

SECOND DAY

Thursday, January 16, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present.

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

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

Senator Ihara introduced Corinna Eckl, the NCSL liaison to the Hawaii State Legislature.

Senator Sakamoto, with the assistance of Senator Kawamoto, then introduced NASA Astronaut Kent V. Rominger, his wife Mary Sue and daughter Kristin Nicole. Accompanying the Rominger Family was Loren C. Divers who was responsible for sponsoring Astronaut Rominger's visit to Hawaii.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 91) were read by the Clerk and were placed on file:

Gov. Msg. No. 1, dated November 18, 1996, transmitting the 1995-1996 Annual Report for the Department of Taxation, pursuant to Chapter 231, HRS.

Gov. Msg. No. 2, dated November 19, 1996, transmitting the "Status Report on the Water Pollution Control Revolving Fund," prepared by the Department of Health pursuant to Section 342D-54, HRS.

Gov. Msg. No. 3, dated November 20, 1996, transmitting the Annual Report on the University of Hawaii Housing Assistance Revolving Fund, prepared by the University of Hawaii pursuant to Section 304-8.96, HRS.

Gov. Msg. No. 4, dated November 20, 1996, transmitting the Annual Summary of the University of Hawaii Special, Revolving and Trust Funds for the Fiscal Year Ended June 20, 1996, prepared by the University of Hawaii pursuant to Section 304-8, HRS.

Gov. Msg. No. 5, dated November 20, 1996, transmitting the "Report on Community Colleges Additional Instructional Fund," prepared by the University of Hawaii pursuant to Act 218, Section 76, SLH 1995.

Gov. Msg. No. 6, dated November 20, 1996, transmitting the "Annual Report of the Salaries Paid to All Executive, Managerial, and Faculty Members Including the President," prepared by the University of Hawaii pursuant to Section 304-13.5, HRS.

Gov. Msg. No. 7, dated November 25, 1996, transmitting the "Hawaii Public Broadcasting Authority 1995-1996 Annual Report," prepared by the Department of Commerce and Consumer Affairs, Hawaii Public Broadcasting Authority, pursuant to Section 314-12, HRS.

Gov. Msg. No. 8, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 118, SLH 1995, on capital improvements program staff costs.

Gov. Msg. No. 9, dated November 27, 1996, transmitting an annual report prepared by the Department of Education in response to Act 272, Section 25, SLH 1994, on educational assessment and accountability.

Gov. Msg. No. 10, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 237, HRS, on the elimination of educational officer positions.

Gov. Msg. No. 11, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 55, SLH 1995, on school minor repair and maintenance (EDN 400).

Gov. Msg. No. 12, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 284, SLH 1996, on the development of schools in Kapolei.

Gov. Msg. No. 13, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 47, SLH 1996, on the student conference committee.

Gov. Msg. No. 14, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 148, SLH 1995, on the mandatory expulsion policy for possession of a firearm.

Gov. Msg. No. 15, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 61, SLH 1995, on the opening of school facilities.

Gov. Msg. No. 16, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 123.1, SLH 1996, on bid specifications for construction of temporary facilities.

Gov. Msg. No. 17, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 59, SLH 1995, on the vice principal positions for Konawaena Intermediate, Honokaa Elementary, Kohala Elementary and High and King Kekaulike High Schools.

Gov. Msg. No. 18, dated November 27, 1996 transmitting a report prepared by the Department of Education in response to Act 218, Section 48, SLH 1995, on school-based budgeting (EDN 100) for textbooks and library books for 1996-1997.

Gov. Msg. No. 19, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 66.1, SLH 1996, on interagency working agreements on services provided to children under special education programs and through school-based health centers.

Gov. Msg. No. 20, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 62, SLH 1995, on school-by-school expenditures.

Gov. Msg. No. 21, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 175 (1996), on the revision of the school code.

Gov. Msg. No. 22, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 174 (1996), on the general education development degree examination.

Gov. Msg. No. 23, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 169 (1996), on the policy on grades (2.0) and participation in co-curricular activities.

Gov. Msg. No. 24, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 134, SLH 1994, on the Hawaii Young Scholars Program.

Gov. Msg. No. 25, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 60, SLH 1995, on the principal position for Ewa Gentry Elementary School.

Gov. Msg. No. 26, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 64, SLH 1996, on transfer of funds from EDN 200, EDN 300, EDN 400 and EDN 500.

Gov. Msg. No. 27, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 261 (1996), on the school inspection program.

Gov. Msg. No. 28, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to H.C.R. No. 74 (1996), on the school bus safety program on Kauai.

Gov. Msg. No. 29, dated November 27, 1996, transmitting the "Teacher Education Coordinating Committee Annual Report," prepared by the Department of Education pursuant to Section 304-20, HRS.

Gov. Msg. No. 30, dated November 27, 1996, transmitting the Hawaii Teacher Standards Board Report prepared by the Department of Education pursuant to Act 240, SLH 1995.

Gov. Msg. No. 31, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to H.C.R. No. 24 (1996), on community-based youth programs.

Gov. Msg. No. 32, dated November 29, 1996, transmitting the 1996 Annual Report prepared by the Civil Rights Commission pursuant to Sections 368-3 and 515-9, HRS.

Gov. Msg. No. 33, dated December 1, 1996, transmitting the Fiscal Year 1996 Special Fund Collections and Disbursements Reports prepared by the Department of Education, Hawaii State Public Library System, pursuant to Act 129, SLH 1989 and Act 327, SLH 1993.

Gov. Msg. No. 34, dated December 2, 1996, transmitting the "Annual Report of Stadium Special Fund Statement of Receipts, Expenditures and Transfers for the Fiscal Year Ended June 30, 1996," prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS.

Gov. Msg. No. 35, dated December 2, 1996, transmitting an annual status report prepared by the Department of Public Safety and the Office of Youth Services pursuant to Act 151, SLH 1991 as amended by Act 112, Section 4, SLH 1995.

Gov. Msg. No. 36, dated December 2, 1996, transmitting a detailed expenditure and status report prepared by the Department of Public Safety pursuant to Act 287, Section 77.1, SLH 1996, on the comprehensive review of the security staffing needs at the Oahu Community Correctional Center.

Gov. Msg. No. 37, dated December 2, 1996, transmitting a detailed expenditure and status report prepared by the Department of Public Safety pursuant to Act 170, Section 3, SLH 1995, on 30 temporary positions for Hawaii's Correctional Industries program for fiscal year 1996-1997.

Gov. Msg. No. 38, dated December 2, 1996, transmitting the Department of Public Safety's Annual Report, July 1, 1995 - June 30, 1996.

Gov. Msg. No. 39, dated December 2, 1996, transmitting the Criminal Injuries Compensation Commission's Twenty-Ninth Annual Report, pursuant to Chapter 351, HRS.

Gov. Msg. No. 40, dated December 2, 1996, transmitting the "Annual Report of the Interagency Federal Maximization Revolving Fund for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 29-24, HRS.

Gov. Msg. No. 41, dated December 2, 1996, transmitting the "Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 36-32, HRS.

Gov. Msg. No. 42, dated December 2, 1996, transmitting the "Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 43, dated December 2, 1996, transmitting a report, "Updated Listing of Office Leases Centralized Within the Department of Accounting and General Services," prepared by the Department of Accounting and General Services pursuant to Act 218, Section 96, SLH 1995.

Gov. Msg. No. 44, dated December 2, 1996, transmitting a Project-Funded Staff Services Budget Report prepared by the Department of Accounting and General Services pursuant to Act 218, Section 133, SLH 1995.

Gov. Msg. No. 45, dated December 3, 1996, transmitting the "Annual Report Relating to the Forest Stewardship Program," prepared by the Department of Land and Natural Resources, Division of Forestry and wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 46, dated December 3, 1996, transmitting the "Annual Report on the Wildlife Revolving Fund," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 47, dated December 3, 1996, transmitting the "Annual Report on the Hawaii Statewide Trail and Access System" and the "Report on Moneys Accrued: Federal Grants and Non-Highway Recreational Fuel," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Sections 198D-9 and 198D-2, HRS.

Gov. Msg. No. 48, dated December 3, 1996, transmitting the "Annual Report on Identification of Rivers and Streams Worthy of Protection," prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS.

Gov. Msg. No. 49, dated December 3, 1996, transmitting the "Annual Report on the Natural Area Reserves System and Natural Area Partnership Program," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 50, dated December 6, 1996, transmitting the "Report of the Commissioner of Financial Institutions," prepared by the Department of Commerce and Consumer Affairs, Division of Financial Institutions, pursuant to Act 155, SLH 155.

Gov. Msg. No. 51, dated December 6, 1996, transmitting a report prepared by the Department of Transportation pursuant

to Section 264-18, HRS, requesting the Department of Transportation to report annually to the Legislature the Bikeway Expenditures and Current Bikeway Projects.

Gov. Msg. No. 52, dated December 6, 1996, transmitting a report prepared by the Department of Public Safety pursuant to Act 216, Section 2, SLH 1996, on the recidivism rate of pretrial inmates released under the program.

Gov. Msg. No. 53, dated December 6, 1996, transmitting a report, "Debt Service Expenditures," prepared by the Department of Transportation pursuant to Act 218, Sections 19, 21 and 24, SLH 1995, as amended by Act 287, SLH 1996.

Gov. Msg. No. 54, dated December 6, 1996, transmitting a report, "Special Repair and Maintenance Projects," prepared by the Department of Transportation pursuant to Act 218, Sections 16, 20 and 22, SLH 1995.

Gov. Msg. No. 55, dated December 6, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 275 (1994), requesting the Department of Transportation to evaluate the design and build concept for selected highways projects.

Gov. Msg. No. 56, dated December 6, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 208 (1996), requesting the Department of Transportation to examine the feasibility of, and to provide recommendations for, a volunteer enforcement program for the illegal use of parking reserved for persons with disabilities.

Gov. Msg. No. 57, dated December 6, 1996, transmitting a report, "A Re-examination of the Jet Fuel Needs of Keahole-Kona International Airport and Practicable Alternatives," prepared by the Department of Transportation, Airports Division, in response to S.C.R. No. 253 (1996).

Gov. Msg. No. 58, dated December 6, 1996; transmitting a report, "Project-Funded Staff Services Budget," prepared by the Department of Transportation pursuant to Act 218, Sections 106, 107 and 112, SLH 1995.

Gov. Msg. No. 59, dated December 6, 1996, transmitting a Report on Implementing the Lead Abatement Program, prepared by the Department of Transportation pursuant to Act 218, Section 23, SLH 1995.

Gov. Msg. No. 60, dated December 9, 1996, transmitting the "Annual Report on Geothermal Royalties and Geothermal and Cable Development Activities," prepared by the Department of Land and Natural Resources, Land Division, pursuant to Sections 182-18 and 196D-11, HRS.

Gov. Msg. No. 61, dated December 9, 1996, transmitting the "Annual Report on the North Shore Paukuaia Streambank Erosion and Riparian Area Community Project," prepared by the Department of Land and Natural Resources, Land Division, in response to S.C.R. No. 223 (1995).

Gov. Msg. No. 62, dated December 10, 1996, transmitting a report, "Single Entry Point System," prepared by the Department of Human Services pursuant to Act 301, SLH 1996.

Gov. Msg. No. 63, dated December 10, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 214 (1995), requesting the governor to convene the Hawaii Maritime Industry Policy Advisory Task Force.

Gov. Msg. No. 64, dated December 10, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 186 (1996), requesting the coordination of efforts of the Department of Transportation and the Department of Business, Economic Development, and Tourism to develop a plan for the shipment of Hawaii cattle to the

United States West Coast that is consistent with section 27 of the Merchant Marine Act, 1920.

Gov. Msg. No. 65, dated December 11, 1996, transmitting the Project-Funded Staff Services Budget Report prepared by the Department of Land and Natural Resources, Administrative Services Office, pursuant to Act 218, SLH 1995.

Gov. Msg. No. 66, dated December 11, 1996, transmitting a Report on the Status of a Land Exchange Between the State of Hawaii and the George Galbraith Estate, prepared by the Department of Land and Natural Resources, Land Division, pursuant to Act 255, SLH 1996.

Gov. Msg. No. 67, dated December 11, 1996, transmitting the Status Report on Special, Trust, or Revolving Funds for Fiscal Year Ending June 30, 1996, pursuant to H.C.R. No. 125 (1993).

Gov. Msg. No. 68, dated December 11, 1996, transmitting the Report of General Fund Expenditures for Unemployment Compensation (LBR 171) for Fiscal Year Ending June 30, 1996, pursuant to Act 289, Section 23, SLH 1993.

Gov. Msg. No. 69, dated December 11, 1996, transmitting the Financial Report of the Special Unemployment Insurance Fund Revenues and Expenditures for Fiscal Year Ending June 30, 1996, pursuant to Section 383-127, HRS.

Gov. Msg. No. 70, dated December 11, 1996, transmitting the 1996 Annual Update Report on Various Cost Options On Customary Fee Profiles for Non-Institutional Health Care Providers, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-59, HRS.

Gov. Msg. No. 71, dated December 12, 1996, transmitting a Report on the Status of the Aloha Tower Special Fund, prepared by the Department of Business, Economic Development, and Tourism, Aloha Tower Development Corporation, pursuant to Act 137, SLH 1994.

Gov. Msg. No. 72, dated December 12, 1996, transmitting the "Report of the Insurance Commissioner of Hawaii 1996, Summary of Insurance Business for the Year 1995," prepared by the Department of Commerce and Consumer Affairs pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 73, dated December 12, 1996, transmitting the following reports: "Report of Occupational Safety and Health Training and Assistance Fund," pursuant to Section 396-4, HRS; "Report of Contested Cases," pursuant to Section 396-11, HRS; and "Report on Unsafe Employment for Women," pursuant to Section 396-17, HRS; all prepared by the Department of Labor and Industrial Relations, Occupational Safety and Health Division.

Gov. Msg. No. 74, dated December 13, 1996, transmitting a report, "Spouse and Child Abuse Special Account," prepared by the Department of Human Services pursuant to Act 232, Section 2, SLH 1994.

Gov. Msg. No. 75, dated December 13, 1996, transmitting a report, "Annual Evaluation of the Hawaii Unemployment Compensation Fund," prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS.

Gov. Msg. No. 76, dated December 16, 1996, transmitting "The Variance Report for Fiscal Years 1996 and 1997," pursuant to Section 37-75, HRS; and "The Multi-Year Program and Financial Plan and Executive Budget for the Period 1998 - 2003," pursuant to Sections 37-69 and 37-71, HRS.

Gov. Msg. No. 77, dated December 16, 1996, transmitting the 1996 Annual Report of the Office of Information Practices, pursuant to Section 92F-42, HRS.

Gov. Msg. No. 78, dated December 18, 1996, transmitting the 1996 Annual Report of the Hawaii Real Estate Commission, Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs, pursuant to Section 467-45, HRS.

Gov. Msg. No. 79, dated December 19, 1996, transmitting the Report on a Comprehensive Review of the Provisions of Chapter 171, Hawaii Revised Statutes, prepared by the Department of Land and Natural Resources pursuant to Act 109, SLH 1996.

Gov. Msg. No. 80, dated December 11, 1996, transmitting a report on Worker's Compensation Expenditures, prepared by the Department of Human Resources Development pursuant to Act 218, Section 93, SLH 1995.

Gov. Msg. No. 81, dated December 20, 1996, transmitting a report relating to interagency agreements regarding services provided to children under special education programs and through school-based health centers, pursuant to Act 287, Section 66.1, SLH 1996.

Gov. Msg. No. 82, dated December 12, 1996, transmitting the "Payroll Lag Financial Hardship Program Report," prepared by the Department of Human Resources Development pursuant to Act 80, SLH 1996.

Gov. Msg. No. 83, dated December 23, 1996, transmitting the "Annual Report on the Discoveries and Inventions Revolving Fund," prepared by the University of Hawaii pursuant to Section 304-892, HRS.

Gov. Msg. No. 84, dated December 27, 1996, transmitting the "Report on State Positions Assigned to Ranges SC-1, SC-2, and SC-3," prepared by the Department of Human Resources Development pursuant to Section 77-13, HRS.

Gov. Msg. No. 85, dated December 23, 1996, transmitting a report prepared by the University of Hawaii in response to S.C.R. No. 145 (1996), requesting the University of Hawaii to review its Tuition Assistance Program to allow more time for tuition assistance application and approval.

Gov. Msg. No. 86, dated December 23, 1996, transmitting a Report on Tuition Waivers at the University of Hawaii, prepared by the University of Hawaii pursuant to Act 161, Section 3, SLH 1995.

Gov. Msg. No. 87, dated January 10, 1997, transmitting the "Report of the 1995 - 1997 Tax Review Commission," pursuant to Section 232E-3, HRS.

Gov. Msg. No. 88, dated November 27, 1996, transmitting the Report on Special Purpose Revenue Bonds Issued and Outstanding and Authorized But Unissued as of July 1, 1996, pursuant to Article VII, Section 12, Hawaii State Constitution and Section 39A-1, HRS.

Gov. Msg. No. 89, dated December 27, 1996, transmitting the Good Beginnings Initiative Annual Report pursuant to Executive Order 96-03.

Gov. Msg. No. 90, dated December 23, 1996, transmitting the 1995 - 1996 Annual Report prepared by the Hawaii Community Development Authority, pursuant to Chapter 206E, HRS.

Gov. Msg. No. 91, dated January 10, 1997, transmitting the Fiscal Year 1996 Annual Report on the Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act, prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 11) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the State Auditor dated November 25, 1996, transmitting a report, "Financial Audit of the Kona Community Hospital," (Report No. 96-17).

Dept. Com. No. 2, from the State Auditor dated November 29, 1996, transmitting a report, "Financial Audit of the Department of Defense," (Report No. 96-18).

Dept. Com. No. 3, from the Supreme Court of Hawaii dated December 13, 1996, transmitting the Judiciary's Multi-Year Program and Financial Plan (1997-2003), Judiciary Budget (1997-1999), and Variance Report (1995-1997), pursuant to Section 601-2, HRS.

Dept. Com. No. 4, from the State Auditor dated December 13, 1996, transmitting a report, "Audit of the QUEST Demonstration Project," (Report No. 96-19).

Dept. Com. No. 5, from the State Auditor dated December 16, 1996, transmitting a report, "Audit of the After-School Plus (A+) Program of the Department of Education," (Report No. 96-20).

Dept. Com. No. 6, from the State Auditor dated December 18, 1996, transmitting a report, "Review of Revolving and Trust Funds of the Office of the Governor, Office of Hawaiian Affairs, and the Department of Education," (Report No. 96-21), pursuant to Section 23-12, HRS.

Dept. Com. No. 7, from the Supreme Court of Hawaii dated December 26, 1996, transmitting twelve reports pursuant to Act 18, Sections 8 and 10, Special Session 1995; Act 244, Sections 5, 10A and 20B, SLH 1996; H.R. No. 8 (1995); S.R. No. 184 (1996); Act 167, Section 3, SLH 1996; Act 203, Section 6, SLH 1996; Act 316, SLH 1993; Section 601-3.6, HRS; and Act 214, Section 21, SLH 1993; also transmitting the annual reports from the Judiciary History Center and the Center for Alternative Dispute Resolution.

Dept. Com. No. 8, from the Ombudsman dated December 26, 1996, transmitting the "Report of the Ombudsman," (Report No. 27), pursuant to Section 96-16, HRS.

Dept. Com. No. 9, from the Office of the Administrative Director of the Courts dated January 3, 1997, transmitting a corrected version of the Report on Expedited Sentencing transmitted on December 26, 1996.

Dept. Com. No. 10, from the State Auditor dated January 3, 1997, transmitting a report, "Fiscal Accountability in the Department of Education: How Accurate Are Textbook Costs," (Report No. 97-1), pursuant to Section 296-92, HRS.

Dept. Com. No. 11, from the State Auditor dated January 7, 1997, transmitting a report, "Audit of the Department of Transportation's Procurement of Information Systems," (Report No. 97-2).

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 15, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 15, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 1997," was adopted.

JUDICIARY COMMUNICATION

Jud. Com. No. 1, submitting for consideration and consent, the nomination of COLETTE YODA GARIBALDI to the office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 15, 1997:

- | Senate Bill | Referred to: |
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| No. 1 | Committee on Commerce, Consumer Protection, and Information Technology |
| No. 2 | Committee on Ways and Means |
| No. 3 | Committee on Education, then to the Committee on Ways and Means |
| No. 4 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 5 | Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary |
| No. 6 | Committee on Human Resources |
| No. 7 | Committee on Judiciary |
| No. 8 | Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means |
| No. 9 | Committee on Education, then to the Committee on Ways and Means |
| No. 10 | Committee on Education, then to the Committee on Ways and Means |
| No. 11 | Committee on Education, then to the Committee on Ways and Means |
| No. 12 | Committee on Human Resources |
| No. 13 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 14 | Committee on Transportation and Intergovernmental Affairs |
| No. 15 | Committee on Commerce, Consumer Protection, and Information Technology |
| No. 16 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means |
| No. 17 | Committee on Education, then to the Committee on Ways and Means |

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| No. 18 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 19 | Committee on Education, then to the Committee on Ways and Means |
| No. 20 | Committee on Education, then to the Committee on Ways and Means |
| No. 21 | Committee on Education, then to the Committee on Ways and Means |
| No. 22 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary |
| No. 23 | Committee on Education, then to the Committee on Ways and Means |
| No. 24 | Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means |
| No. 25 | Committee on Education |
| No. 26 | Committee on Education |
| No. 27 | Committee on Education, then to the Committee on Ways and Means |
| No. 28 | Committee on Education, then to the Committee on Ways and Means |
| No. 29 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 30 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 31 | Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology |
| No. 32 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 33 | Committee on Health and Environment, then to the Committee on Judiciary |
| No. 34 | Committee on Human Resources, then to the Committee on Government Operations and Housing |
| No. 35 | Committee on Government Operations and Housing |
| No. 36 | Committee on Judiciary |
| No. 37 | Committee on Economic Development |
| No. 38 | Committee on Judiciary |
| No. 39 | Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology |
| No. 40 | Committee on Commerce, Consumer Protection, and Information Technology |
| No. 41 | Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 42 | Committee on Judiciary, then to the Committee on Ways and Means |

- No. 43 Committee on Commerce, Consumer Protection, and Information Technology
- No. 44 Committee on Commerce, Consumer Protection, and Information Technology
- No. 45 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 46 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 47 Committee on Education, then to the Committee on Ways and Means
- No. 48 Committee on Commerce, Consumer Protection, and Information Technology
- No. 49 Committee on Commerce, Consumer Protection, and Information Technology
- No. 50 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 51 Committee on Economic Development, then to the Committee on Ways and Means
- No. 52 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 53 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 54 Committee on Commerce, Consumer Protection, and Information Technology
- No. 55 Committee on Commerce, Consumer Protection, and Information Technology
- No. 56 Committee on Health and Environment
- No. 57 Committee on Commerce, Consumer Protection, and Information Technology
- No. 58 Committee on Education, then to the Committee on Ways and Means
- No. 59 Committee on Ways and Means
- No. 60 Committee on Education, then to the Committee on Ways and Means
- No. 61 Committee on Commerce, Consumer Protection, and Information Technology
- No. 62 Committee on Ways and Means
- No. 63 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 64 Committee on Commerce, Consumer Protection, and Information Technology
- No. 65 Committee on Education, then to the Committee on Ways and Means
- No. 66 Committee on Education, then to the Committee on Ways and Means
- No. 67 Committee on Economic Development
- No. 68 Committee on Education, then to the Committee on Ways and Means
- No. 69 Committee on Ways and Means
- No. 70 Committee on Education, then to the Committee on Ways and Means
- No. 71 Committee on Education, then to the Committee on Ways and Means
- No. 72 Committee on Education, then to the Committee on Ways and Means
- No. 73 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 74 Committee on Human Resources, then to the Committee on Ways and Means
- No. 75 Committee on Judiciary
- No. 76 Committee on Judiciary
- No. 77 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 78 Committee on Judiciary
- No. 79 Committee on Judiciary
- No. 80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 81 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 83 Committee on Human Resources
- No. 84 Committee on Judiciary
- No. 85 Committee on Human Resources, then to the Committee on Ways and Means
- No. 86 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development
- No. 87 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development
- No. 88 Committee on Human Resources
- No. 89 Committee on Judiciary
- No. 90 Committee on Judiciary, then to the Committee on Ways and Means
- No. 91 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 3) were read by the Clerk and were placed on File:

Misc. Com. No. 1, from the County of Kauai, Department of Water, dated December 2, 1996, transmitting the "Proposed

C.I.P. Projects, Request for State Aid, 1997 Session," and Resolution No. 3 adopted by the Kauai Board of Water Supply.

Misc. Com. No. 2, from the County of Kauai Police Department dated December 27, 1996, transmitting the 1996 Annual Report pursuant to Act 242, SLH 1995.

Misc. Com. No. 3, from the City and County of Honolulu Police Department dated December 20, 1996, transmitting the 1996 Annual Report, pursuant to Act 242, SLH 1995.

INTRODUCTION OF SENATE BILLS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:59 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 162 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin.

No. 163 "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY."

Introduced by: Senator Levin.

No. 164 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY INTERVENTION SERVICES."

Introduced by: Senator Levin.

No. 165 "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES."

Introduced by: Senator Levin.

No. 166 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Levin.

No. 167 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin, by request.

No. 168 "A BILL FOR AN ACT RELATING TO PRESERVATION OF ANTIQUITIES."

Introduced by: Senator Levin.

No. 169 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LICENSE PLATES."

Introduced by: Senator Levin.

No. 170 "A BILL FOR AN ACT RELATING TO THE CONTROL OF BROWN TREE SNAKES."

Introduced by: Senator Levin.

No. 171 "A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE."

Introduced by: Senator Levin.

No. 172 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Levin.

No. 173 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin.

No. 174 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE DISASTER DEBRIS MANAGEMENT PLAN."

Introduced by: Senator Levin.

No. 175 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Levin.

No. 176 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Levin.

No. 177 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Levin.

No. 178 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UPDATING THE INTEGRATED SOLID WASTE MANAGEMENT PLAN."

Introduced by: Senator Levin.

No. 179 "A BILL FOR AN ACT RELATING TO HUMAN IMMUNODEFICIENCY VIRUS AND ACQUIRED IMMUNODEFICIENCY SYNDROME."

Introduced by: Senator Levin.

No. 180 "A BILL FOR AN ACT RELATING TO LOW-INCOME INDIVIDUALS."

Introduced by: Senators Chun Oakland, Kanno.

No. 181 "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS."

Introduced by: Senator Bunda.

No. 182 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Bunda.

No. 183 "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS."

Introduced by: Senator Bunda.

No. 184 "A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT."

Introduced by: Senator Bunda.

No. 185 "A BILL FOR AN ACT RELATING TO ORGANIC AGRICULTURE."

Introduced by: Senator Bunda.

No. 186 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE."

Introduced by: Senator Bunda.

No. 187 "A BILL FOR AN ACT RELATING TO POLICE SERVICES FOR PUBLIC SCHOOLS."

Introduced by: Senator Bunda.

No. 188 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A HEALTH AND WELLNESS CENTER."

Introduced by: Senator Bunda.

No. 189 "A BILL FOR AN ACT RELATING TO A HAWAIIAN NATION TRADING REGION."

Introduced by: Senators Bunda, McCartney.

No. 190 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda.

No. 191 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Anderson, Slom.

No. 192 "A BILL FOR AN ACT RELATING TO LEGISLATOR'S RETIREMENT."

Introduced by: Senators Anderson, Slom.

No. 193 "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE."

Introduced by: Senators Anderson, Kawamoto.

No. 194 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Aki.

No. 195 "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS."

Introduced by: Senator Aki.

No. 196 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Ihara, Levin.

No. 197 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE."

Introduced by: Senator Iwase.

No. 198 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS WITHIN THE EIGHTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Iwase.

No. 199 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Senator Mizuguchi, by request.

No. 200 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 201 "A BILL FOR AN ACT RELATING TO JURY TRIALS."

Introduced by: Senator Mizuguchi.

No. 202 "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS."

Introduced by: Senator Mizuguchi.

No. 203 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chumbley, Chun Oakland, Ige, M., Kawamoto, Levin, Matsunaga, Matsuura, McCartney, Slom.

No. 204 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun Oakland, Fukunaga, Ige, M., Iwase, Kawamoto, Slom, Tam, Tanaka, Taniguchi.

No. 205 "A BILL FOR AN ACT RELATING TO POSTSECONDARY EDUCATION."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun Oakland, Fukunaga, Ige, D., Ige, M., Iwase, Kawamoto, Levin, Matsuura, Tanaka, Taniguchi.

No. 206 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 207 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 208 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 209 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 210 "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 211 "A BILL FOR AN ACT RELATING TO QUIETING TITLE."

Introduced by: Senators Chumbley, Baker, Tanaka, Iwase.

No. 212 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Iwase, Kawamoto, Matsunaga, Taniguchi.

No. 213 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Kawamoto, Taniguchi.

No. 214 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Senators Chumbley, McCartney, Ige, D.

No. 215 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Chumbley, Bunda, Kawamoto, Taniguchi.

No. 216 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWENTY-FOUR HOUR EMERGENCY MEDICAL SERVICES FOR HANA."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Iwase, Kawamoto, Matsunaga, Taniguchi.

No. 217 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH THE MAUI FOODBANK, INC."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 218 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH THE KAUAI FOODBANK, INC."

Introduced by: Senators Chumbley, Fernandes Salling.

No. 219 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUOUS IN-SERVICE TRAINING FOR TEACHERS OF THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Chumbley, Baker, McCartney, Ige, D.

No. 220 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senators Chumbley, Baker, McCartney, Ige, D.

No. 221 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH FACILITIES IMPROVEMENT."

Introduced by: Senators Chumbley, Baker.

No. 222 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Chumbley.

No. 223 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senators Baker, Sakamoto, Ige, D., Kawamoto.

No. 224 "A BILL FOR AN ACT RELATING TO RETIREMENT."

Introduced by: Senator Baker.

No. 225 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Baker.

No. 226 "A BILL FOR AN ACT RELATING TO ARCHITECTS."

Introduced by: Senators Baker, Ige, D.

No. 227 "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 228 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 229 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF PHYSICIANS IN THE WORKERS' COMPENSATION LAW."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 230 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senators Baker, Chumbley, Tanaka.

No. 231 "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS."

Introduced by: Senators Kanno, Levin.

No. 232 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Kanno.

No. 233 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland.

No. 234 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Kanno.

No. 235 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT THE LONG-TERM CARE INSURANCE BENEFITS PLAN OF THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Chun Oakland.

No. 236 "A BILL FOR AN ACT RELATING TO CUSTODY."

Introduced by: Senator Tam.

No. 237 "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES."

Introduced by: Senator Tam.

No. 238 "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES."

Introduced by: Senator Mizuguchi, by request.

No. 239 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 240 "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES."

Introduced by: Senator Mizuguchi, by request.

No. 241 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 242 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senator Mizuguchi, by request.

No. 243 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senator Mizuguchi, by request.

No. 244 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."

Introduced by: Senator Mizuguchi, by request.

No. 245 "A BILL FOR AN ACT RELATING TO REVENUE SHARING."

Introduced by: Senator Mizuguchi, by request.

No. 246 "A BILL FOR AN ACT RELATING TO COUNTY CONTRACTS."

Introduced by: Senator Mizuguchi, by request.

No. 247 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 17, 1997.