

FIFTY-FOURTH DAY

Monday, April 21, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 3:10 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Masayuki Idei, Rissho Kosei-Kai of Hawaii Buddhist Church, Pearl City, after which the Roll was called showing all Senators present with the exception of Senator Menor who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 428 to 446) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 428, letter dated April 1, 2003, retracting the recommendation for immediate passage of S.B. No. 1358, Making an Emergency Appropriation for the Department of Health, Health Insurance Portability and Accountability Act Compliance, due to the unanticipated availability of funds, was placed on file.

Gov. Msg. No. 429, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1256 as Act 11, entitled: "RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN," was placed on file.

Gov. Msg. No. 430, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1260 as Act 12, entitled: "RELATING TO MICROORGANISM IMPORT," was placed on file.

Gov. Msg. No. 431, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1270 as Act 13, entitled: "RELATING TO ANTITRUST," was placed on file.

Gov. Msg. No. 432, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1396 as Act 14, entitled: "RELATING TO THE ADMINISTRATION OF TAXES," was placed on file.

Gov. Msg. No. 433, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1406 as Act 15, entitled: "RELATING TO COMMERCIAL DRIVER LICENSING," was placed on file.

Gov. Msg. No. 434, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1415 as Act 16, entitled: "RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," was placed on file.

Gov. Msg. No. 435, informing the Senate that on April 16, 2003, she signed into law House Bill No. 1172 as Act 17, entitled: "RELATING TO THE UNIFORM SECURITIES ACT," was placed on file.

Gov. Msg. No. 436, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 51 as Act 18, entitled: "RELATING TO COMMERCIAL DRIVER'S LICENSES," was placed on file.

Gov. Msg. No. 437, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 368 as Act 19, entitled: "RELATING TO CRIMINAL PROPERTY DAMAGE," was placed on file.

Gov. Msg. No. 438, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 550 as Act 20, entitled: "RELATING TO AGRICULTURAL COMMODITIES," was placed on file.

Gov. Msg. No. 439, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 562 as Act 21, entitled: "RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES," was placed on file.

Gov. Msg. No. 440, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1353 as Act 22, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID," was placed on file.

Gov. Msg. No. 441, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 685 as Act 23, entitled: "RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS," was placed on file.

Gov. Msg. No. 442, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 787 as Act 24, entitled: "RELATING TO DISASTER LEAVE," was placed on file.

Gov. Msg. No. 443, informing the Senate that on April 16, 2003, she signed into law Senate Bill No. 1469 as Act 25, entitled: "RELATING TO PEER SUPPORT COUNSELING SESSIONS," was placed on file.

Gov. Msg. No. 444, advising the Senate of the withdrawal of the nomination of ROSALIE K. TATSUGUCHI PH.D. to the Board of Psychology, under Gov. Msg. No. 385, dated April 14, 2003, was placed on file.

In compliance with Gov. Msg. No. 444, the nomination listed under Gov. Msg. No. 385 was returned.

Gov. Msg. No. 445, advising the Senate of the withdrawal of the nomination of HERBERT K.W. CHINN JR. to the Health Planning Council, Honolulu Subarea, under Gov. Msg. No. 362, dated April 14, 2003, was placed on file.

In compliance with Gov. Msg. No. 445, the nomination listed under Gov. Msg. No. 362 was returned.

Gov. Msg. No. 446, advising the Senate of the withdrawal of the nomination of HUBERT MINN to the State Board of Chiropractic Examiners, under Gov. Msg. No. 286, dated April 7, 2003, was placed on file.

In compliance with Gov. Msg. No. 446, the nomination listed under Gov. Msg. No. 286 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 571 to 576) were read by the Clerk and were placed on file:

Hse. Com. No. 571, informing the Senate that the Speaker on April 17, 2003, made the following changes to the conferees on the following bill:

H.B. No. 1532, H.D. 2 (S.D. 2):

Discharged Representative Leong as a manager.
Appointed Representative Jernigan as a manager.

Hse. Com. No. 572, informing the Senate that the Speaker on April 16, 2003, appointed conferees on the part of the House for the consideration of amendments proposed by the Senate and House to the following bills:

H.B. No. 1579, H.D. 1 (S.D. 2):

Representatives Schatz, Takamine, co-chairs; Wakai, Leong.

S.B. No. 254, S.D. 2 (H.D. 1):

Representatives Kanohe, Kaho`ohalahala, co-chairs; Waters, Moses.

Hse. Com. No. 573, informing the Senate that the Speaker on April 16, 2003, made the following changes to the conferees on the following bill:

H.B. No. 1021, H.D. 1 (S.D. 2):

Discharged Representative Wakai as third co-chair.
Appointed Representative Kaho`ohalahala as third co-chair.

Hse. Com. No. 574, informing the Senate that the Speaker on April 21, 2003, made the following changes to the conferees on the following bill:

H.B. No. 426, H.D. 1 (S.D. 2):

Discharged Representative Thielen as a manager.
Appointed Representative Bukoski as a manager.

Hse. Com. No. 575, returning S.C.R. No. 93, S.D. 1, which was adopted by the House of Representatives on April 17, 2003.

Hse. Com. No. 576, returning S.C.R. No. 96, which was adopted by the House of Representatives on April 17, 2003.

At 3:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:24 o'clock p.m.

STANDING COMMITTEE REPORTS

Senators Chun Oakland, Baker and Sakamoto, for the Committee on Human Services, the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1577) recommending that H.C.R. No. 62, H.D. 1, as amended in S.D. 1, be referred to the Committee on Transportation, Military Affairs, and Government Operations.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 62, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF

HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT," was referred to the Committee on Transportation, Military Affairs, and Government Operations.

Senators Chun Oakland and Taniguchi, for the Committee on Human Services and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1578) recommending that H.C.R. No. 85, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 85, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AUDIT AND INVESTIGATION OF THE VARIOUS AGENCIES INVOLVED IN THE CHILD PROTECTIVE SERVICES SYSTEM," was adopted.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1579) recommending that H.C.R. No. 203, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 203, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO WORK WITH HAWAII'S CONGRESSIONAL DELEGATION AND THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO IMPROVE ACCESS TO HEALTH CARE IN HAWAII," was adopted.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1580) recommending that H.C.R. No. 208 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE U.S. CONGRESS TO RECOGNIZE THE MERITS AND SUCCESSSES OF THE HEAD START PROGRAM AND TO REJECT ANY PROPOSAL TO LIMIT THE PROGRAM'S SCOPE OR TO MOVE IT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE U.S. DEPARTMENT OF EDUCATION," was adopted.

Senators Fukunaga and Baker, for the Committee on Economic Development and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1581) recommending that H.C.R. No. 55, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 55, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM BUSINESS ACTION CENTER, DEPARTMENT OF HEALTH, AND THE MAYOR AND COUNCIL OF EACH OF THE FOUR COUNTIES TO COORDINATE AND FACILITATE THE PROJECT REVIEW AND PERMITTING PROCESS OF A PLASMA FACILITY IN THE STATE," was adopted.

Senators Fukunaga and Ige, for the Committee on Economic Development and the Committee on Science, Arts, and Technology, presented a joint report of the majority of the

Committees (Stand. Com. Rep. No. 1582) recommending that H.C.R. No. 81, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 81, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRESERVE AND PROTECT THE RECREATION RESIDENCE TRACTS WITHIN THE KOKE'E AND WAIMEA CANYON STATE PARKS," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

Senators Kawamoto and Hanabusa, for the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1583) recommending that H.C.R. No. 26, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO EDUCATE AND SENSITIZE MEMBERS OF CONGRESS ON THE UNFORTUNATE CIRCUMSTANCES OF THE INTERNMENT OF CIVILIANS DURING WORLD WAR II," was adopted with Senators Hemmings, Slom and Trimble voting "No."

Senator Kawamoto, for the Committee on Transportation, Military Affairs, and Government Operations, presented a report (Stand. Com. Rep. No. 1584) recommending that H.C.R. No. 230, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 230, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ARMY, AIR FORCE, AND NAVY TO SELECT A CONTRACTOR WITH LOCAL PARTNERS AND A HISTORY OF DOING BUSINESS IN HAWAII FOR THE RESIDENTIAL COMMUNITIES INITIATIVE," was adopted.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1585) recommending that H.C.R. No. 146 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO WORK TO OBTAIN ADDITIONAL FUNDS NECESSARY TO MEET THE MANDATES OF THE FEDERAL 'NO CHILD LEFT BEHIND ACT OF 2001'," was adopted.

Senator Sakamoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1586) recommending that H.C.R. No. 160, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 160, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING APRIL AS 'FINANCIAL LITERACY FOR YOUTH IN HAWAII MONTH'," was adopted.

Senator English, for the Committee on Energy and Environment, presented a report (Stand. Com. Rep. No. 1587) recommending that H.C.R. No. 172, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONSUMER ADVOCATE TO FORM AN AD HOC ADVISORY GROUP TO INVESTIGATE AND MAKE RECOMMENDATIONS REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF STANDARD OFFER CONTRACTS AND STANDARDIZED INTERCONNECTION AGREEMENTS TO REDUCE THE APPROVAL PROCESS TIME FOR THE IMPLEMENTATION OF RENEWABLE ENERGY SYSTEMS; AND FACILITATE THE PURCHASE OF ELECTRICITY FROM RENEWABLE ENERGY PRODUCERS IN HAWAII," was adopted.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1588) recommending that H.C.R. No. 89 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RALPH BUNCHE CENTENARY CELEBRATION," was adopted.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1589) recommending that H.C.R. No. 219, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 219, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RESTORATION AND MAINTENANCE OF THE SANJU PAGODA IN NUUANU VALLEY," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1590) recommending that H.C.R. No. 68, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 68, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO EXPLORE THE LEASING OF UNUTILIZED FAST AND SUBMERGED LANDS AT KEEHI LAGOON FOR THE PRIVATE DEVELOPMENT OF BOATING AND OCEAN RECREATIONAL FACILITIES," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1591) recommending that H.C.R. No. 157, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 157, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION FORMALIZING THE ONGOING EFFORTS OF THE AGRICULTURE WORKING GROUP IN ADDRESSING THE MANDATE OF ARTICLE XI, SECTION 3 OF THE STATE CONSTITUTION AND RELATED AGRICULTURAL AND LAND ISSUES," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1592) recommending that H.C.R. No. 216 be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE MANY BENEFITS OF HAWAII GROWN CHOCOLATE TO OUR STATE AND DIVERSIFIED AGRICULTURE," was adopted.

Senator Inouye, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1593) recommending that H.C.R. No. 223, H.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING CERTAIN PUBLIC LEASES," was adopted with Senators Hogue, Slom and Trimble voting "No."

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1594) recommending that H.C.R. No. 179, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the Committee was adopted and H.C.R. No. 179, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNIVERSITY OF HAWAII TO CONSIDER REQUIRING ALL STUDENTS AT THE UNIVERSITY OF HAWAII SYSTEM TO SHOW PROOF OF FULL IMMUNIZATION AGAINST THE HEPATITIS B VIRUS PRIOR TO ENROLLMENT," was adopted.

Senators Baker and Menor, for the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1595) recommending that H.C.R. No. 151, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the majority of the Committees was adopted and H.C.R. No. 151, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM WORKING GROUP ON UNIVERSAL HEALTH CARE," was adopted with Senators Hemmings, Hogue, Slom and Trimble voting "No."

ORDER OF THE DAY

APPROVAL OF JOURNAL

MATTER DEFERRED FROM THURSDAY, APRIL 17, 2003

The President deferred the approval of the Journal of the Senate of the Forty-Seventh Day until Tuesday, April 22, 2003.

FINAL READING

S.B. No. 69, S.D. 1, H.D. 1:

On motion by Senator Hooser, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 69, S.D. 1, and S.B. No. 69, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEACHER EDUCATION COORDINATING

COMMITTEE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Menor, Sakamoto).

S.B. No. 1241, H.D. 2:

On motion by Senator Baker, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1241, and S.B. No. 1241, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER EXAMINATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 1326, S.D. 1, H.D. 1:

On motion by Senator Sakamoto, seconded by Senator Hooser and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1326, S.D. 1, and S.B. No. 1326, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

ADOPTION OF RESOLUTION

MATTER DEFERRED FROM THURSDAY, APRIL 17, 2003

Stand. Com. Rep. No. 1576 (H.C.R. No. 198, H.D. 1):

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the joint report of the Committees was adopted and H.C.R. No. 198, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PRESERVATION OF THE HAWAIIAN LANGUAGE AND THE PERPETUATION OF ITS STUDY AND USE," was adopted.

At 3:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:35 o'clock p.m.

Senator Ihara rose on a point of information as follows:

"Mr. President, I have a point of information.

"Is it the intent of the motion to adopt Stand. Com. Rep. No. 1576 that although the motion did not ask for adoption of the resolution itself, that the adoption of the committee report that the resolution also be adopted?"

The Chair answered:

"That's the intent."

Senator Ihara continued:

"Then could I make the request to the Leadership to consider in the future adopting committee reports and also in the same motion adopt the resolution, because it is not necessarily the case parliamentary, I believe, that when you adopt the committee report that it is necessarily the case that you're also adopting the resolution."

The Chair responded:

“You’re point is well taken. We’ll take it up in Leadership.”

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1255, S.D. 2 (H.D. 1):

Senator Inouye moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1255, S.D. 2, seconded by Senator Taniguchi and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1255, S.D. 2, seconded by Senator Taniguchi.

Senator Inouye noted:

“Mr. President, S.B. No. 1255 is a bill for an act relating to agricultural inspections.

“The purpose is to be more responsive to the needs of the agricultural industry, and among other things, it authorizes DOA to enter into cooperative agreements with the USDA and other agreements and contracts with private parties or other governmental agencies to audit and certify that applicants are following good agricultural handling, processing, and manufacturing practices.

“It also designates any employees or agents of the Department of Agriculture to conduct the audits and certification at the request of persons having a financial interest in a business or product.

“It also employs, under part VII of Chapter 147, HRS, temporary staff to assist in certification and auditing services and it also enters into cooperative agreements with the USDA for purposes of grading beef, pork, mutton and lamb carcasses.

“It also requires the DOA to fix, assess, and collect fees under the cooperative agreement with USDA. It repeals certain sections relating to certifying agency and seed certifications. It also changes the revolving fund used by DOA to provide inspection services for federal marketing order programs.

“The changes that the House has made and agreed to by your Committee in Conference was deleting references under part VII of HRS that recognizes temporary staff and replacing the languages to temporary inspectors. It also clarifies that the department shall fix, assess, and collect fees for certification or audit services.

“There were also technical and nonsubstantive amendments for purposes of style and clarity.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1255, S.D. 2, and S.B. No. 1255, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” was placed on the calendar for Final Reading on Tuesday, April 22, 2003.

ADOPTION OF RESOLUTION

H.C.R. No. 62, H.D. 1, S.D. 1:

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested that the referral of H.C.R. No. 62, H.D. 1, S.D. 1, to the Committee on Transportation, Military Affairs, and

Government Operations be waived, and the Chair granted the waiver.

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, H.C.R. No. 62, H.D. 1, S.D. 1, entitled: “HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII’S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION IN CONGRESS CALLING FOR FURTHER REVIEW OF THE MIGRATION ISSUE AND FOR INCREASED FINANCIAL IMPACT ASSISTANCE FOR PROVIDING SERVICES TO CITIZENS OF THE FREELY ASSOCIATED STATES WHO RESIDE IN THE STATE OF HAWAII UNDER THE COMPACT OF FREE ASSOCIATION AND ANY NEWLY RENEGOTIATED COMPACT,” was adopted.

Senator Kawamoto, Chair of the Committee on Transportation, Military Affairs, and Government Operations, requested a waiver of the notice requirement pursuant to Senate Rule 21 for H.C.R. No. 188.

Senator Kawamoto noted:

“Your Committee would like to hold a decision making on this resolution and intend to report it out unamended.”

The Chair granted the waiver.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 1055, S.D. 1 (H.D. 1):

The President appointed Senators Kim and Kokubun as managers on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 1055, S.D. 1.

H.B. No. 10, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 10, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators English, chair; Menor, Hooser, co-chairs on the part of the Senate at such conference.

H.B. No. 75, H.D. 2 (S.D. 1):

The President appointed Senator Taniguchi as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 75, H.D. 2.

H.B. No. 1003, H.D. 1 (S.D. 2):

The President discharged Senator Ihara as a manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1003, H.D. 1.

H.B. No. 1182, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1182, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Kokubun, Chun Oakland, co-chairs; English, Espero, Taniguchi, Tsutsui as managers on the part of the Senate at such conference.

ADJOURNMENT

At 3:43 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 12:00 o'clock noon, Tuesday, April 22, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate