

FORTY-SIXTH DAY

Thursday, April 3, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Grace Ripple, United Methodist Church, Hawaii District, after which the Roll was called showing all Senators present.

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

At this time, Senator Sakamoto honored and recognized the late Chiune Sugihara, who saved the lives of thousands during his tenure as Vice-Consul at the Japanese Consulate in Kaunas in Lithuania from 1939 to 1940, and who, under the extremely difficult situation where many Jews were persecuted by Nazis, acted humanely in issuing transit visas to Japan to a great number of Jewish refugees. Representing the late Mr. Sugihara was his wife, Yukiko, and his son, Chiaki Sugihara.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 340 to 356) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 340, transmitting H.C.R. No. 141, H.D. 1, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO RECONSIDER THE EXISTING KALAELOA REDEVELOPMENT PLAN AND MAKE REVISIONS AS NECESSARY TO MAXIMIZE THE SOCIAL AND ECONOMIC DEVELOPMENT POTENTIAL OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT," was deferred until Friday, April 4, 2003.

Hse. Com. No. 341, transmitting H.C.R. No. 146, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO OBTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE MANDATES OF THE FEDERAL 'NO CHILD LEFT BEHIND ACT OF 2001,'" was deferred until Friday, April 4, 2003.

Hse. Com. No. 342, transmitting H.C.R. No. 160, H.D. 1, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING APRIL AS 'FINANCIAL LITERACY FOR YOUTH IN HAWAII MONTH,'" was deferred until Friday, April 4, 2003.

Hse. Com. No. 343, transmitting H.C.R. No. 208, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was deferred until Friday, April 4, 2003.

Hse. Com. No. 344, transmitting H.C.R. No. 216, which was adopted by the House of Representatives on April 2, 2003, was placed on file.

By unanimous consent, action on H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was deferred until Friday, April 4, 2003.

Hse. Com. No. 345, returning S.B. No. 345, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 345, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 346, returning S.B. No. 585, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 585, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 347, returning S.B. No. 870, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 870, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 348, returning S.B. No. 1049, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1049, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 349, returning S.B. No. 1353, which passed Third Reading in the House of Representatives on April 2, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1353, and requested a conference on the subject matter thereof.

Hse. Com. No. 350, returning S.B. No. 51, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 351, returning S.B. No. 368, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 352, returning S.B. No. 562, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 353, returning S.B. No. 787, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 354, returning S.B. No. 1260, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 355, returning S.B. No. 1406, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

Hse. Com. No. 356, returning S.B. No. 1469, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 2003, was placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1276) recommending that the Senate consent to the nomination of BERT I. AYABE to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1276 and Jud. Com. No. 2 was deferred until Friday, April 4, 2003.

Senator Hanabusa, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1277) recommending that the Senate consent to the nomination of MICHAEL F. BRODERICK to the office of Judge, District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1277 and Jud. Com. No. 3 was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1278) recommending that S.C.R. No. 25 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1278 and S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONING TELEVISION TO TEACH READING TO STUDENTS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1279) recommending that S.R. No. 14 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1279 and S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF CLOSED-CAPTIONING TELEVISION TO TEACH READING TO STUDENTS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1280) recommending that S.C.R. No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1280 and S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1281) recommending that S.R. No. 31, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1281 and S.R. No. 31, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE STATUS AND EFFECTIVENESS OF STUDENT FINANCIAL AID PROGRAMS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1282) recommending that S.C.R. No. 58 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1282 and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1283) recommending that S.R. No. 38 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1283 and S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH PROCEDURES AND GUIDELINES BY WHICH HOME-SCHOOLED STUDENTS ARE ABLE TO PARTICIPATE IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES AT PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1284) recommending that S.C.R. No. 60 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1284 and S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1285) recommending that S.R. No. 40 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1285 and S.R. No. 40, entitled: "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A TEACHER CADET PROGRAM TO RECRUIT HAWAII'S BRIGHTEST AND BEST PUBLIC HIGH SCHOOL STUDENTS FOR TEACHING CAREERS IN THE HAWAII PUBLIC SCHOOL SYSTEM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1286) recommending that S.C.R. No. 150 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1286 and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON ASIA-PACIFIC EDUCATION TO ENSURE THAT HAWAII'S STUDENTS MEET HIGH PERFORMANCE STANDARDS IN EDUCATION ABOUT ASIA AND THE PACIFIC AND UNDERSTAND THE IMPACT OF THE STATE'S RELATIONSHIP WITH THE REGION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1287) recommending that S.C.R. No. 181 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1287 and S.C.R. No. 181, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1288) recommending that S.R. No. 129 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1288 and S.R. No. 129, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO AN AGREEMENT WITH THEODORA MALICK FOR THE CONSTRUCTION OF THE PAHOA SCHOOL GYMNASIUM," was deferred until Friday, April 4, 2003.

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. 1289) recommending that S.C.R. No. 120, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1289 and S.C.R. No. 120, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was deferred until Friday, April 4, 2003.

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. 1290) recommending that S.R. No. 79, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1290 and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' PLANS AND POLICIES AFFECTING PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS TELEVISION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1291) recommending that S.C.R. No. 32, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1291 and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1292) recommending that S.R. No. 20, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1292 and S.R. No. 20, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO USE RESEARCH-BASED CURRICULUM AND STANDARDS-BASED CLASSROOM ASSESSMENTS, IN ADDITION TO LARGE-SCALE ACHIEVEMENT TESTS, TO MEET THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1293) recommending that S.C.R. No. 59, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1293 and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1294) recommending that S.R. No. 39, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1294 and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF CURRICULUM GUIDELINES FOR INSTRUCTION ON THE HISTORICAL FACTS AND IMPACT UPON OUR NATION OF THE INTERNMENT OF JAPANESE AMERICANS DURING WORLD WAR II," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1295) recommending that S.C.R. No. 147, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1295 and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY

OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1296) recommending that S.R. No. 99, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1296 and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO COLLABORATIVELY DEVELOP AN IMPLEMENTATION PLAN TO ESTABLISH CERTIFICATED PUBLIC SCHOOLS," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1297) recommending that S.C.R. No. 151, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1297 and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was deferred until Friday, April 4, 2003.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1298) recommending that S.R. No. 104, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1298 and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE UNIVERSITY OF HAWAII'S RESEARCH ENTERPRISE AND REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A FIVE YEAR PLAN FOR ITS EXPANSION," was deferred until Friday, April 4, 2003.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1299) recommending that S.C.R. No. 36, as amended in S.D. 1, 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.C.R. No. 36, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1300) recommending that S.R. No. 23, as amended in S.D. 1, 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.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A FEASIBILITY STUDY ON THE CONSTRUCTION OF PERMANENT FAIR GROUNDS ON THE LOWER HALAWA PARKING LOT AT ALOHA STADIUM," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1301) recommending that S.C.R. No. 149, 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.C.R. No. 149, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was referred to the Committee on Ways and Means.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1302) recommending that S.R. No. 101, 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.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY EFFECTIVE STATE PRACTICES FOR RAISING ACADEMIC ACHIEVEMENT AMONG LOW SCORING STUDENTS AND NARROWING THE ACHIEVEMENT GAP BETWEEN LOW SCORING STUDENTS AND TOP SCORING STUDENTS," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1303) recommending that S.C.R. No. 9, 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.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR EXAMINATION FOR SEXUALLY TRANSMITTED DISEASES," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1304) recommending that S.C.R. No. 131, 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.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE IMPACT OF MANDATED GROUP HEALTH INSURANCE COVERAGE FOR INFERTILITY," was referred to the Committee on Ways and Means.

Senators Menor and Baker, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1305) recommending that H.B. No. 123, H.D. 1, 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 joint report of the Committees was adopted and H.B. No. 123, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

Senators Menor and English, for the Committee on Commerce, Consumer Protection and Housing and the Committee on Energy and Environment, presented a joint report (Stand. Com. Rep. No. 1306) recommending that H.B. No. 1328, H.D. 1, 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 joint report of the Committees was adopted and H.B. No. 1328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 2003.

ORDER OF THE DAY

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

The President made the following committee assignments of House concurrent resolutions that were received on Monday, March 31, 2003, and Wednesday, April 2, 2003:

House Concurrent Resolution	Referred to:
No. 43	Committee on Labor
No. 58	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 78	Jointly to the Committee on Economic Development and the Committee on Tourism
No. 79	Committee on Transportation, Military Affairs, and Government Operations
No. 89	Committee on Science, Arts, and Technology
No. 163	Committee on Commerce, Consumer Protection and Housing

HOUSE COMMUNICATIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

H.C.R. No. 81, H.D. 1 (Hse. Com. No. 322):

By unanimous consent, action on H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE KOKE'E AND WAIMEA CANYON STATE PARKS," was deferred until Friday, April 4, 2003.

H.C.R. No. 96 (Hse. Com. No. 323):

By unanimous consent, action on H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION CONTINUING THE JOINT SENATE-HOUSE INVESTIGATIVE COMMITTEE TO INVESTIGATE THE STATE'S EFFORTS TO COMPLY WITH THE FELIX CONSENT DECREE," was deferred until Friday, April 4, 2003.

H.C.R. No. 119, H.D. 1 (Hse. Com. No. 324):

By unanimous consent, action on H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW THE SALE OF LEASES AND SUBMIT RECOMMENDATIONS TO THE LEGISLATURE FOR THE ADOPTION OF POLICIES THAT ARE FAIR TO AWARDEES, LEASE PURCHASERS, AND TO THE STATE," was deferred until Friday, April 4, 2003.

H.C.R. No. 198, H.D. 1 (Hse. Com. No. 325):

By unanimous consent, action on H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was deferred until Friday, April 4, 2003.

H.C.R. No. 203 (Hse. Com. No. 326):

By unanimous consent, action on H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, WITH THE ASSISTANCE OF THE HAWAII CONGRESSIONAL DELEGATION, TO RESTORE THE DISPROPORTIONATE SHARE OF HOSPITAL PAYMENTS FOR COMPENSATION FOR CARE PROVIDED TO THE UNINSURED," was deferred until Friday, April 4, 2003.

THIRD READING

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

Stand. Com. Rep. No. 1224 (H.B. No. 192, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1224 was adopted and H.B. No. 192, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETED LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

Stand. Com. Rep. No. 1225 (H.B. No. 285, H.D. 1, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1225 was adopted and H.B. No. 285, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Kim).

Stand. Com. Rep. No. 1226 (H.B. No. 373, H.D. 2, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1226 be adopted and H.B. No. 373, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

Senator Hogue rose in opposition to the measure as follows:

“Mr. President, I rise to speak in opposition to this bill.

“Mr. President, I do believe in the freedom of speech. I’m sure all of us do. However, there are certain limitations that we already currently have – for example, our staffers cannot come down here to this building and work at the State Capitol with ‘vote for Hanabusa’ or ‘vote for Shan Tsutsui,’ even if that’s what they would like to do, but they cannot do it. You cannot go into the voting booth and have ‘vote for Ron Menor’ all over your T-shirt while you’re voting in Mililani, even if you do love the UCLA Bruins where Ron Menor went to school, but you cannot do that. So there are certain restrictions in freedom of speech.

“This particular bill, on page 4, takes away the fundamental property right by stating ‘a landlord shall not prohibit a tenant from displaying an otherwise legal sign,’ and it goes on to talk about election purposes, etc., etc. I’m sure that all of you have run into this along the way on the campaign trail, and you’ve gone over and you’ve seen a particular corner that you really want to put your sign up, and you go up and you talk to the people who say ‘well, we’re renters here and our landlord doesn’t want us to have political signs put up there.’ Well, that’s for good reason, because the landlord does not want to change the culture, if you will, of that particular corner. They want to stay free from controversy. They believe that they have that right, and inherently they do.

“Landlords should be able to maintain their property as they see fit. For example, as a tenant, you wouldn’t be able to knock down a wall, you wouldn’t be able to change other things on the property, and landlords should be given that right.

“So for these reasons, even though I believe in the freedom of speech, I will be voting ‘no’ on this particular measure because, essentially, it does take away a landlord’s fundamental property rights.

“Thank you very much, Mr. President.”

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1226 was adopted and H.B. No. 373, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO POLITICAL SPEECH,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hemmings, Hogue, Slom).

Stand. Com. Rep. No. 1227 (H.B. No. 385, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1227 was adopted and H.B. No. 385, H.D. 2, S.D. 2, entitled: “A BILL FOR AN ACT RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1228 (H.B. No. 651, H.D. 2, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1228 was adopted and H.B. No. 651, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO INFORMED CONSENT,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1229 (H.B. No. 914, H.D. 2, S.D. 1):

Senator Hanabusa moved that Stand. Com. Rep. No. 1229 be adopted and H.B. No. 914, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chun Oakland.

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

“Mr. President, I rise to speak in opposition to this particular measure.

“Essentially, what has happened here, members, is that there has been a big change as the wording from H.D. 2 to H.D. 2, S.D. 1 has been changed. Originally, in the original draft it said the Department of Health may conduct unannounced annual inspections, and I believe the Department of Health was in favor of that and we can certainly see that this would probably be good practice, allowing them, through administrative rules, to go through with unannounced visits to these particular adult residential care homes.

“However, now the wording says shall conduct unannounced visits to every licensed adult residential care home. And that’s where we run into major, major problems. Because we have mandated that they must conduct unannounced visits, we are putting major restrictions upon the administration of the Department of Health for a well-intended idea.

“I can certainly say that all of us want to have our elderly safe. None of us here is for elder abuse in any way. However, by putting the caveat in there – shall conduct unannounced visits – really puts a major damper on the administration of the Department of Health, and for those reasons, I’ll be voting ‘no.’

“Thank you, Mr. President.”

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

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

“With all due respect to the previous remarks of the speaker from the Kaneohe side of the Island of Oahu, in discussions that we’ve had with the Department of Health, they have every intention of doing unannounced inspections. This bill is very clear that these are the more random types of unannounced inspections. It still provides that the annual inspection may be conducted unannounced or done in the fashion that the Department of Health currently uses, which is, they select a month, a day of the week within that month, and they tell the care home operator that’s when they’re going to come to do their licensing exam. Right now, the Department of Health does not have the authority to go in, except on a complaint, to take a look at the conditions in the home – to take a look at the residents, to take a look at any activity that may be happening there.

“This bill has come from lots of concern in the community about how we treat our elders. We have unannounced inspections for liquor establishments. We have unannounced inspections for all other kinds of long-term care facilities. We have unannounced inspections for child care facilities. Our adult, frail elderly deserve no less than the ability of the agency that is charged with protecting and preserving their care, to allow that agency to go in on an unannounced basis to take a look and to make sure that everything is proceeding appropriately.

"I am convinced, based on the conversations that I've had with the Department of Health and with testimony that they presented to the Committee on Health, that they support the unannounced nature of this bill. There may be some concerns about some of the items in statutory language that might easily be put into rules, but we're working that through with them.

"This is a very good bill. It's a bill that helps to protect our elderly, and it's one that I encourage all of my colleagues to vote in favor of.

"Thank you."

Senator Espero rose in support with reservations and said:

"Mr. President, I'd like to rise in support of this measure with reservations.

"My only concern has to do with the unannounced inspections regarding the annual license renewal and I'd like to insert some comments into the Journal."

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

"Unannounced inspections 365 days of the year is fine. I have spoken with individuals in the care home industry, and the need to protect our elderly and frail is not in question. However, unannounced inspections which deal with the annual license renewal is a problem. Care homes should be able to schedule the annual license renewal because of the importance of the subject matter. Knowledge of the annual license renewal date does not impact unannounced inspections, which can happen any day of the year. But like other institutions (banks, pharmacies, colleges, schools, hospitals), announced inspections or examinations for the purpose of license renewal or accreditation is not unusual and should be allowed. If money is an issue, the Legislature should provide the necessary funds to allow unannounced inspections and announced annual license renewal inspections. Unannounced inspections with announced license renewals is workable."

Senator Menor rose in favor with reservations and said:

"Mr. President, I just want the Clerk to note my vote in favor with reservations."

The Chair so ordered.

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

Senator Aduja rose and said:

"Mr. President, I'd like to also lodge my reservations on this measure. Thank you."

The Chair so ordered.

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

Senator Slom rose to speak in opposition to the measure as follows:

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

"I think what we've just seen, in terms of everyone jumping up with reservations, shows that the proposed legislation is not as clear as the proponents would like us to believe that it is.

And in fact, changing the word from 'may' to 'shall' always has an undesired impact.

"But let me state very clearly for those of us that are going to be voting 'no' on this measure – we are absolutely opposed to elder abuse or any kind of abuse whatsoever. And that's not what this bill is about, and that's not what the inspections are about. And anybody that's ever gone through one of these inspections, or a HIOSH inspection, or other Department of Labor inspection, or all the others, know that in many cases, what this does is go far beyond what the issue is supposed to be and what the protection is supposed to be. And that's the case here as well.

"If there in fact is a complaint, if there is an allegation, if there is any evidence whatsoever to have one believe that there is any kind of abuse or wrongdoing going on, then absolutely not only should there be inspections, but there should be indictments and prosecutions. That goes without saying.

"However, what these inspections do is go far beyond any issue of personal safety or personal care. And what they do is disrupt the businesses, cause additional time concerns and constraints, and additional costs as well. And that, when we say and here that we're going to be working these things out, these should all be worked out beforehand so that we know exactly what we're working for and what we're voting for.

"As it is right now, we're voting for something that goes far beyond what the proponents say. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1229 was adopted and H.B. No. 914, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1230 (H.B. No. 1198, H.D. 2, S.D. 2):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1230 was adopted and H.B. No. 1198, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD LABOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

Stand. Com. Rep. No. 1231 (H.B. No. 1214, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1231 and H.B. No. 1214, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY," was deferred until Tuesday, April 8, 2003.

Stand. Com. Rep. No. 1232 (H.B. No. 1217, H.D. 1, S.D. 1):

On motion by Senator Hanabusa, seconded by Senator Chun Oakland and carried, Stand. Com. Rep. No. 1232 was adopted and H.B. No. 1217, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

H.B. No. 1161, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

H.B. No. 1172:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 1172, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

THIRD READING

Stand. Com. Rep. No. 1251 (H.B. No. 731, H.D. 1, S.D. 1):

On motion by Senator Menor, seconded by Senator Baker and carried, Stand. Com. Rep. No. 1251 was adopted and H.B. No. 731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Hemmings).

ADOPTION OF RESOLUTIONS

MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 2003

Stand. Com. Rep. No. 1253 (S.C.R. No. 93, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO STUDY THE CONTINUATION OF SERVICES AFTER THE PLANNED CLOSING OF THE CASEY FAMILY PROGRAMS' HAWAII OFFICES," was adopted.

Stand. Com. Rep. No. 1254 (S.C.R. No. 115, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE CONTINUED AVAILABILITY OF A STATEWIDE NETWORK OF MULTI-PURPOSE SENIOR CENTERS," was adopted.

Stand. Com. Rep. No. 1255 (S.C.R. No. 193):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 193, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was adopted.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

Stand. Com. Rep. No. 1256 (S.C.R. No. 18):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was adopted with Senators Hogue, Slom and Whalen voting "No."

Stand. Com. Rep. No. 1257 (S.R. No. 8):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 8, entitled: "SENATE RESOLUTION REAFFIRMING THE STATE OF HAWAII'S COMMITMENT TO CIVIL LIBERTIES AND THE BILL OF RIGHTS," was adopted with Senators Hogue, Slom and Whalen voting "No."

Stand. Com. Rep. No. 1258 (S.C.R. No. 23, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was adopted with Senators Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1259 (S.R. No. 13, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 13, S.D. 1, entitled: "SENATE RESOLUTION URGING THE GOVERNOR TO ALLOCATE ADEQUATE FUNDING TO THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN TO ENABLE IT TO CARRY OUT ITS MISSION AND DUTIES AS MANDATED BY LAW," was adopted with Senators Hogue, Slom, Trimble and Whalen voting "No."

Stand. Com. Rep. No. 1260 (S.C.R. No. 86, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was adopted.

Stand. Com. Rep. No. 1261 (S.R. No. 60, S.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION CONVENING A TASK FORCE TO DETERMINE WHETHER HAWAII SHOULD ENACT A THREE STRIKES LAW," was adopted.

Stand. Com. Rep. No. 1262 (S.C.R. No. 119):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted

and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was adopted.

Stand. Com. Rep. No. 1263 (S.R. No. 78):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO MAKE PUBLIC THE DISPOSITION OF ATTORNEY DISCIPLINARY PROCEEDINGS," was adopted.

Senator Inouye, Chair of the Committee on Water, Land, and Agriculture, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.B. No. 86 and S.C.R. No. 133.

Senator Inouye noted:

"Mr. President, H.B. No. 86, H.D. 1, relates to the membership and appointment of the Hawaii Community Development Authority, and S.C.R. No. 133 expresses support for the acquisition of Wao Kele 'O Puna."

The Chair granted the waiver.

Senator Fukunaga, Chair of the Committee on Economic Development, requested a waiver of the notice requirement pursuant to Senate Rule 21 for the following resolutions:

S.C.R. No. 76;
S.C.R. No. 98;
S.R. No. 51; and
S.R. No. 67.

Senator Fukunaga noted:

"Mr. President, S.C.R. No. 76 and S.R. No. 51 relate to creating a more business-friendly environment for small businesses, and S.C.R. No. 98 and S.R. No. 67 propose the convening of an economic summit. All of these measures were previously heard on Tuesday, April 1."

The Chair granted the waiver.

Senator Chun Oakland, Chair of the Committee on Human Services, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.C.R. No. 75 and S.R. No. 50.

Senator Chun Oakland noted:

"Mr. President, these resolutions urge the Governor to convene a task force to address issues related to transitional housing on Oahu and were previously heard jointly with your Committee on Commerce, Consumer Protection and Housing on Tuesday, April 1."

The Chair granted the waiver.

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

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

"Several days ago we had a very lively discussion on a resolution here about litigation, and a number of my colleagues raised the issue about the consumers and taxpayers being overcharged in our State and I saw a lot of crocodile tears. Today in Ways and Means, we passed through several bills that

will add more than \$300 million in new taxes to those consumers who are already overburdened. That, with another bill, the long-term care tax bill, is another \$100 million. That's \$400 million in new taxes.

"In addition to that, we have additional bills that would raise taxes, such as the conveyance tax, a lot of new fees, a lot of additional public employees, so that the consumers – the overcharged consumers – will pay even more.

"So I think we should get it straight, Mr. President, and I think we should learn that if we really want to help the consumers, we should be cutting their taxes, reducing regulations and fees and doing everything that we can instead of trying to add to their burden, which we did today and apparently we're going to do next Tuesday.

"Thank you, Mr. President."

ADJOURNMENT

At 12:34 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, April 4, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate