

TWENTY-SIXTH DAY

Monday, March 1, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Healani Hamilton, Baha'i Faith, after which the Roll was called showing all Senators present with the exception of Senator Hogue who was excused.

The President announced that he had read and approved the Journal of the Twenty-Fifth Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 29 to 35) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 29, transmitting H.B. No. 1820, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 1820, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 30, transmitting H.B. No. 2020, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2020, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed First Reading by title and was deferred.

Hse. Com. No. 31, transmitting H.B. No. 2049, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2049, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading by title and was deferred.

Hse. Com. No. 32, transmitting H.B. No. 2139, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2139, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was deferred.

Hse. Com. No. 33, transmitting H.B. No. 2140, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2140, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY CONTINUING EDUCATION FOR PHARMACISTS," passed First Reading by title and was deferred.

Hse. Com. No. 34, transmitting H.B. No. 2147, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed First Reading by title and was deferred.

Hse. Com. No. 35, transmitting H.B. No. 2569, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 2004, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NIIHAU SHELL PRODUCTS," passed First Reading by title and was deferred.

STANDING COMMITTEE REPORTS

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2530) recommending that S.B. No. 2892 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2892, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2531) recommending that S.B. No. 2893 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2893, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED APPLICATIONS FOR PROFESSIONAL AND VOCATIONAL LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2532) recommending that S.B. No. 2898 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2898, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY LICENSE RESTORATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2533) recommending that S.B. No. 2901 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2901, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING REQUIREMENTS FOR ELEVATOR MECHANICS," passed Second Reading and was

placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2534) recommending that S.B. No. 3204 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 3204, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY PROVIDERS AND ACTIVITY DESKS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 2535) recommending that S.B. No. 2260, 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 Hemmings and carried, the report of the Committee was adopted and S.B. No. 2260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARD NONFORFEITURE FOR INDIVIDUAL DEFERRED ANNUITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 3, 2004.

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 2536) recommending that S.B. No. 2498, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hemmings and carried, the report of the Committee was adopted and S.B. No. 2498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was recommitted to the Committee on Transportation, Military Affairs, and Government Operations.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

ORDER OF THE DAY

THIRD READING

S.B. No. 2815:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 2815, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hogue, Kokubun, Menor).

S.B. No. 2969, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 2969, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hogue, Kokubun, Menor).

S.B. No. 3237, S.D. 1:

By unanimous consent, action on S.B. No. 3237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 2, 2004.

S.B. No. 2139, S.D. 1:

Senator Ige moved that S.B. No. 2139, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kim.

Senator Kim rose to speak on the measure and said:

"Mr. President, can I just have some remarks inserted into the Journal?"

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

"Mr. President, I rise in support of S.B. No. 2139, S.D. 1, MUSEUM ON HAWAIIAN MUSIC AND DANCE and offer the following comments:

- The idea of celebrating Hawaiian music and dance/hula is an exciting thought, an exhilarating conception.
- The notion of creating a museum honoring the artists of the host culture is empowering.
- Hawaiian Music and Dance enables us to communicate our unique and powerful cultural identity to our visitors.
- There is a need to preserve, perpetuate and promote Hawaiian Music and Dance.
- The establishment of the Hawaiian Music and Dance Committee to study the feasibility of creating a Museum of Hawaiian Music and Dance can only enhance our tourism industry.
- There is no stronger way to promote a locale as a competitive tourism market than through the development of the unique culture and arts of a destination.
- This is as much an economic development effort as it is a culture and arts endeavor.
- The economic viability of Hawaii's tourism is heavily dependent upon the Hawaiian culture.
- The media has utilized music and hula to promotion tourism and to convey the aloha spirit.
- The establishment of a Museum of Hawaiian Music and Dance will provide an important new product in marketing Hawaii as a tourist destination.
- The idea of a Museum of Hawaiian Music and Dance '...is not so far fetched when you consider other examples such as the economic impacts of country music on Nashville or Dixieland jazz on New Orleans or Rock 'n Roll on Cleveland. Was Brother Iz trying to tell us something when his music was heard in two widely popular Hollywood movies! Would his talent have been recognized much sooner had he been able to perform in a Hawaiian Music and Dance Hall of Fame? Would he have been able to reap the full financial benefits of his talent? How about the many others before and after?"
- This museum will offer an education resource for present and future generations.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 2139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hogue, Menor).

S.B. No. 2074, S.D. 1:

Senator Hanabusa moved that S.B. No. 2074, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Trimble rose to speak in favor of the measure and stated:

“Mr. President, I rise to speak in favor of this measure.

“Last October, I surveyed the registered voters in my district. The issue that generated the strongest reaction related to the need for campaign finance reform. The language in S.B. No. 2074 banning corporate and union contributions to political candidates is consistent with the longstanding public position of the Campaign Spending Commission. Making intentional violations a class C felony is consistent with the position taken by both the Attorney General’s Office and that of the City Prosecutor.

“I sense that citizen participation in the election process, which is at the very soul of our form of government, will increase substantially if our citizens believe that their voice is equal to that of any other. My sense is that many young people do not exercise their right of citizenship because they view the current system as corrupt and do not want to be associated with it.

“Public confidence in the integrity of the important work that we do must be restored. Passage of S.B. No. 2074 is an important step in that direction. And considering all the negative publicity that has been given to this problem, now is the right time to do the right thing.

“Thank you, Mr. President.”

Senator Kawamoto rose in opposition to the measure and said:

“Mr. President, I rise in opposition of this bill.

“Mr. President, this bill . . . by the way, the thing that we wanted to do with campaign spending was to refine the policy of this Body on campaign spending.

“This bill does not have the definitions that we wanted to see in the campaign spending bill. Also, Mr. President, one of the troublesome items on campaign spending was the term ‘controllable interest.’ This bill takes out controllable interest and leaves it blank and leaves the authority of controllable interest left up to the Campaign Spending Commission and its director. This is providing the campaign director an opportunity to make that decision among himself, for himself. This is very difficult for the people out in the communities who want to donate and use the idea of freedom of speech.

“Thank you very much.”

The motion was put by the Chair and carried, S.B. No. 2074, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawamoto). Excused, 2 (Hogue, Menor).

S.B. No. 2372, S.D. 1:

Senator Hanabusa moved that S.B. No. 2372, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Aduja rose to speak in support of the measure as follows:

“Mr. President, at this time, I rise in support of this bill. I’d also like to indicate to the President compliments to the good Senator from Waianae who looked at this bill and expanded it to also include those of elected officials who may have their family members placed in danger.

“Mr. President, I, like the Lieutenant Governor, as well as the Senator from Waianae, have been very active in the war against ice. I am a mother of two very young children. My son is five years old in kindergarten, and my daughter is four years old in pre-school. I welcome the opportunity to also make my appeal before the Director of Public Safety in order to have such security for my very young and vulnerable children.

“So, I thank the Senator; I thank the Senate President, and I encourage all of the members of this Body to please vote favorably for this measure.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 2372, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hogue, Menor).

S.B. No. 2444, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, S.B. No. 2444, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE PROBATE CODE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hogue, Menor).

S.B. No. 2827, S.D. 1:

Senator Hanabusa moved that S.B. No. 2827, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

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

“Mr. President, I rise to speak in support of the bill.

“For seven years now, the campaign spending commission has said that they are going to have a system that is going to include Macintosh users. So in speaking on behalf of the bipartisan Macintosh users group, I know that the campaign spending chairman was asked this questions yet again during the hearing, and again responded that he will have that. And we just want to make sure that in fact that will be included in at least the committee report so that in 2006, we will have full civil rights with the rest of our Minority Leaders.

“Thank you.”

The motion was put by the Chair and carried, S.B. No. 2827, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hogue, Menor).

S.B. No. 3144, S.D. 1:

Senator Hanabusa moved that S.B. No. 3144, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Aduja rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise in favor, however, with reservations, with regards to this measure.

"While I looked at the testimony that had been obtained through the committee hearings, there weren't very many in favor. We've got one from the good Senator from the Big Island, as well as one from an attorney from Hawaii Reserves, Inc., and another attorney, but we have not heard from the body of the Hawaii State Bar Association. I believe that we should have heard from this organization, as it will generally have its most impact on practicing attorneys.

"While the good Senator from the Big Island has indicated that we've got attorneys that have left Hawaii, they will be able to come back without having to take the bar exam if they have fulfilled several criteria such as being in good standing for the last five out of seven years. There will still, also, be opportunity where we would have competition from the mainland competing with the attorneys here that have locally studied for the bar.

"Given that, Mr. President, I would like to lodge my reservations on this measure until there is some clarification from the Hawaii State Bar Association.

"Thank you."

Senator Whalen rose to speak in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"This is the first time I heard that we need to holdup a bill or something because someone didn't respond, given ample opportunity. For the information of the Senator from Oahu, I contacted the Bar Association to let them know about the bill and asked for their input, and if they don't want to give it, then why should we holdup. In fact, if she did her research, she would have also noted that the ABA endorses this bill and suggests for all jurisdictions to adopt it.

"So, the support is there from the American Bar Association, and if the local chapter differs with the parent association, that's something for them to take up or at least bring forward some sort of testimony. I urge all of our members to vote for it.

"Thank you."

Senator Aduja rose in rebuttal and said:

"Mr. President, just in rebuttal.

"Mr. President, I am not holding up this bill. I'm just indicating my reservations on this matter. I would like it to move forward.

"Thank you."

The motion was put by the Chair and carried, S.B. No. 3144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hogue, Menor).

S.B. No. 3233, S.D. 1:

Senator Hanabusa moved that S.B. No. 3233, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose to speak in opposition to the measure and said:

"Mr. President, I rise in opposition to the bill.

"First, let me say that there are a number of bills that we will be dealing with today and also next Tuesday that deal with the ice problem. I think all of us are in agreement that we have a problem; secondly, that we need to do something; thirdly, that treatment is important. And I do congratulate the sponsors of the bill who have made changes from the original 5½ hours Saturday hearing a couple of weeks ago, which was an outrageous bill – putting heavy penalties and heavy demands on the resources of the business community.

"I say it's been changed and it's been reformed, but it still is not a good bill, in my humble opinion, for a number of reasons. First of all, as far as business and employment, it still transfers a great deal of responsibility, further responsibility, to businesses and does require a business with 15 or more employees, currently, to institute at least a one-hour program of drug education. Failing to do that, that business is subject to fines.

"Most people who are not in business do not understand. They say, 'well, what's an hour or one hour per year?' First of all, you have the cost of the program itself. You have the cost of people that you're paying for away from doing their work and all of that, plus the fact that again we are putting the responsibility on business rather than on the responsibility of the individual.

"The original bill, as I said, was terrible in many respects. It's been toned down, but still there is that theme – that we don't want people to stand up and be responsible for their own actions and for themselves. And I'm sorry, Mr. President, but I guess I'm old school – I don't believe that choice and drug abuse, as practiced today heavily in Hawaii and across the nation, is a disease, not unlike cancer or diabetes or something else. I find that in this bill and in others that we're going to look at, there are punishments for other people other than the people that are the abusers. Again, there has to be a balance with treatment and there should be treatment, but I think that this bill is heavily weighted to the other side – treatment without enforcement.

"In addition to that, I believe that through the parity sections, it increases the employer mandate again under the pre-paid healthcare act.

"Thank you, Mr. President."

Senator Hanabusa rose to speak on the measure and said:

“Mr. President, before I begin, I’d like to thank my Co-Chair on this bill, who is the Chairman of the Health Committee from the good island of Maui, and also, my Co-Chair on the Joint House-Senate Task Force on Ice and Drug Abatement, the good Senator from Kahaluu.

“Mr. President, this bill, or two bills, are a result of the task force spending nearly 80 hours collecting information and listening to over 400 people. We’ve received written testimony more than 40 inches high, in terms of just paperwork that we received.

“Mr. President, the first version of this bill took it, maybe to some, a step too far. But that’s why we have public hearings. And when we started to discuss this bill, our position was very simple – we’re putting it out so that the public and our colleagues can decide where we are going with this problem, why is it a problem, and what kind of problem is it?

“There’s a difference when people come out and give you platiudes – like, well, you know, we’ve got to do education; we’ve got to do intervention; we’ve got to do prevention; we’ve got to do treatment; we’ve got to do incarceration – and there’s no substance behind that.

“What this Legislature did was we put it before everyone. And, yes, we received criticism, but that’s part of our process where people come forward and testify in a 5½-hour hearing, and Mr. President, we listened – we listened. Because I’ll tell you what, my position to the Chamber of Commerce who said, you know, we basically like the bill except for this one thing that you still have in it, which is a mandatory one hour – one hour, Mr. President – of drug education for their employees. And you know, it comes back to what is it that we have in terms of our obligation to each and every one of us. Is ice a disease or is ice a crime? That was one of the major controlling issues that we all had to contend with. And the answer is, it’s probably both. It is both. But, you cannot treat one without looking at the other.

“We have not had criticism on the fact that the bill, as it now stands, doesn’t address issues, like enhanced penalties, sufficiently. The attorney general has come back and said, basically, he doesn’t have very much to say about the bill now. We addressed the concerns they had on whether or not federal warrants would be acknowledged. We addressed all of those issues. We may differ on Act 161, but this Body made the statement that 161, the Drug Treatment Act, will be part of our philosophy. Where we had a problem was with the judiciary saying they did not have enough discretion. So, Mr. President, we addressed it. We put it in the bill. The judiciary is okay with it.

“So, what are we coming down to? My good colleague from Hawaii Kai said it’s too onerous on business. What have we done to business? We’ve got one provision in there. And what we’re asking businesses that have more than 15 employees is to invest in their employees. It’s to give them one hour of training.

“The average number of hours a person works is 2,073 in a year – 2,073 hours. We’re saying one hour of drug education. We’re hoping that adults will learn like the way kids learn. If there’s anything that we’ve had success with education, it’s the kids. When we look at the statistics, the school kids have reduced ice consumption because they understand. It’s the most addictive of drugs and it messes up their minds, so they’re not going to do it. If kids can learn, adults should be able to learn too.

“Yes, this is an issue of should people be responsible? Mr. President, it wouldn’t be a disease, or at least some of us wouldn’t consider it a disease, if we believed every single one of us could actually say ‘no.’ It would be great! We wouldn’t have a problem. But we have a problem, and why do we have a problem?

“You cannot read S.B. No. 3233 in isolation of S.B. No. 3234. One of the businesses said, you know, why don’t you give us a tax credit if we do it? Mr. President, we do have it. We have a \$250 tax credit for education for those companies that will do it, and that’s part of S.B. No. 3234.

“Mr. President, I congratulate all the members who have listened to this bill, who’ve passed it out so far, who’ve worked on it, and all the people who have come forward. Because we are making a statement, we are making a statement as to what ice is – the recognition of a major problem and how we will contend with it.

“I told the Chamber of Commerce, you know, if this is all you’ve got to say about the bill, I think we’ve done very well. We’ve done very well. That’s your only complaint.

“And remember, Mr. President, when we redid this bill, we left it up to the discretion of the Department of Labor to come up with its rules as to how you would comply with it and who will be and who will not be in compliance. And we think that is something that best sets forth a policy statement – that we will all have to join hands, including business, in this battle against ice. The kids have shown us that it works. They say education works. So, why not start?

“This one hour didn’t come out of our minds, it came out of the HMSA that came forward and said one hour of training, one hour would be a good number to start with. And that’s what it is, Mr. President. It’s a testimony to the fact that we listened and the fact that we amended this bill to address the concerns.

“Mr. President, I ask that my colleagues go forward and pass S.B. No. 3233, S.D. 1, as our statement of how the Legislature answered the cry of the communities and said that we will do something about this ice problem.

“Thank you, Mr. President.”

Senator Slom rose in rebuttal and said:

“Mr. President, a brief rebuttal.

“You know, it would be wrong if you thought that my only objections to this bill were just because of the one hour of mandated compulsory training on employers. I was pointing that out as one example – the fact that we have shifted the responsibility from the person who has made by a free choice decision to go in this route.

“It’s great that the taskforce, and they did do a great job, it’s great that they had 400 people that gave testimony and made comments and input. But if we look at what the Lieutenant Governor did when he went island by island, community by community, throughout the State for several months, they got several thousand reports and input. And even in that Saturday hearing, the 5½ hours, the voices that I heard were the same voices that I hear at our neighborhood boards that say they want these people taken of the streets – the people that rob and plunder and break-in again, and again, and again, and again. That’s not in this bill and that’s not in the succeeding bill as well. And that’s the message that’s not getting across.

“The good Chair from Waianae is absolutely correct – this is a philosophical debate as to those people that believe that treatment is not only important, but is paramount. And I don’t think the Chair meant to say that the attorney general and the Law Enforcement Coalition gave its blessing to this bill. Because, unless she’s privy to information that I have not received, they are still upset that the provisions that they wanted in a bill like this are not in this bill.

“As to the statement about employers should invest in their employees. Ah, there’s the rub, Mr. President, because employers invest in their employees from the outset. Employers create the job. They pay the salaries. They pay the benefits. They pay the training. They pay the taxes. They pay things that employees don’t pay. And employees want more and more and more benefits. So, to say that employers must invest in their employees when they’ve already been doing that, and we must join hands when we’ve been joining hands to solve a problem, I think is unfair. And I think that’s the problem with this kind of legislation. This is the theory behind it.

“In addition to that, Mr. President, I think that we have a situation here where I had said before, while it only affects those employers with 15 or more employees, in this version, if we look at every mandated benefit that the State of Hawaii has ever passed, it started with a cap – whether it was 50 employees, 25 employees, 15. And within one to two years maximum, those laws were all changed so that it affected every business.

“The Chamber of Commerce is a good organization. It generally represents the largest businesses in our community. It does not represent, to a large extent, small businesses, and they are the ones that will bear the brunt. And they are the one’s that have the most problem with this.

“But again, Mr. President, the real issue here is whether or not we’re going to fix individual responsibility, and this bill runs farther and farther away from it.

“Thank you.”

Senator Menor rose and said:

“Mr. President, please have the Clerk note my vote ‘with reservations.’”

Senator Aduja rose to speak in support of the measure as follows:

“Mr. President, I rise in support of S.B. No. 3233, S.D. 1.

“Mr. President, as Co-Chair of the Joint House/Senate Taskforce on Ice and Drug Abatement, I’d like to also acknowledge the hard work and dedication of the taskforce members who have cared enough about this issue to participate in our deliberations. As noted by my Co-Chair, the Senator from Waianae, we’ve had many, many hours of informational briefings and public hearings and numerous onsite visits on a statewide scale. And this was all taken up during the interim period. There, we learned that the scope of Hawaii’s ice epidemic and challenges we had to confront in search of practical and effective solutions. We learned that the problem was enormously complex, yet, we forged ahead.

“What we have before us is a result of a significant expenditure of human and real capital. I want to especially take note of the most disturbing finding, Mr. President, and that is the number of families whose members’ lives have been affected – irreparable harm, Mr. President, by the behavior of individuals who have fallen prey to this illegal drug.

“Mr. President, if we look at all of the statistics, I believe it would be fair to say that when you look at the ratio of user to family members, we’re looking at 1 to 2.5. Given that amount, I believe it’s fair to say, Mr. President, that the amount of individuals affected by this epidemic in the State of Hawaii is 250,000 individuals. It is my hope and my prayer, as well as the prayer of all the members of the joint taskforce, that this bill, which we worked so hard to attain, will make a significant impact on all of the family members that have been impacted by this horrible, horrible drug.

“Mr. President, I’d like to make a quote here as to what I call those individuals that are impacted, and that is our ‘drug-impacted ohana.’ Mr. President, I plead to you and the members of this Honorable Body that we got to save our families and we’ve got to save our ohana.

“Mr. President, I also rise in support of the bill that’s going to be heard, the funding mechanism for this bill, and I request that my support testimony also be incorporated in S.B. No. 3234, as well.

“Thank you, Mr. President.”

Senator Baker rose to speak in support of the measure and stated:

“Mr. President, I rise in support of this measure.

“I believe it is a balanced and fair approach giving law enforcement the tools they need, but definitely giving those in our community who have been affected by this drug the ability to get help and to be rehabilitated, because clearly, that’s the emphasis that I think that we need to take.

“Thank you.”

Senator Kim rose to speak in support of the measure with reservations as follows:

“Mr. President, I rise in support with a small reservation.

“Mr. President, first, I really want to acknowledge the hard work of the Judiciary Chair and the taskforce. I believe that they did put a lot of work into this bill and I think the majority of this bill is a very good one.

“I rise in concern about the issue of the training, as well, for our businesses. And one of the concerns that I have is the fact that I’m not sure if one hour of training is going to do the trick. Certainly, those that have partaken in drug abuse and so forth are not those who are going to listen to one hour of education and are going to change their life or can change their life. Those who do take the drugs, I’m sure, know that it’s illegal, know that it’s bad. I think there are kids in school who get training but still there are some kids who still choose to go on drugs for whatever reasons, and all the training in the world probably may not make a difference.

“So, I question the fact of whether or not one hour of training is going to put a burden on all of our businesses, and I’m not sure if it’s going to be, as they say, effective and practical that one hour of training is going to take care of the problem.

“So, if not for that issue, I would be voting straight up. Thank you.”

The motion was put by the Chair and carried, S.B. No. 3233, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES,” having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Hemmings, Slom, Trimble). Excused, 1 (Hogue).

Stand. Com. Rep. No. 2525 (S.B. No. 1491, S.D. 1):

Senator Taniguchi moved that Stand. Com. Rep. No. 2525 be adopted and S.B. No. 1491, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

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

“Mr. President, I rise to speak in favor of this measure.

“Mr. President, S.B. No. 1491, S.D. 1, is our annual transfer of excess funds bill. Every year, for many years now, the Legislature and the Executive Branch has scrutinized the balances of the State’s special and revolving funds and determined that many of them have balances in excess of their needs. This year is no different.

“Scrutinizing the financial statements of these funds has always proven to be a good thing. It is, in essence, the Legislature exercising its financial oversight responsibilities of all government operations. Too often, we overlook those programs run by funds other than general funds. Too often, we do not spend enough time evaluating their budgetary performance.

“But in the greater scheme of things, this bill is a necessity – a necessity because I believe our Governor has not, has not, formulated a truly balanced budget. I say this not only because her six-year financial plan ends with only \$6 million ending balance two years from now, but because she has also chosen to seriously underestimate our future expenditures in three areas. These are: (1) giving more resources to our public schools; (2) fighting the war on ice; and (3) giving teachers, professors, and all other government employees the compensation that they deserve. It is unfortunate that the Governor has chosen to leave out these very vital issues from her budget.

“To this end, this bill is an option that can help us balance the realities of our financial plan. This bill is but one tool for a realistic budget that provides funds for very essential government services and anticipates that revenues may possibly fall. Curiously, I find it ironic that our Governor has not yet endorsed the fund transfers found in this measure. I say ironic because last year alone, she authorized the transfer of over \$240 million from special and revolving funds to the general fund. Clearly, transferring balances are a necessity for her to balance the State’s budget.

“At this point, this bill proposes a one-time transfer of roughly \$56 million, hardly enough for expenditures that I feel are reasonable, but a step in the right direction, nonetheless.

“I urge all my colleagues to support this measure. Thank you.”

Senator Hemmings rose to speak against the measure and said:

“Mr. President, I rise to speak against S.B. No. 1491, S.D. 1.

“Mr. President, the good news is I think that both sides of the aisle can agree that we have too many special funds and we have too much money in them. We have had piecemeal solutions for years now, and that amounts to raids every year

trying to identify what we would consider the flow to the slush portions of these funds.

“We hope that in the future we will avoid this discussion by doing what your Senate Minority recommended last year – eliminate many of the special funds and allow the money to be deposited directly into the general fund and we’ll appropriate it like every other executive department that we do through the budget process.

“I do have to take issue with the politicization of this issue this year regarding the prior speaker’s singling out the Governor as being part of the problem. I really applaud the Governor for singling out three issues or three areas where we can cut spending. Public schools are problematic. They are by far and away the most expensive with one-and-three-quarters of a billion dollars expenditure. And quite frankly, there are those of us who believe that throwing more money at this problem is not going to solve it, simply because it hasn’t solved it.

“We also just discussed the ice bill and granted there is a tremendous amount of money already being used to address the ice epidemic, but money alone is not going to solve that problem. The implication of the previous speaker was that if we throw more money at ice, just like we throw money at public education, the problem is going to go away. Well, there are those of us who think that we need some incentive for people to get rehabbed and that there has to be, as it is with drug court, some law and order.

“In employee’s compensation, I would submit that this Legislature and the 23 Majority Party members who reversed their vote or reversed their position on binding arbitration have in fact dug a much deeper hole for the State of Hawaii in meeting out payroll requirements. But it also has to be noted that this Governor has done an excellent job of trying to reduce the state workforce through attrition and, basically, has eliminated close to 4,000 jobs in her first year as Governor.

“Our employees in the public sector do have a generous compensation. Many of them, when compared to the private sector, are making more money than their private counterparts, and they have one of the most generous benefit packages of any employee group in any state in the nation, with over 21 days of paid sick leave, vacation days amongst the highest in the nation, health insurance benefits amongst the most benevolent in the nation. The days of the poor, working, unionized members being abused by the country store are long since gone. Now it is the taxpayers of this State who are being abused.

“I laud the Governor for standing up for fiscal responsibility in public education, in the battle against ice, and in trying to control our employee costs. I also might note that in the area of employee cost, that it’s amazing how at the front of every line are union benefits, while the truly needy, who the alleged compassionate Majority Party members are supposed to be watching out for, oftentimes, their needs are put secondary to benevolent pay and benefit increases for public employees. The truly needy in our society are begging for assistance.

“To the credit of the Chairman of the Ways and Means Committee, the raid was originally \$72 million and it’s now \$55 million. I think the Committee Chairman, in his evenhandedness, did listen to the testimony that the raid of \$72 million would have driven many of the agencies that hold this money into a situation where they would have had to raise fees to make ends meet to pay for the services.

“Unfortunately, this bill gets political and I find it absolutely amazing that there are a number of bills this year that are taking away executive privileges and functions that have been in the

statutes for over 30 years. What's changed? Politics – just petty politics. We have a Republican Governor and now we're going to take away the power that we have afforded all the prior Governors that wore a different political label. How sad for the people of Hawaii.

"This bill eliminates the Governor's ability to transfer funds, as the previous speaker alluded to. When are we going to put down the partisanship and work on the spirit of cooperation to run a fiscally responsible State?"

"I'm voting against this bill and I hope some of my colleagues will join me for the simple reason that it doesn't solve the problem. It just extends it another year.

"Thank you, Mr. President."

Senator Kawamoto rose to speak in favor of the measure with reservations and said:

"Mr. President, I rise to speak in favor of the bill with reservations, primarily to remain with this bill and to be a valuable member of the Conference Committee.

"Mr. President, time and time again, many of you or many of our colleagues have come forth requesting monies to repave, new projects in their district, and repair and maintenance. Time and time again, I pleaded with DOT to provide for discretionary funds to do this, however, with no avail.

"Knowing that this past year, the reapportionment of appropriation funds from the congressional delegation in congress, that the donor states will be receiving 90 to 95 percent in 2007 they'll be receiving 95 percent of the funds they put in the federal funds. We, as donating states, without raising those funds who are similarly, may receive less funds.

"Mr. President, also knowing the fact that the DOT is starting up a new program where they would like to repave the highways seven to eight years, knowing that this is a cost savings to the State, whereby when we have to repave every 14 years, like many of our roads have been waiting, it will cost us in the millions. Whereas, if you do it seven and eight years, it may cost \$150,000 to \$200,000 per mile. These things concern me about raiding \$17 million from the highway funds. In effect, if you use these funds as matching funds, we're not only stealing \$17 million, we are stealing \$34 million out of the highway funds, which could work towards your programs and your projects in your district.

"So, those concerns of mine need to be addressed at Conference. Thank you, Mr. President."

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to the bill.

"Well, we just had a good lesson in semantics. The good Chair of Ways and Means referred to this as a transfer. The Chair of TMG refers to it as stealing. It is a raid. Whatever you call it, it's not being done properly.

"First of all, if the funds are bloated, that means that we're charging too many taxes or too many fees in the first place, and what we should do is reduce, lower or eliminate the taxes or the fees. But we never give any credence to doing that.

"Secondly, it was said that this is a one-time move. Well, last year was one time; the year before was one time; this is one time; next year will be one time. Every year is one time.

"The problem is we're not even looking at the report and the review that the legislative auditor provided in terms of identifying specific funds and specific balances. This looked like a raid on those funds that had the biggest balances, and there were more than two dozen funds, special funds, that have been raided in this bill.

"As you know, Mr. President, in the time that I've been here, I voted against the creation of each and every special fund – my belief being it is a cruel hoax on the public. There's nothing special about them, even the highway fund. The highway fund, we pay the nation's highest highway fuel taxes. And most of that money is supposed to go for road building and road repair. And we saw, after our latest rainfall and storm over the weekend, Friday and Saturday, that we have need for these monies. But you talk to anybody, and they are very unhappy with both the county and the state in terms of the potholes, in terms of the sinkholes, in terms of the way the highways have been designed. So here we are. We're saying, yeah, that's a problem, but we can still take \$17 million away.

"The tobacco settlement funds, we're draining another half million dollars at this point from that fund into the general fund. The people that supported that wanted it for a very specific purpose. It's not going for that.

"In the compliance resolution fund, \$11 million is being taken away. That's money directly paid by businesses to help make the Department of Commerce and Consumer Affairs self-supporting and self-sufficient. They are paying a tax, basically, to have that operate. Now if that money is drained away and DCCA needs additional funds to do the same things they were doing, they will be taxed yet again.

"The issue that I talked about in Ways and Means the other day that really blows my mind, and that is taking \$1.8 million from the newly created state parks special fund. For years we heard how important it was to fix our state parks, how deplorable they are, and they are. There were all kinds of ideas about how to take it from the Hawaii Tourism Authority, the convention fund, the TAT, this and that, but everybody seemed to agree that there was a problem. Now we're saying, well, it's not that great a problem after all because we're going to take nearly \$2 million away from that.

"The highway fund, which we mentioned, and the Minority Leader mentioned the stripping of powers from the executive, so, this is more than just a raid bill. It's more than just stealing and it's not well thought out, and it's looking for an enormous amount of money. We need to do a better job and we should start with the idea of getting rid of those nonessential, non-federal backed special funds, and not do what we did today in Ways and Means – and that is create yet another new special fund.

"Thank you."

Senator Hooser rose to speak in support of the measure as follows:

"Mr. President, I rise in support to speak briefly.

"I just want to encourage my colleagues to support this bill and acknowledge the Committee, the Committee Chair and the Vice Chair for their hard work. I know it's a difficult job looking and going through with a fine-tooth comb the various programs and priorities and trying to decide where the money is best spent. I think it's a question of balance and a question of priorities, looking at what the community's needs are, what the community is asking us to do.

"Today we have issues on ice, issues on education that need funding, that need support. I think it's about doing the right thing at the right time, about analyzing these funds, looking for fat and inefficiencies. We hear a lot about where's the fat? Where's the fat? Well, I think the Committee has done a darn good job looking at these funds, looking at money that's misspent or unspent, I should say, money that hasn't been managed properly and then refocusing those funds in areas in our community where they can be better utilized.

"It's always interesting to hear the debate in this room and the different perspectives that are talked about and expressed. I, for one, prefer to see the glass as half full. Others seem to focus on it always being half empty. When we look at spending more money on public education, some see that as throwing money down the toilet. I see that as investing in the future of our children.

"When we look at the problem of drugs in our community, some would want to spend our money on more prisons, more jails, and more police officers and lock them up and throw away the key. I prefer to extend a helping hand to our brothers and sisters, mothers and fathers, and children who have problems with addiction and need treatment and education and support.

"I encourage my colleagues again to vote in favor of this bill for the betterment of our community. Thank you."

Senator Aduja rose to speak in support of the measure with reservations and said:

"Mr. President, I rise in support. However, I'd like to lodge my reservations.

"Most of my reservations are because of the use of funds that affect domestic violence and spouse and child abuse special accounts, which is in sections 15 and 16, and in section 20.

"I also have reservations because of the adverse impact it might cause on the environment, because we've got sections 21 through 23 and 26, which lowers the statutory ceiling on environmental health education.

"Mr. President, I believe that funding is necessary when it comes to the area of family and children, education, as well as the environment. Therefore, I lodge my support, however, with reservations in this particular area.

"Thank you."

Senators Kim and Baker requested their votes be cast "aye, with reservations," and the Chair so ordered.

Senator Espero rose with reservations and said:

"Mr. President, I also with be voting with reservations.

"Next Session, if the executive branch does feel that there are too many special funds, I'd like to hope that the executive branch can provide us a list of those funds which it feels should be terminated and we can debate it at that time.

"Thank you, Mr. President."

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

Senator Chun Oakland rose in support with reservations and said:

"Mr. President, I also rise in support with reservations, and I'd like my remarks inserted into the Journal."

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

"Mr. President, I rise in favor with reservations on S.B. No. 1491, S.D. 1.

"I hope that as this bill goes through the process, the spouse and child abuse special fund; spouse and child abuse special account; state highways special fund; and state parks funds will not be taken away unless these funds are used for its intended purposes through other bills moving through the Legislature."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2525 was adopted and S.B. No. 1491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Hogue).

Stand. Com. Rep. No. 2526 (S.B. No. 3194, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 2526 and S.B. No. 3194, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE RX PROGRAM," was deferred until Tuesday, March 2, 2004.

Stand. Com. Rep. No. 2527 (S.B. No. 2153, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2527 be adopted and S.B. No. 2153, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to the bill.

"Again, this is another one of the substance abuse bills that provides for an increase in taxation. The total cost of the bill is unknown. The bill does talk about evidence-based treatment, but that's a vague term and we don't know what evidence-based means because in this Body here, we argue over evidence and statistics and studies that have been presented.

"Thank you."

Senator Baker rose in support of the measure as follows:

"Mr. President, I rise in support of this measure.

"Mr. President, this measure gives us the mechanism using a tax that we hope ultimately is not going to generate any money but still generates probably, in order of magnitude, about \$12 million to help us tackle something that is even more addictive than cigarette smoking, and that's crystal methamphetamine. If we don't come up with additional resources, we're going to be strapped in our general funds to find other ways of funding the programs of prevention, education, treatment, rehabilitation, even some of those wonderful programs like drug court that need to be funded as a means of providing that incentive to help people get off of ice and give them the opportunity to do so in an environment that might actually ensure their success.

"With regard to the notion of evidence-based, we heard measures before your Health Committee this year on this very subject. We asked the Department of Health, 'Do you use evidence-based criteria in determining which programs you

recommend for funding, whether it's in a GIA, or purchase of service, or the other funding that you might have in your department?" And we were assured that, yes indeed, they do. It's called best practices by some, performance based by others. So, what the term evidence-based means is very clear in the health community. It means that programs have outcome measures; they have standards and criteria; and they have means of measurement.

"So, I think it's very appropriate to ask for evidence-based substance abuse programs to be funded. We want our funds to go for those programs that we know make a difference, have a track record, and have some empirical reasons or empirical criteria that can tell us whether the program will succeed.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2527 was adopted and S.B. No. 2153, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Slom, Trimble, Whalen). Excused, 1 (Hogue).

Stand. Com. Rep. No. 2528 (S.B. No. 3068, S.D. 2):

Senator Taniguchi moved that Stand. Com. Rep. No. 2528 be adopted and S.B. No. 3068, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

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

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, S.B. No. 3068, S.D. 1, contains over \$12 million in appropriations out of the State's emergency and budget reserve fund, otherwise known as the rainy day fund, for some very vital government services. In essence, these are the same appropriations made last year in Act 3, Special Session of 2003, and includes five additional expenditures.

"While some may argue that it is not yet raining in our State, I would argue otherwise. There are many in our community who would go without healthcare, drug treatment, counseling, and a myriad of other public health programs that we take for granted. This bill takes care of those in our community who need our help now.

"I urge my colleagues to please support these programs and vote 'yes' on this bill. Thank you."

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise in opposition to the bill.

"I don't deny that it's raining. It rained all weekend. It was raining this morning. What I do deny, however, is that this is a proper use of the emergency fund. And as the good Senator from Ways and Means just pointed out, every year we have the same emergency, only we seem to add additional items or additional categories.

"This bill originally started out and it was funded by the general fund, and I have no problem with that whatsoever. We can look at the individual agencies and individual programs from that standpoint. But this constant year-in, year-out attack on the emergency fund, I think, does us all a disservice.

"Thank you."

Senator Baker rose in support of the measure and said:

"Mr. President, I rise in support of this measure.

"Mr. President, I'd just like to point out for my colleagues that this appropriation does not take money out of the corpus of the fund. In effect, what it's doing is it's taking the money that's specified from the master settlement agreement, from the tobacco fund, that would have gone to augment or increase the rainy day fund balance. So, what we're doing really is taking the portion of the master settlement agreement that would have gone into the rainy day fund and utilize it. We're not touching the amount that's currently in the rainy day fund, and I think that it is a very appropriate use of those master settlement account funds to go for the important health and human service programs in our State.

"Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2528 was adopted and S.B. No. 3068, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Hogue).

S.B. No. 3234, S.D. 1:

Senator Taniguchi moved that S.B. No. 3234, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kokubun.

Senator Aduja rose to speak in support of the measure as follows:

"Mr. President, I request that my support testimony from S.B. No. 3233 also be incorporated in S.B. No. 3234."

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

"Mr. President, as Co-Chair of the Joint House/Senate Taskforce on Ice and Drug Abatement, I'd like to also acknowledge the hard work and dedication of the taskforce members who have cared enough about this issue to participate in our deliberations. As noted by my Co-Chair, the Senator from Waianae, we've had many, many hours of informational briefings and public hearings and numerous onsite visits on a statewide scale. And this was all taken up during the interim period. There, we learned that the scope of Hawaii's ice epidemic and challenges we had to confront in search of practical and effective solutions. We learned that the problem was enormously complex, yet, we forged ahead.

"What we have before us is a result of a significant expenditure of human and real capital. I want to especially take note of the most disturbing finding, Mr. President, and that is the number of families whose members' lives have been affected – irreparable harm, Mr. President, by the behavior of individuals who have fallen prey to this illegal drug.

"Mr. President, if we look at all of the statistics, I believe it would be fair to say that when you look at the ratio of user to family members, we're looking at 1 to 2.5. Given that amount, I believe it's fair to say, Mr. President, that the amount of individuals affected by this epidemic in the State of Hawaii is 250,000 individuals. It is my hope and my prayer, as well as the prayer of all the members of the joint taskforce, that this

bill, which we worked so hard to attain, will make a significant impact on all of the family members that have been impacted by this horrible, horrible drug.

“Mr. President, I’d like to make a quote here as to what I call those individuals that are impacted, and that is our ‘drug-impacted ohana.’ Mr. President, I plead to you and the members of this Honorable Body that we got to save our families and we’ve got to save our ohana.

“Thank you, Mr. President.”

The motion was put by the Chair and carried, S.B. No. 3234, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Trimble). Excused, 1 (Hogue).

RE-REFERRAL OF SENATE BILL

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

Senate Bill	Referred to:
No. 2512	Committee on Judiciary and Hawaiian Affairs

At 1:40 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:40 o’clock p.m.

REFERRAL OF HOUSE BILLS

MATTERS DEFERRED FROM FRIDAY, FEBRUARY 27, 2004

The President made the following committee assignments of House bills received on Friday, February 27, 2004:

House Bill	Referred to:
No. 2198, H.D. 1	Committee on Health, then to the Committee on Education
No. 2223	Committee on Economic Development, then to the Committee on Commerce, Consumer Protection and Housing
No. 2380, H.D. 1	Committee on Judiciary and Hawaiian Affairs
No. 2417	Committee on Commerce, Consumer Protection and Housing
No. 2418	Committee on Commerce, Consumer Protection and Housing
No. 2421	Committee on Commerce, Consumer Protection and Housing
No. 2423	Committee on Commerce, Consumer Protection and Housing
No. 2426	Committee on Labor, then to the Committee on Commerce, Consumer Protection and Housing

ADJOURNMENT

At 1:41 o’clock p.m., on motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 o’clock a.m., Tuesday, March 2, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate