

THIRTY-SEVENTH DAY

Wednesday, March 24, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Bruce Dusseault, Baha'i Faith, Honolulu Community, after which the Roll was called showing all Senators present.

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

At this time, the following student "shadows" were introduced:

Senator Hanabusa introduced Belsy Brown from Waianae High School and Ryan Prestoza from Kalakaua Intermediate School;

Senator Ihara introduced Mariko Kotani from Kawanakoa Middle School;

Senator Taniguchi introduced Kaulani Ostrem from Kahuku High and Intermediate School;

Senator Sakamoto introduced Krystle Kido from Moanalua High School; and

Senator Chun Oakland introduced Liana Falaniko from Farrington High School and Jane Chung from Moanalua Middle School.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 392 to 394) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 392, transmitting H.C.R. No. 64, H.D. 1, which was adopted by the House of Representatives on March 23, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 64, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION'S SUPPORT FOR THE DESIGNATION AND ESTABLISHMENT OF A NATIONAL GUARD RAPID ASSESSMENT AND INITIAL DETECTION TEAM IN HAWAII TO ASSIST THE STATE IN RESPONDING TO NUCLEAR, BIOLOGICAL, OR CHEMICAL THREATS," was deferred until Thursday, March 25, 1999.

Hse. Com. No. 393, transmitting H.C.R. No. 29, H.D. 1, which was adopted by the House of Representatives on March 23, 1999, was placed on file.

By unanimous consent, action on H.C.R. No. 29, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO PARTICIPATE IN THE FEDERAL MILLION SOLAR ROOFS INITIATIVE," was deferred until Thursday, March 25, 1999.

Hse. Com. No. 394, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1151, H.D. 1, was placed on file.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 582, H.D. 2, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 582, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 973) recommending that H.B. No. 706, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 706, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMESTEAD LEASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 974) recommending that H.B. No. 718, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 718, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 975) recommending that H.B. No. 1653, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1653, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED IMPROVEMENT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 976) recommending that H.B. No. 1703 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 977) recommending that H.B. No. 1409, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1409, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 978) recommending that S.C.R. No. 58, be referred to the Committee on Education and Technology.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS," was referred to the Committee on Education and Technology.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 979) recommending that H.B. No. 743, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 743, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 980) recommending that H.B. No. 756, 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 Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 756, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 981) recommending that H.B. No. 850, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 850, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 982) recommending that H.B. No. 1070, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1070, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 983) recommending that H.B. No. 1081, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

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

1081, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senators Kanno and Taniguchi, jointly with Senator Chun Oakland, for the Committee on Commerce and Consumer Protection and the Committee on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 984) recommending that H.B. No. 1664, H.D. 3, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1664, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 104, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 104, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 986) recommending that H.B. No. 1048, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1048, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 987) recommending that H.B. No. 333, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 333, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 988) recommending that H.B. No. 562, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 989) recommending that H.B. No. 797, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 797, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 990) recommending that H.B. No. 982 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 991) recommending that H.B. No. 1012, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1012, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 992) recommending that H.B. No. 1173, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1173, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 993) recommending that H.B. No. 1177, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1177, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 994) recommending that H.B. No. 1178, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1178, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 995) recommending that H.B. No. 1179 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 25, 1999.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 996) recommending that H.B. No. 1181, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1181, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 997) recommending that H.B. No. 1186 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 998) recommending that H.B. No. 50 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 999) recommending that H.B. No. 842, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1000) recommending that H.B. No. 938, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 938, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1001) recommending that H.B. No. 1160, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1160, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1002) recommending that H.B. No. 1162, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1003) recommending that H.B. No. 1165, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1165, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1004) recommending that H.B. No. 1350, H.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1005) recommending that H.B. No. 1548, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1548, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 29, 1999.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1006) recommending that S.C.R. No. 65, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1007) recommending that S.R. No. 29, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, entitled: "SENATE RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1008)

recommending that S.C.R. No. 80, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 80, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE AND WEBSITE TO BE KNOWN AS AINA-911," was referred to the Committee on Ways and Means.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 1009) recommending that S.R. No. 35, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 35, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN ENVIRONMENTAL HOTLINE AND WEBSITE TO BE KNOWN AS AINA-911," was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1010) recommending that H.B. No. 172, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 172, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1011) recommending that H.B. No. 176, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 176, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 196, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 196, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 260, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 260, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No.

1014) recommending that H.B. No. 294, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 294, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 328, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 328, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Commerce and Consumer Protection.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1016) recommending that H.B. No. 544, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 544, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY NET HEALTH PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 549, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 549, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A LONG-TERM CARE VOLUNTEER OMBUDSMAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 895, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 895, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 1120 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 1124, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Labor and Environment.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," passed Second Reading and was referred to the Committee on Labor and Environment.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1021) recommending that H.B. No. 1146, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1022) recommending that H.B. No. 1274, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1274, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chun Oakland, for the Committee on Health and Human Services, presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 1367, 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 Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1367, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTER DEFERRED FROM MONDAY, MARCH 22, 1999

ADVISE AND CONSENT

Stand. Com. Rep. No. 922 (Gov. Msg. No. 221):

Senator Hanabusa moved that Stand. Com. Rep. No. 922 be received and placed on file, seconded by Senator Tanaka and carried.

Senator Hanabusa then moved that the Senate advise and consent to the nomination of STANLEY H. ROEHRIG to the Land Use Commission, term to expire June 30, 2003, seconded by Senator Tanaka.

Senator Hanabusa rose in support of the nominee and said:

"Mr. President, I rise to speak in support of this confirmation.

"Mr. President and my colleagues, Mr. Roehrig is a locally born boy, raised in the islands. He and his wife moved to Hilo

in 1965 where they raised three children, all graduates of Hilo High School.

"From the mid-60's to 1969, Mr. Roehrig served as a deputy attorney general, a deputy county attorney and public defender for the County of Hawaii. Beginning in 1969, Mr. Roehrig commenced his service in the Legislature as a Representative from the Hilo area. He served in the State House of Representatives for eight years and his service included positions on the Lands Committee, Judiciary, Agriculture and Higher Education.

"Mr. Roehrig stands before you for advise and consent as a member of the Land Use Commission, and I believe he would be an excellent addition.

"Thank you, Mr. President."

Senator Matsuura requested a conflict ruling as follows:

"Mr. President, I would like to request a conflict ruling from the Chair."

The Chair then said:

"Please state your potential conflict."

Senator Matsuura responded:

"I'm a corporate officer and project manager of a development project that will be going before the Land Use Commission."

The Chair replied:

"No conflict. You may vote on this confirmation."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

At this time, Senator Hanabusa introduced Mr. Roehrig who was seated in the gallery.

THIRD READING

H.B. No. 7, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Bunda and carried, H.B. No. 7, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

H.B. No. 1188, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Tanaka and carried, H.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

H.B. No. 792, H.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

H.B. No. 1207:

On motion by Senator Buen, seconded by Senator Chun and carried, H.B. No. 1207, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Levin).

RE-REFERRAL OF HOUSE BILLS

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

House Bill	Referred to:
No. 351, H.D. 2	Jointly to the Committee on Health and Human Services and the Committee on Judiciary
No. 531	Committee on Judiciary, then to the Committee on Ways and Means

RE-REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The Chair re-referred the following concurrent resolutions that were offered:

Senate Concurrent Resolution	Referred to:
No. 100	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 133	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 134	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 135	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 183	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 184	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 208	Jointly to the Committee on Judiciary and the Committee on Ways and Means
No. 220	Jointly to the Committee on Judiciary and the Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following resolution that was offered:

Senate Resolution	Referred to:
No. 41	Jointly to the Committee on Judiciary and the Committee on Ways and Means

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 6:00 o'clock p.m., Thursday, April 25, 1999.