

## SIXTEENTH DAY

Friday, February 7, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Arnold Trujillo, President, Hawaii Conference of Seventh-Day Adventists, after which the Roll was called showing all Senators present with the exception of Senator Sakamoto who was excused.

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

Senator Tsutsui introduced Masaru "Pundy" Yokouchi and congratulated him on being named as one of Hawaii's living treasures and commended him for his commitment to his community and for his devotion and countless contributions to the world of arts.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 186 to 192) were read by the Clerk and were placed on file:

Gov. Msg. No. 186, letter dated January 30, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1354, which makes an emergency appropriation and authorization of \$6,259,886 from the Hawaii Tobacco Settlement Special Fund to allow the Department of Human Services to continue to provide health care coverage to children under 19 who are eligible under its medical assistance programs.

Gov. Msg. No. 187, letter dated February 5, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

Gov. Msg. No. 188, dated January 21, 2003, transmitting a Report on a Plan for Licensing Educational Administrators, prepared by the Department of Health pursuant to Act 249, SLH 2002.

Gov. Msg. No. 189, dated January 21, 2003, transmitting the Annual School-by-School Expenditure Report, prepared by the Department of Education pursuant to Section 302A-1004, HRS.

Gov. Msg. No. 190, dated January 21, 2003, transmitting the Report on the Performance Standards Review Commission, prepared by the Department of Education pursuant to Section 302A-201, HRS.

Gov. Msg. No. 191, dated January 29, 2003, transmitting the 2002 Annual Report of the State of Hawaii Overseas Offices, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84.

Gov. Msg. No. 192, dated January 29, 2003, transmitting Hawaii's Sister State/Province Program Report, prepared by the Department of Business, Economic Development, and Tourism pursuant to Section 201-84.

## STANDING COMMITTEE REPORTS

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 248, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Tourism.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was recommitted to the Committee on Tourism.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 881 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 881, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 882 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO MULTI-PURPOSE SENIOR CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 883, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 10) recommending that S.B. No. 892, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 892, 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 Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 11) recommending that S.B. No. 923 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO ELDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 946 pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER CONSENT," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 950, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 971 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 971, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FOSTER CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kim and Kawamoto, for the Committee on Tourism and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 15) recommending that S.B. No. 41 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 16)

recommending that S.B. No. 392 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 392, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY DRUG TREATMENT COURT QUARTERLY REPORTING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 632, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 632, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 635, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC FINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 729 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 729, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG COURT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 801 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 801, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 802, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 962, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 962, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CHILDREN'S JUSTICE CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 996 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 442, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHTS OF VICTIMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 933, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 933, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STALKING," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 934, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 935 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 935, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 2003.

## ORDER OF THE DAY

### RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 65	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
No. 1280	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

## ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 10, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate