

TWENTIETH DAY

Thursday, February 13, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Elder Gene Fujii, Kaimuki Evangelical Church, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senator Chun Oakland introduced Abel Werner, a junior at McKinley High School, and commended him on being selected as the 2002 Gatorade Hawaii High School Football Player of the Year. Accompanying the honoree was his mother, Trinidad Werner, Athletic Director Neal Takamori, and Principal Milton Shishido. Also recognized was Coach David Tanuvasa who was unable to attend.

Senator Aduja then introduced and recognized Tau Moe, the world's oldest living steel guitar player and a pioneer in the renaissance of Polynesian and Hawaiian music. Accompanying the guest of honor was his daughter, Dorian Moe Vineula; his niece, Vailima Moe Watson; his son-in-law, Josia Vineula; Dr. Ishmael Stagner from Alu Like Inc.; and Cy Bridges from the Polynesian Cultural Center.

Senator Ihara introduced Moya Davenport Gray and recognized her for her accomplishments and exemplary service during her tenure as the Director of the Office of Information Practices. Accompanying Ms. Gray was her husband, David; her children, Tiare and Michael; and her mother, Alita Arkin.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 199 and 200) were read by the Clerk and were placed on file:

Gov. Msg. No. 199, dated January 22, 2003, transmitting a Report on the Food Security Task Force, prepared by the Office of Planning pursuant to S.C.R. No. 75 (2002).

Gov. Msg. No. 200, letter dated February 12, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

STANDING COMMITTEE REPORTS

Senators Fukunaga and Inouye, for the Committee on Economic Development and the Committee on Water, Land, and Agriculture, presented a joint report (Stand. Com. Rep. No. 205) recommending that S.B. No. 65, 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 joint report of the Committees was adopted and S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO AGRIBUSINESS INCUBATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 206), recommending that S.B. No. 248, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 248, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was referred to the Committee on Ways and Means.

Senator Kim, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 207) recommending that S.B. No. 1040, as amended in S.D. 1, pass Second Reading and be recommitted jointly to the Committee on Tourism and the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was recommitted jointly to the Committee on Tourism and the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 208) recommending that S.B. No. 78, as amended in S.D. 1, 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. 78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER 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. 209) recommending that S.B. No. 884 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. 884, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS," 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. 210) recommending that S.B. No. 959 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. 959, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," 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. 211)

recommending that S.B. No. 968 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. 968, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILY 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. 212) recommending that S.B. No. 974 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. 974, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM," 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. 213) recommending that S.B. No. 1023 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. 1023, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," 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. 214) recommending that S.B. No. 1052 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. 1052, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," 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. 215) recommending that S.B. No. 1064 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. 1064, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," 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. 216) recommending that S.B. No. 1240, 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. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," 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. 217)

recommending that S.B. No. 1352, 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. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED 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. 218) recommending that S.B. No. 1353 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. 1353, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," 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. 219) recommending that S.B. No. 1423, 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. 1423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the majority of the Committee on Human Services, presented a report (Stand. Com. Rep. No. 220) recommending that S.B. No. 1579, 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 majority of the Committee was adopted and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CARE PAYMENTS," 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. 221) recommending that S.B. No. 1580 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. 1580, entitled: "A BILL FOR AN ACT RELATING TO ADVOCACY FOR 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. 222) recommending that S.B. No. 1584, 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. 1584, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CHILD CARE,” 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. 223) recommending that S.B. No. 1613 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. 1613, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NURSING HOME WITHOUT WALLS,” 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. 224) recommending that S.B. No. 574 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. 574, 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. 225) recommending that S.B. No. 875, as amended in S.D. 1, 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. 875, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Menor and Ige, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Science, Arts, and Technology, presented a joint report (Stand. Com. Rep. No. 226) recommending that S.B. No. 1055, 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 joint report of the Committees was adopted and S.B. No. 1055, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MOTOR VEHICLE 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. 227) recommending that S.B. No. 1315 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. 1315, entitled: “A BILL FOR AN ACT RELATING TO INSURANCE FRAUD,” 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. 228) recommending that S.B. No. 1316 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. 1316, entitled: “A BILL FOR AN ACT RELATING TO DENTAL 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. 229) recommending that S.B. No. 1322 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. 1322, entitled: “A BILL FOR AN ACT RELATING TO TAXATION OF PREMIUMS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 230) recommending that S.B. No. 12, 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 joint report of the majority of the Committees was adopted and S.B. No. 12, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,” 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. 231) recommending that S.B. No. 381, 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. 381, S.D. 1, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 232) recommending that S.B. No. 474, 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 joint report of the Committees was adopted and S.B. No. 474, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE AUDITOR,” 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. 233) recommending that S.B. No. 1150 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. 1150, entitled: “A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF

HAWAIIAN AFFAIRS,” 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. 234) recommending that S.B. No. 1151 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. 1151, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” 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. 235) recommending that S.B. No. 1158, 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. 1158, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Hanabusa and Sakamoto, for the Committee on Judiciary and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 236) recommending that S.B. No. 1410 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. 1410, entitled: “A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 237) recommending that S.B. No. 322 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. 322, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES SERVICES BRANCH OF THE DEPARTMENT OF HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 238) recommending that S.B. No. 714 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. 714, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY AMBULANCE SERVICE ON THE ISLAND OF HAWAII,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 239) recommending that S.B. No.

1238, 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. 1238, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO MENTAL HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and Hanabusa, for the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 240) recommending that S.B. No. 1279, 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 joint report of the Committees was adopted and S.B. No. 1279, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TOBACCO,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 241) recommending that S.B. No. 1360, as amended in S.D. 1, 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. 1360, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES,” passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senators Baker and Hanabusa, for the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 242) recommending that S.B. No. 1367, 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 joint report of the Committees was adopted and S.B. No. 1367, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 243) recommending that S.B. No. 1482 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. 1482, entitled: “A BILL FOR AN ACT RELATING TO HEALTH,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 244) recommending that S.B. No. 1509 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. 1509, entitled: “A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO KAHUKU HOSPITAL,” passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 245) recommending that S.B. No. 1675 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. 1675, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 246) recommending that S.B. No. 552, as amended in S.D. 1, 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. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator English, for the majority of the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 247) recommending that S.B. No. 1517, 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 majority of the Committee was adopted and S.B. No. 1517, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators English and Hanabusa, for the Committee on Energy and Environment and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 248) recommending that S.B. No. 1593 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. 1593, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL JUSTICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 249) recommending that S.B. No. 1609, 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 Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1609, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 250) recommending that S.B. No. 1614, 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 Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.B. No. 1614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 251) recommending that S.B. No. 786, 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. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 252) recommending that S.B. No. 91, as amended in S.D. 1, 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. 91, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 253) recommending that S.B. No. 317, 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. 317, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 254) recommending that S.B. No. 335, 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. 335, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 255) recommending that S.B. No. 344, 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. 344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 256) recommending that S.B. No. 735, as amended in S.D. 1, 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. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 257) recommending that S.B. No. 737, as amended in S.D. 1, 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. 737, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 258) recommending that S.B. No. 835, 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. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STORED VEHICLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 259) recommending that S.B. No. 873, as amended in S.D. 1, 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. 873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 260) recommending that S.B. No. 1050, 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. 1050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 261) recommending that S.B. No. 1201, 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 Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE FRANCHISES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection and Housing.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 262) recommending that S.B. No. 49 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. 49, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 263) recommending that S.B. No. 435 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. 435, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 264) recommending that S.B. No. 762, 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. 762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 265) recommending that S.B. No. 763, 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. 763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 266) recommending that S.B. No. 765, 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. 765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kanno, for the Committee on Labor, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No.

1126, 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. 1126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 268) recommending that S.B. No. 554 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. 554, entitled: "A BILL FOR AN ACT RELATING TO BROWN TREE SNAKES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 269) recommending that S.B. No. 1256 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. 1256, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 1416 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. 1416, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 271) recommending that S.B. No. 1460, 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. 1460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 2003.

ORDER OF THE DAY

THIRD READING

S.B. No. 1163:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 1163, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1038, S.D. 1:

Senator Inouye, moved that S.B. No. 1038, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Ihara requested his vote be cast "aye, with reservations," and the Chair so ordered.

Senator Inouye rose to speak in favor of the measure and said:

"Mr. President, I speak in support of S.B. No. 1038.

"Mr. President, just for clarification, I do want to add that this bill bans the addition of chemicals to the public water supply but not additives used to make water safe and portable, such as chlorine. So I do want to add that this seems like it's an anti-fluoridation bill and I think it is.

"At the same time, Mr. President, just a note that I'd like to pass on. Your Committee on Water, Land, and Agriculture has passed many administration bills, Mr. President, and this is the first time in the year 2003 that your Committee has passed out one of the first bills introduced by a Republican. So, we'd like to congratulate Senator Slom for introducing this bill and also for the Committee passing this bill out on his behalf.

"Thank you, Mr. President."

The motion was put by the Chair and carried, S.B. No. 1038, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER SUPPLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1547:

Senator Inouye moved that S.B. No. 1547, having been read throughout, pass Third Reading, seconded by Senator Espero.

Senator Inouye rose to speak in support of the measure and said:

"Mr. President, I speak in support of S.B. No. 1547.

"This is the second Republican bill, as well. So we congratulate Senator Whalen for that.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 1547, entitled: "A BILL FOR AN ACT RELATING TO MARINE ACTIVITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1462:

Senator Kim moved that S.B. No. 1462, having been read throughout, pass Third Reading, seconded by Senator Tsutsui.

Senator Inouye rose and said:

"Mr. President, I'll be voting with reservations. I wish to submit my remarks on S.B. No. 1462, relating to the Hawaii Tourism Authority, into the Journal. Thank you."

The Chair having so ordered, Senator Inouye's remarks read as follows:

"Mr. President, I have reservations on S.B. No. 1462, 'A Bill For An Act Relating to the Hawaii Tourism Authority.'

"This measure requires the Hawaii Tourism Authority (HTA) to appoint a sports coordinator to manage services for all HTA sponsored sporting events. In its testimony, the HTA has stated that it is already in the process of administratively establishing a position and thus the bill is unnecessary. The bill only sets up a legislative redundancy that will mirror and micromanage the HTA."

The motion was put by the Chair and carried, S.B. No. 1462, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RE-REFERRAL OF SENATE BILL

The Chair re-referred the following Senate bill that was introduced:

Senate Bill Referred to:

No. 140, S.D. 1 Committee on Education, then to the Committee on Ways and Means

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 900.

Senator Fukunaga noted:

"Mr. President, this bill relates to tax credits for renovation costs incurred by small businesses and was heard on February 6, 2003. We are requesting a waiver in order to hold decision-making on the bill this afternoon."

The Chair then granted the waiver.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 1636.

Senator Kawamoto noted:

"Mr. President, this bill relates to public agency meetings and records, and was heard on Monday, February 10. We are asking for a waiver so we can hold decision-making on this bill."

The Chair then granted the waiver.

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

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

"First of all, let me acknowledge with much aloha the wisdom and the graciousness of the Chair from the Water, Land Committee and extend to the other Committee Chairs that there

are still many, many, many wonderful Republican bills that still are breathing life, although some are on life-support. (Laughter.)

"I would also like to take note that today is the 20th day of this legislative session. One-third of the legislature is now pau. What have we accomplished thus far? Well, we have one bill that has become a law – Act 1, which pays ourselves, so we know where our priorities are.

"I would encourage all of our colleagues that we move along at a faster clip. We have a lot of work to do in the remaining 40 days. I'm confident that we, particularly in the Senate, will accomplish this.

"Thank you, Mr. President."

At 12:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 o'clock p.m.

ADJOURNMENT

At 12:32 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 14, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate