism and Intergovernmental Affairs</p> <p>No. 101 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 102 Committee on Tourism and Intergovernmental Affairs, then to the Committee on Ways and Means</p> <p>No. 103 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary, then to the Committee on Ways and Means</p> <p>No. 104 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary</p> <p>No. 105 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means</p> <p>No. 106 Committee on Agriculture, then to the Committee on Ways and Means</p> <p>No. 107 Committee on Commerce, Consumer Protection and Housing</p> <p>No. 108 Committee on Hawaiian Affairs, then to the Committee on Economic Development and Technology</p> <p>No. 109 Committee on Transportation, Military Affairs, and Government Operations</p> <p>No. 110 Committee on Health and Human Services, then to the Committee on Ways and Means</p> <p>No. 111 Jointly to the Committee on Health and Human Services and the Committee on Education</p> <p>No. 112 Committee on Labor, then to the Committee on Ways and Means</p> <p>No. 113 Committee on Education</p> |
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RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 2351, H.D. 1 Jointly to the Committee on Economic Development and Technology and the Committee on

Transportation, Military Affairs, and Government Operations, then jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Ways and Means

No. 2723, H.D. 2 Jointly to the Committee on Water, Land, Energy, and Environment and the Committee on Tourism and Intergovernmental Affairs

At this time, Senator Matsunaga, on behalf of the Senate, extended happy birthday wishes to Senator Chumbley.

ADJOURNMENT

At 12:01 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, March 20, 2002.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate