

THIRTY-FOURTH DAY

Monday, March 17, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ray Viliamu, Makakilo Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Solomon who were excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 208 to 229) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 208, submitting for consideration and confirmation to the Education Commission of the States, the nomination of GALEN K. ONOUYE, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 209, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of MICHAEL S. HOWDEN, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nominations of ELAINE COHN and GLENN IOANE TEVES, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of WINTHROP SCOTT SCHAEFER, M.I.C.T., term to expire June 30, 2000, was referred to the Committee on Health and Environment.

Gov. Msg. No. 212, submitting for consideration and confirmation to the Hawai'i Aquaculture Advisory Council, the nominations of RONALD P. WEIDENBACH and LANCE PANG, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Board of Trustees, Hawai'i Public Employees Health Fund, the nominations of JAMES K. AHLOY and DAWN SUYENAGA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Board of Health, the nominations of HARVEY W. SMITH and JULIA O. ABBEN, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nominations of RUSSELL T. YAMANE and C. BARRY RALEIGH, Ph.D., terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Medical Advisory Board, the nominations of: LAWRENCE H. GORDON, M.D., term to expire June 30, 2000; and JEFFREY AKAKA, M.D., term to expire June 30,

2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of IVAN I. NAKANO and ERNIE K. SEIBOLD, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 218, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of MELVIN H. MIYASAKI, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 219, submitting for consideration and confirmation to the State Board of Nursing, the nomination of JUNE M. HIRAKI, R.N., term to expire June 30, 1998, was referred to the Committee on Health and Environment.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Board of Physical Therapy, the nominations of CYNTHIA M. TAMAYO, P.T., NAOMI K. WADA, P.T., and RANDAL HASHIMOTO, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 221, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nominations of LOIS C. MIYASHIRO and CHRIST P. ZIVALICH, JR., terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Real Estate Commission, the nomination of MITCHELL A. IMANAKA, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 223, submitting for consideration and confirmation to the State Advisory Council on Rehabilitation, the nominations of: PETER FRITZ, term to expire June 30, 1997; LOURDES P. MUGAS, SHARON SHORE and ANNA MARIE SPRINGER, terms to expire June 30, 1998; STEPHEN G. LARACUENTE, JEAN SANTOS and SARAH E. POTTER, terms to expire June 30, 1999; and PETER FRITZ, term to expire June 30, 2000, was referred to the Committee on Human Resources.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Stadium Authority, the nominations of EDWARD T. "SKIPPA" DIAZ, JAY K. NAKASONE and CAROLE KAI, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Commission on Transportation, the nominations of WILLIAM B.C. HEE and DONALD A. SEGAWA, terms to expire June 30, 2001, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of LANI LIU EWART, term to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of: AIMEE ANDERSON, term to expire June 30, 1998; and NARIYOSHI HIRAOKA and CRAIG M. NISHIMOTO, D.V.M., terms to expire June 30, 2001, was

referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Water Treatment Plants, the nomination of HAROLD HART, term to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 229, submitting for consideration and confirmation to the State Commission on the Status of Women, the nominations of PAMELA FERGUSON-BREY and HA'AHEO MANSFIELD, terms to expire June 30, 2001, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 18, from the Department of Health dated March 12, 1997, transmitting a report, Vital Signs Hawai'i, 1995 Supplement, Key Indicators of Health Status in Hawai'i, was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 514, returning S.B. No. 1433, S.D. 1, which passed Third Reading in the House of Representatives on March 14, 1997, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 103, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 103, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 580, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 580, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BUSINESS RESEARCH LIBRARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 931, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 931, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 940) recommending that H.B. No. 1485, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

1485, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 1572, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1572, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 1573 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1573, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 1580 pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 944) recommending that H.B. No. 1733 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1733, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 945) recommending that H.B. No. 1745, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1745, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 946) recommending that H.B. No. 2238, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2238, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 947) recommending that H.B. No. 173 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 173, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 19, 1997.

ORDER OF THE DAY

THIRD READING

H.B. No. 1893, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

H.B. No. 1894, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

H.B. No. 1902, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 13, 1997:

Senate Concurrent Resolution	Referred to:
No. 179	Committee on Education
No. 180	Committee on Education, then to the Committee on Ways and Means
No. 181	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 182	Committee on Education, then to the Committee on Ways and Means
No. 183	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 184 Committee on Education, then to the Committee on Ways and Means

No. 185 Committee on Health and Environment, then to the Committee on Ways and Means

No. 186 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means

No. 187 Committee on Economic Development, then to the Committee on Human Resources

No. 188 Committee on Human Resources, then to the Committee on Ways and Means

No. 189 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 190 Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 191 Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 192 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 193 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 194 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 195 Committee on Economic Development, then to the Committee on Ways and Means

No. 196 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 197 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 198 Committee on Judiciary

No. 199 Committee on Judiciary, then to the Committee on Ways and Means

No. 200 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 201 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means

No. 202 Committee on Ways and Means

No. 203 Committee on Human Resources, then to the Committee on Transportation and Intergovernmental Affairs

No. 204 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, March 13, 1997, and Friday, March 14, 1997:

ADJOURNMENT

Senate Resolution	Referred to:
No. 90	Committee on Education, then to the Committee on Ways and Means
No. 91	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 92	Committee on Education, then to the Committee on Ways and Means
No. 93	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 94	Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 95	Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
No. 96	Committee on Ways and Means
No. 97	Committee on Human Resources, then to the Committee on Transportation and Intergovernmental Affairs
No. 98	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 115	Committee on Commerce, Consumer Protection, and Information Technology

At 11:53 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 18, 1997.

**RE-REFERRAL OF
GOVERNOR'S MESSAGES**

The Chair re-referred the following governor's messages that were received:

Governor's Message	Referred to:
No. 190 Affairs	Committee on Water, Land, and Hawaiian Affairs
No. 193 Affairs	Committee on Water, Land, and Hawaiian Affairs

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 145, H.D. 1	Committee on Ways and Means, then to the Committee on Judiciary
No. 1208, H.D. 2	Committee on Commerce, Consumer Protection, and Information Technology
No. 1451, H.D. 1	Committee on Commerce, Consumer Protection, and Information Technology

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

The Senate reconvened at 11:50 o'clock a.m.