

FORTY-EIGHTH DAY

Thursday, April 10, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 4:17 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Mrs. Ann Dusseault, The National Baha'i Center, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 281 to 284) were read by the Clerk and were placed on file:

Gov. Msg. No. 281, dated April 4, 1997, transmitting the 1996 Annual Report of the Environmental Council, Environmental Report Card, 1996, prepared by the Environmental Council and the Department of Health, Office of Environmental Quality Control.

Gov. Msg. No. 282, dated March 31, 1997, transmitting the "Report to the 1997 Hawaii State Legislature By the Governor's Health Tourism Task Force on Activities Related to Marketing the Expertise and Excellence of Hawaii's Health Care," prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 283, dated March 27, 1997, transmitting the 1995-1996 Annual Report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, HRS.

Gov. Msg. No. 284, informing the Senate that on April 9, 1997, he signed into law Senate Bill No. 1548 as Act 10, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 627 to 731) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 627, returning S.B. No. 35, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 35, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 628, returning S.B. No. 37, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 37, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 629, returning S.B. No. 135, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 135, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 630, returning S.B. No. 138, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 138, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 631, returning S.B. No. 141, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 141, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 632, returning S.B. No. 147, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 147, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 633, returning S.B. No. 152, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 152, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 634, returning S.B. No. 161, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 161, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 635, returning S.B. No. 202, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 202, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 636, returning S.B. No. 226, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 226, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 637, returning S.B. No. 228, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 228, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 722, returning S.B. No. 137, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 723, returning S.B. No. 209, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 724, returning S.B. No. 1159, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 725, returning S.B. No. 1303, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 726, returning S.B. No. 1304, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 727, returning S.B. No. 1363, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 728, returning S.B. No. 1484, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 729, returning S.B. No. 1778, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 730, returning S.B. No. 1618, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1618 and requested a conference on the subject matter thereof.

Hse. Com. No. 731, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 145 and the request for a conference on the subject matter of said amendments, the Speaker on April 10, 1997, appointed Representatives Say, chairman, Kawakami, Marumoto as managers on the part of the House for the consideration of said amendments, was placed on file.

JUDICIARY COMMUNICATIONS

The following communications from the Judiciary (Jud. Com. Nos. 4 to 6) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 4, submitting for consideration and consent, the nomination of RHONDA A. NISHIMURA 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 referred to the Committee on Judiciary.

Jud. Com. No. 5, submitting for consideration and consent, the nomination of SANDRA P. SCHUTTE to the office of Judge, District Court of the Third Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

Jud. Com. No. 6, submitting for consideration and consent, the nomination of RHONDA I. LAI LOO to the office of Judge, District Court of the Second Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1620) recommending that S.C.R. No. 99 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL," was adopted.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1621) recommending that S.R. No. 35 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 35, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1622) recommending that S.C.R. No. 111, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE POSSIBLE HEALTH EFFECTS OF THE AERIAL SPRAYING OF HERBICIDES," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1623) recommending that S.C.R. No. 131, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1624) recommending that S.R. No. 63, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 63, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1625) recommending that S.C.R. No. 224, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 224, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EDUCATE ALL RESTAURANTS, DINING ROOMS, AND OTHER FOOD SERVICE ESTABLISHMENTS REGARDING HAZARDS OF AND REGULATIONS PERTAINING TO IMPROPERLY MAINTAINED AIR CONDITIONING SYSTEMS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1626) recommending that S.C.R. No. 116 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1627) recommending that S.C.R. No. 151 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1628) recommending that S.C.R. No. 152, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LAW ENFORCEMENT COALITION, IN CONSULTATION WITH THE JUDICIARY, TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1629) recommending that S.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 78, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII STATE LAW ENFORCEMENT COALITION, IN CONSULTATION WITH THE JUDICIARY, TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1630) recommending that S.C.R. No. 256 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 256, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND

THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1631) recommending that S.C.R. No. 257 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 257, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES NINTH CIRCUIT COURT OF APPEALS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1632) recommending that S.C.R. No. 198 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON PROVIDING IMMUNITY FROM LIABILITY FOR VOLUNTEERS WORKING WITH GOVERNMENT AND NONPROFIT ORGANIZATIONS," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1633) recommending that S.C.R. No. 163 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 163, entitled: "SENATE CONCURRENT RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1634) recommending that S.R. No. 83 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 83, entitled: "SENATE RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1635) recommending that S.C.R. No. 178, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF TRANSPORTATION, HAWAII'S CONGRESSIONAL DELEGATION, AND OTHER STATE AND FEDERAL PUBLIC OFFICIALS TO PURSUE 'OPEN SKIES' NEGOTIATION BY INITIATING APPROPRIATE ACTION TO GIVE THE STATE OF HAWAII MORE INPUT IN FEDERAL POLICIES AND REGULATIONS AFFECTING HAWAII'S AIRWAYS AND AIR RIGHTS WITH JAPAN AND OTHER PACIFIC RIM COUNTRIES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1636) recommending that S.C.R. No. 203, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 203, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1637) recommending that S.C.R. No. 90, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 90, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE PRESERVATION OF HAWAII'S GREEN SEA TURTLES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1638) recommending that S.R. No. 29, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 2, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE PRESERVATION OF HAWAII'S GREEN SEA TURTLES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1639) recommending that S.C.R. No. 113, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1640) recommending that S.R. No. 46, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1641) recommending that H.C.R. No. 48, H.D. 1, 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.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION PERMITTING THE IMMIGRATION OF THE CHILDREN OF FILIPINO VETERANS OF WORLD WAR II TO THE UNITED STATES WITHOUT LIMIT AS TO NUMBER AND WITHOUT THE REQUIREMENT OF FINANCIAL SPONSORSHIP," 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. 1642) recommending that H.C.R. No. 223 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII CONGRESSIONAL DELEGATION TO HOMEPORTR THE JAPANESE MIDGET SUBMARINE (Ha-19) AT PEARL HARBOR," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1643) recommending that H.C.R. No. 238, H.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 238, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE INSTALLATION OF APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1644) recommending that H.C.R. No. 245 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE 'HALEIWA BYPASS' IN HONOR OF THE LATE REPRESENTATIVE JOSEPH P. LEONG," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1645) recommending that the Senate advise and consent to the nominations of the following:

WILLIAM T. EMMSLEY, JR., HARLOW M.S.L. URABE, C.E. RAGS SCANLAN, JOHN (JACK) F. SULLIVAN, JR., KAREN H. IWAMOTO and HELEN Y. RAUER to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 184; and

LES S. IHARA to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 186.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1645 and Gov. Msg. Nos. 184 and 186 were deferred until Friday, April 11, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1646) recommending that the Senate advise and consent to the nominations of HARRY YEE and FAYE KENNEDY to the Civil Rights Commission, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1646 and Gov. Msg. No. 195 was deferred until Friday, April 11, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1647) recommending that the Senate advise and consent to the nominations of WILLIAM B.C. HEE and DONALD A. SEGAWA to the Commission on Transportation, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1647 and Gov. Msg. No. 225 was deferred until Friday, April 11, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1648) recommending that S.C.R. No. 128, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 128, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS," was adopted.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1649) recommending that S.R. No. 60, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS," was adopted.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1650) recommending that S.C.R. No. 108 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1651) recommending that S.R. No. 42 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 42, entitled: "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1652) recommending that S.R. No. 44, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 44, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN EVALUATION OF THE POSSIBLE HEALTH EFFECTS OF THE AERIAL SPRAYING OF HERBICIDES," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1653) recommending that S.C.R. No. 41 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO MANDATE THE U.S. FEDERAL RESERVE SYSTEM TO ADOPT A FULL EMPLOYMENT POLICY," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1654) recommending that S.C.R. No. 52 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH GUIDELINES FOR THE MED-QUEST PROGRAM," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1655) recommending that S.C.R. No. 155, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST AND MEDICAID PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1656) recommending that S.R. No. 80, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST AND MEDICAID PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was adopted.

Senators Levin and Metcalf, jointly with Senators Iwase and Solomon, for the Committee on Health and Environment and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1657) recommending that S.C.R. No. 13, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 13, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1658) recommending that the Senate advise and consent to the nominations of JULIE KUBO, Pharm.D., and JAMES T. MIYAHARA, Ph.D., to the Drug Product Selection Board, in accordance with Gov. Msg. No. 187.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1658 and Gov. Msg. No. 187 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1659) recommending that the Senate advise and consent to the nomination of ALLEN SOUZA to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 191.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1659 and Gov. Msg. No. 191 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1660) recommending that the Senate advise and consent to the nominations of CYNTHIA D. CHARLTON and ROGER CASTRO to the Environmental Council, in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1660 and Gov. Msg. No. 197 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1661) recommending that the Senate advise and consent to the nomination of WINTHROP SCOTT SCHAEFER, M.I.C.T., to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 211.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1661 and Gov. Msg. No. 211 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1662) recommending that the Senate advise and consent to the nominations of JAMES K. AHLOY and DAWN SUYENAGA to the Board of Trustees, Hawai'i Public Employees Health Fund, in accordance with Gov. Msg. No. 213.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1662 and Gov. Msg. No. 213 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1663) recommending that the Senate advise and consent to the nominations of HARVEY W. SMITH and JULIA O. ABBEN to the Board of Health, in accordance with Gov. Msg. No. 214.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1663 and Gov. Msg. No. 214 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1664) recommending that the Senate advise and consent to the nominations of LAWRENCE H. GORDON, M.D., and JEFFREY AKAKA, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 216.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1664 and Gov. Msg. No. 216 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1665) recommending that the Senate advise and consent to the nomination of HAROLD HART to the Board of Certification of Operating Personnel in Water Treatment Plants, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1665 and Gov. Msg. No. 228 was deferred until Friday, April 11, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1666) recommending that S.C.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF ALL PUBLIC SCHOOL PARKING SITUATIONS," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1667) recommending that S.R. No. 16, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF ALL PUBLIC SCHOOL PARKING SITUATIONS," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1668) recommending that S.C.R. No. 147, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1669) recommending that S.R. No. 74, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1670) recommending that S.C.R. No. 2, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSIST THE LEGISLATURE IN ESTABLISHING AN APPROPRIATE SALARY STRUCTURE AND PAY INCREMENTS FOR LENGTH OF CONTINUOUS CREDITABLE JUDICIAL SERVICE TO THE STATE," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1671) recommending that S.C.R. No. 33, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TOW TRUCK OPERATORS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1672) recommending that S.C.R. No. 125, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO SUPPORT THE PROCESS ESTABLISHED UNDER SECTION 6-81-19, HAWAII ADMINISTRATIVE RULES, AND THROUGH THIS PROCESS, TO CONSIDER FUNDING SOME PORTIONS OF ASK-2000 FOR THE 1997-1999 FISCAL BIENNIUM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1673) recommending that S.C.R. No. 171, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1674) recommending that S.C.R. No. 173, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE HAWAII STATE LIBRARY BOOK CONTRACT WITH BAKER AND TAYLOR," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1675) recommending that S.C.R. No. 182, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 182, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1676) recommending that S.C.R. No. 184 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A COMMISSION ON THE TWENTY-FIRST CENTURY," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1677) recommending that S.C.R. No. 233, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 233, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1678) recommending that S.R. No. 118, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1679) recommending that S.C.R. No. 244 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 244, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1680) recommending that S.C.R. No. 248, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 248, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1681) recommending that S.R. No. 124, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 124, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1682) recommending that S.C.R. No. 249, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 249, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1683) recommending that S.R. No. 125, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1684) recommending that S.C.R. No. 270, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 270, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1685) recommending that S.C.R. No. 142, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HUMAN SERVICES," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1686) recommending that S.R. No. 92, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was adopted.

ORDER OF THE DAY

AGREE AND FINAL READING

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 1997

S.B. No. 1556, H.D. 1:

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1556 and S.B. No. 1556, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Mr. President, there were just technical amendments made to this bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1556 and S.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1578, H.D. 1:

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1578 and S.B. No. 1578, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Sakamoto then explained:

"This bill, as well, has technical, nonsubstantive changes, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1578 and S.B. No. 1578, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

AGREE/DISAGREE

MATTERS DEFERRED FROM THURSDAY, APRIL 3, 1997

S.B. No. 26 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 26 and requested a conference on the subject matter thereof.

S.B. No. 165, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 165, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 382, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 382, S.D. 1, and requested a conference on the subject matter thereof.

MATTERS DEFERRED FROM FRIDAY, APRIL 4, 1997

S.B. No. 208, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 208, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 251, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 251, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 293, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 293, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 373 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 373 and requested a conference on the subject matter thereof.

S.B. No. 653, S.D. 2 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 653, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 938, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 938, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 941, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 941, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 989, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 989, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 991, S.D. 2 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 991, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1016 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1016 and requested a conference on the subject matter thereof.

S.B. No. 1018, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1064, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1064, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1069, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1069, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1242, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1242, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1267, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1267, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1385, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1385 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1421, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1421, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1571, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1571, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1588, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1588, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1636, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1636, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1636, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1636, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1766, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1766, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1802, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1802, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1919, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1919, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1943, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1943, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1943, S.D. 1, and requested a conference on the subject matter thereof.

THIRD READING

H.B. No. 1433, H.D. 2, S.D. 3:

On motion by Senator Fernandes Salling, seconded by Senator Solomon and carried, H.B. No. 1433, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:36 o'clock p.m.

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

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

"Mr. President, recently, there was a problem with a colleague -- and I don't want to mention any names -- but nothing happened. Had it been a minority, we would have brought it up on the floor. If it had been a majority member that got in trouble, we would have brought that up. What bothers me is that we have been receiving letters. I have not done anything; neither has anybody else. As far as I know, I've heard nothing. And I'd like to know that when we have people here at the Capitol, we insist on a particular type of decorum for everybody. We expected that from the Hawaiians. We expected it yesterday from the children when they came here. And I would hope that we write some type of policy or something within the Senate whereby we have to follow certain rules and regs and we know what's happening.

"So I do thank you for your time and if you would let me receive a letter, or the rest of us, as to what we're going to do, I'd appreciate that.

"Thank you very much, Mr. President."

**RECONSIDERATION OF ACTIONS TAKEN
AND ADOPTION OF RESOLUTIONS**

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral to the Committee on Ways and Means be waived on the following Senate concurrent resolutions:

S.C.R. No. 9, S.D. 1;
S.C.R. No. 16, S.D. 1;
S.C.R. No. 55, S.D. 1;
S.C.R. No. 164;
S.C.R. No. 165;
S.C.R. No. 166, S.D. 1;
S.C.R. No. 194;
S.C.R. No. 212;
S.C.R. No. 223;
S.C.R. No. 242;
S.C.R. No. 251, S.D. 1;
S.C.R. No. 274;
S.C.R. No. 275; and
S.C.R. No. 277, S.D. 1,

and the Chair granted the waiver.

S.C.R. No. 9, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 956, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 956 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 9, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL INSURANCE COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR PROSTATE CANCER," was adopted.

S.C.R. No. 16, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1281, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1281 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF STATE LANDS FOR MILITARY RANGES," was adopted.

S.C.R. No. 55, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1109, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1109 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT TO DETERMINE THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE EQUAL TO COVERAGE FOR ALL OTHER MEDICAL ILLNESSES," was adopted.

S.C.R. No. 164:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1312, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1312 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was adopted.

S.C.R. No. 165:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1314, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1314 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 165, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHU CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER," was adopted.

S.C.R. No. 166, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1291, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1291 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE REPORT NO. 93-27, A REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR CONTRACEPTIVE SERVICES," was adopted.

S.C.R. No. 194:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1279, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1279 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE TAX INCREMENT FINANCING FOR INFRASTRUCTURE IMPROVEMENTS FOR NEW DEVELOPMENT," was adopted.

S.C.R. No. 212:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1285, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1285 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 212, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO ENTER INTO LAND EXCHANGE NEGOTIATIONS FOR CERTAIN LANDS ON THE ISLAND OF HAWAII," was adopted.

S.C.R. No. 223:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1322, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1322 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 223, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT," was adopted.

S.C.R. No. 242:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1324, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1324 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 242, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND," was adopted.

S.C.R. No. 251, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1349, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1349 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 251, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS IN THE UNITED STATES CONGRESS TO PROVIDE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS WHO HAVE BEEN DENIED PARTICIPATION IN THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM AND TO RETURN THESE INDIVIDUALS TO THE PROGRAM, AND TO RESTORE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS FOR ALL NEED-BASED PROGRAMS," was adopted.

S.C.R. No. 274:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1343, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1343 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 274, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF MENTAL HEALTH SERVICES FOR EAST HONOLULU," was adopted.

S.C.R. No. 275:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1354, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1354 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 275, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS," was adopted.

S.C.R. No. 277, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1387, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1387 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 277, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION, THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AND THE HAWAII SCHOOL OFFICE SERVICES ASSOCIATION DEVELOP A PLAN TO PROVIDE FUTURE CLERICAL STAFFING TO ALL SCHOOLS," was adopted.

ADJOURNMENT

At 4:41 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 11, 1997.