

FIFTY-FIFTH DAY

Monday, April 25, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Colonel David Howard, Chaplain, Installation Chaplain's Office, Schofield Barracks, after which the Roll was called showing all Senators present with the exception of Senator Reed who was excused.

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

HOUSE COMMUNICATION

Hse. Com. No. 593, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 3329, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 3329, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1994, was read by the Clerk and was placed on file.

LEADERSHIP COMMITTEE REPORTS

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 3254) recommending that the Senate advise and consent to the nominations of the following:

E. ALISON KAY, CHARLES H. LAMOUREUX, TIMOTHY WAYNE SUTTERFIELD, BRUCE ALLAN CARLSON and SCOTT EVERETT MILLER to the Animal Species Advisory Commission, in accordance with Gov. Msg. No. 300;

DONNA TSUTSUMI-OTA, LUI K. HOKOANA, CHRISTOPHER SCOTT WONG, SYLVIA YUEN and LANI JEAN YUKIMURA to the Governor's Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 301;

LAWRENCE J. BALBERDE, JOHN D. DELACRUZ and EDWINA K. TANAKA to the Community-Based Development Advisory Council, in accordance with Gov. Msg. No. 302;

DWANE BRENNEMAN, LYNETTE CRUZ and TOM POY to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 303; and

NICK P. CARPENTER, PAUL K. BIENFANG, GERALD R. CYSEWSKI and CRAIG ROBERT EMBERSON to the Hawaii Aquaculture Advisory Council, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 3254 and Gov. Msg. Nos. 300, 301, 302, 303 and 304 was deferred until Tuesday, April 26, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 3255) recommending that the Senate advise and consent to the nominations of the following:

JEANNINE H. BENDIX to the Oahu Library Advisory Commission, in accordance with Gov. Msg. No. 312; and

CHARLES E. OLIVER to the Hawaii Library Advisory Commission, in accordance with Gov. Msg. No. 313.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 3255 and Gov. Msg. Nos. 312 and 313 was deferred until Tuesday, April 26, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 3256) recommending that the Senate advise and consent to the nominations of the following:

PAULA CHUN to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 328;

ELLEN M. CHING, EVELYN CHONG, ERIC PARR, MARGARET B. PROFFITT, STANLEY C. YEE, MARGARET A. DONOVAN, JENNIFER SCHEMBER-LANG, J. CURTIS TYLER, III, and DEBORAH M.Y. WONG to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 329;

EDWIN H. SHIROMA to the Board of Trustees, Employees' Retirement System, in accordance with Gov. Msg. No. 330;

FETULIMA TAMASESE to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 331;

CHARMAN JAMES KAOHUOKALANI AKINA to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 332; and

JAMES S. CORREA, RICHARD M. IGA, TRINETTE P. KAUI, DAWN K. MATSUSHITA, LANCE TERAYAMA and LENORA N. WEE, to the State Highway Safety Council, in accordance with Gov. Msg. No. 333.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 3256 and Gov. Msg. Nos. 328, 329, 330, 331, 332 and 333 was deferred until Tuesday, April 26, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 3257) recommending that the Senate advise and consent to the nominations of the following:

H. PETER L'ORANGE to the Island Burial Council, Island of Hawaii, in accordance with Gov. Msg. No. 335;

B. KAIPO AKANA, BARBARA J. SAY, JOHN JACKIE HASHIMOTO, HOLBROOK GOODALE, CARMEN L. PANUI, WILLIAM H. CAMPBELL and HELEN NA'UMU KANEAKUA to the Island Burial Council, Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 336;

EVERETT R. DOWLING, DANA NAONE HALL and JAMES M. MURRAY, JR., to the Island Burial Council, Islands of Maui and Lanai, in accordance with Gov. Msg. No. 337;

LAWRENCE AKI, RANDY K.T. FUJIMORI, GLORIA MARKS, ANNA D. GOODHUE, HANNAH MORITZ and PEARL ALICE HODGINS to the Island Burial Council, Island of Molokai, in accordance with Gov. Msg. No. 338; and

KALEIKOA KAE0, CAROLYN KEHAUNANI ABAD, LURLINE NAONE-SALVADOR and CY M. BRIDGES

to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 339.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 3257 and Gov. Msg. Nos. 335, 336, 337, 338 and 339 was deferred until Tuesday, April 26, 1994.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 3258) recommending that the Senate advise and consent to the nominations of the following:

LILY Y. TEXEIRA and GARY T. NISHIKAWA to the Board of Public Accountancy, in accordance with Gov. Msg. No. 325;

ALBERT "BENNY" RODERO, LINDA D. CHINN, RANDALL M. IZUO and WALTER L. ORNELLAS to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 326;

HOWARD H. TASAKA, EDGAR M. YOKOYAMA, RAYMOND S. NAGATA and ROBERT M. YAMADA II to the Contractors License Board, in accordance with Gov. Msg. No. 327;

JOHN E. MIN to the Board of Directors, Housing Finance and Development Corporation, in accordance with Gov. Msg. No. 334;

STEVEN T. BARTA and LYNA S. MORIMOTO to the Board of Massage Therapy, in accordance with Gov. Msg. No. 340;

DAVID BRUCE RAMOS and LEE A. OHIGASHI to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 341; and

KENNETH T. ISHIZAKI and LEWIS CURTIS TINDALL to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 342.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 3258 and Gov. Msg. Nos. 325, 326, 327, 334, 340, 341 and 342 was deferred until Tuesday, April 26, 1994.

RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The President re-referred the following House concurrent resolutions that were received:

House
Concurrent
Resolution

Referred to:

No. 215 Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Legislative Management

No. 454, H.D. 2 Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Legislative Management

No. 469, H.D. 2 Jointly to the Committee on Government Operations, Environmental Protection and Hawaiian Programs and the Committee on Legislative Management

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2198 (H.D. 1):

Senator Gaulty moved that the Senate reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the House to S.B. No. 2198, seconded by Senator Matsunaga and carried.

On motion by Senator Gaulty, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2198, and S.B. No. 2198, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDITORS' RIGHTS," was placed on the calendar for Final Reading on Tuesday, April 26, 1994.

S.B. No. 2949, S.D. 1 (H.D. 1):

Senator Gaulty moved that the Senate reconsider its action taken on April 8, 1994, in disagreeing to the amendments proposed by the House to S.B. No. 2949, S.D. 1, seconded by Senator Matsunaga and carried.

On motion by Senator Gaulty, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2949, S.D. 1, and S.B. No. 2949, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION," was placed on the calendar for Final Reading on Tuesday, April 26, 1994.

S.B. No. 2787 (H.D. 2):

Senator Gaulty moved that the Senate reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the House to S.B. No. 2787, seconded by Senator Matsunaga and carried.

On motion by Senator Gaulty, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2787, and S.B. No. 2787, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was placed on the calendar for Final Reading on Tuesday, April 26, 1994.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

S.B. No. 2837, S.D. 1 (H.D. 2):

Senator Tungpalan moved that the Senate reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the House to S.B. No. 2837, S.D. 1, seconded by Senator McCartney and carried.

On motion by Senator Tungpalan, seconded by Senator McCartney and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2837, S.D. 1, and S.B. No. 2837, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was placed on the calendar for Final Reading on Tuesday, April 26, 1994.

At this time, Senator Chang, for the Committee on Government Operations, Environmental Protection and Hawaiian Programs, requested a waiver of the required hours of notice of a public hearing on H.C.R. No. 215, H.C.R. No. 454 and H.C.R. No. 469, and the Chair granted the waivers.

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Chang, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 26, 1994.