

FORTY-FIFTH DAY

Wednesday, April 7, 1999

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Julia McKenna-Dubin, Ministry for Divine Harmony, after which the Roll was called showing all Senators present.

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

At this time, Senator Hanabusa, on behalf of Senator Chun Oakland, introduced and congratulated the following 1999 Commissioners of the Hawaii State Commission on the Status of Women: Leslie Wilkins, chair (Maui); Pamela Ferguson-Brey, interim executive director of the Victim Crime Compensation Commission; Val Kanuha, commissioner (Oahu); Mary Jo Sweeney, commissioner (Kauai); and Alicyn Hikida Tasaka, executive director.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 427 to 432) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 427, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1013 (S.D. 1); and
H.B. No. 1623, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 428, transmitting H.C.R. No. 67, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," was referred to the Committee on Labor and Environment, then to the Committee on Economic Development.

Hse. Com. No. 429, transmitting H.C.R. No. 131, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 131, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO PASS LAWS TO PROHIBIT AMERICAN COMPANIES FROM MANUFACTURING GOODS USING CHILD LABOR OR FROM PURCHASING GOODS FROM FOREIGN MANUFACTURERS THAT USE CHILD LABOR," was referred to the Committee on Labor and Environment, then to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 430, transmitting H.C.R. No. 199, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR THE HAWAIIAN SUPER PRIX TO FACILITATE THE SUCCESS OF THE EVENT," was referred to the Committee on Economic Development.

Hse. Com. No. 431, transmitting H.C.R. No. 208, H.D. 1, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR THE MILLENNIUM PROJECT," was referred to the Committee on Education and Technology.

Hse. Com. No. 432, transmitting H.C.R. No. 251, which was adopted by the House of Representatives on April 6, 1999, was placed on file.

By unanimous consent, H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO," was referred to the Committee on Education and Technology, then to the Committee on Transportation and Intergovernmental Affairs.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1392) recommending that H.B. No. 328, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1392 and H.B. No. 328, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was deferred until Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1393) recommending that H.B. No. 562, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1393 and H.B. No. 562, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred until Friday, April 9, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1394) recommending that H.B. No. 1401, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1394 and H.B. No. 1401, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," was deferred until Thursday, April 8, 1999.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 1395) recommending that H.B. No. 664, 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. 664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN COMPANY," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1396) recommending that H.B. No. 310, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1396 and H.B. No. 310, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1397) recommending that H.B. No. 531, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1397 and H.B. No. 531, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1398) recommending that H.B. No. 557, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1398 and H.B. No. 557, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1399) recommending that H.B. No. 677, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1399 and H.B. No. 677, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1400) recommending that H.B. No. 743, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1400 and H.B. No. 743, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1401) recommending that H.B. No. 842, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1401 and H.B. No. 842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS CONTAINER RECOVERIES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1402) recommending that H.B. No. 898, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1402 and H.B. No. 898, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1403) recommending that H.B. No. 949, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1403 and H.B. No. 949, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1404) recommending that H.B. No. 983 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1404 and H.B. No. 983, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1405) recommending that H.B. No. 1006, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1405 and H.B. No. 1006, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1406) recommending that H.B. No. 1008, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1406 and H.B. No. 1008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1407) recommending that H.B. No. 1012, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1407 and H.B. No. 1012, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1408) recommending that H.B. No. 1044, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1408 and H.B. No. 1044, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1409) recommending that H.B. No. 1095, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 1095, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1410) recommending that H.B. No. 1149, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1410 and H.B. No. 1149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1411) recommending that H.B. No. 1165, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1411 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," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1412) recommending that H.B. No. 1177, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 1177, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1413) recommending that H.B. No. 1575, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 1575, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1414) recommending that H.B. No. 50 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1414 and H.B. No. 50, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1415) recommending that H.B. No. 154, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1415 and H.B. No. 154, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1416) recommending that H.B. No. 170, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1416 and H.B. No. 170, H.D. 2, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO LONG-TERM CARE TAX BENEFITS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1417) recommending that H.B. No. 172, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1417 and H.B. No. 172, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1418) recommending that H.B. No. 248, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1418 and H.B. No. 248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1419) recommending that H.B. No. 250, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1419 and H.B. No. 250, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1420) recommending that H.B. No. 260, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1420 and H.B. No. 260, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1421) recommending that H.B. No. 307, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1421 and H.B. No. 307, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1422) recommending that H.B. No. 314, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1422 and H.B. No. 314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1423) recommending that H.B. No. 326, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1423 and H.B. No. 326, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1424)

recommending that H.B. No. 374, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1424 and H.B. No. 374, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1425) recommending that H.B. No. 377, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1425 and H.B. No. 377, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1426) recommending that H.B. No. 424, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1426 and H.B. No. 424, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1427) recommending that H.B. No. 440, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1427 and H.B. No. 440, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1428) recommending that H.B. No. 547, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1428 and H.B. No. 547, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1429) recommending that H.B. No. 645, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1429 and H.B. No. 645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1430) recommending that H.B. No. 719, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1430 and H.B. No. 719, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1431) recommending that H.B. No. 978, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1431 and H.B. No. 978, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO AGRICULTURE," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1432) recommending that H.B. No. 979, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1432 and H.B. No. 979, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1433) recommending that H.B. No. 988, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1433 and H.B. No. 988, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1434) recommending that H.B. No. 1020, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1434 and H.B. No. 1020, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1435) recommending that H.B. No. 1026, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1435 and H.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1436) recommending that H.B. No. 1042, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1436 and H.B. No. 1042, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1437) recommending that H.B. No. 1121 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1437 and H.B. No. 1121, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1438) recommending that H.B. No. 1138, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1438 and H.B. No. 1138, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1439) recommending that H.B. No. 1162, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1439 and H.B. No. 1162, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1440) recommending that H.B. No. 1166, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1440 and H.B. No. 1166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1441) recommending that H.B. No. 1168, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1441 and H.B. No. 1168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1442) recommending that H.B. No. 1367, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1442 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," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1443) recommending that H.B. No. 1197, H.D. 2, 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. 1197, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1444) recommending that H.B. No. 1413, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1444 and H.B. No. 1413, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUEST," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1445) recommending that H.B. No. 1416, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1445 and H.B. No. 1416, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1446) recommending that H.B. No. 1628, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1446 and H.B. No. 1628, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1447) recommending that H.B. No. 1641, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1447 and H.B. No. 1641, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1448) recommending that H.B. No. 1675, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1448 and H.B. No. 1675, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," was deferred until Thursday, April 8, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1449) recommending that H.B. No. 1683, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1449 and H.B. No. 1683, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Friday, April 9, 1999.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1450) recommending that H.B. No. 1693, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1450 and H.B. No. 1693, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Friday, April 9, 1999.

ORDER OF THE DAY

MATTERS DEFERRED FROM TUESDAY, APRIL 6, 1999

AGREE/DISAGREE

S.B. No. 21, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 21, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 591, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 591, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 776 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 776 and requested a conference on the subject matter thereof.

S.B. No. 1134, S.D. 1 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1134, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1262 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1262 and requested a conference on the subject matter thereof.

S.B. No. 1379, S.D. 2 (H.D. 1):

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1379, S.D. 2, and requested a conference on the subject matter thereof.

**MATTERS DEFERRED FROM
TUESDAY, APRIL 6, 1999**

**REFERRAL OF
HOUSE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of House concurrent resolutions that were received on Tuesday, April 6, 1999:

House Concurrent Resolution	Referred to:
No. 11	Committee on Health and Human Services, then to the Committee on Judiciary
No. 166	Committee on Economic Development
No. 249, H.D. 1	Committee on Health and Human Services, then to the Committee on Transportation and Intergovernmental Affairs

**MATTER DEFERRED FROM
TUESDAY, APRIL 6, 1999**

HOUSE CONCURRENT RESOLUTION

H.C.R. No. 133, H.D. 1:

By unanimous consent, H.C.R. No. 133, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR PROCLAIM AUGUST 15 TO AUGUST 21, 1999, AS OFFICIAL YO-YO WORLD COMPETITION WEEK IN THE STATE OF HAWAII," was placed on file.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1379 (Gov. Msg. No. 203):

Senator Nakata moved that Stand. Com. Rep. No. 1379 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Nakata then moved that the Senate advise and consent to the nomination of GENEVIEVE SALMONSON as Director of Environmental Quality Control, terms to expire June 30, 1999 and June 30, 2003, seconded by Senator M. Ige.

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

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

THIRD READING

H.B. No. 160, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1240 (H.B. No. 877, H.D. 1, S.D. 1):

Senator Fukunaga moved that Stand. Com. Rep. No. 1240 be adopted and H.B. No. 877, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senators Slom and Anderson requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1240 was adopted and H.B. No. 877, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 102, H.D. 2:

Senator Nakata moved that H.B. No. 102, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Sakamoto rose in opposition to the measure and stated:

"Mr. President, I rise to speak in opposition to the measure.

"This measure's purpose, supposedly, is to eliminate the ambiguity in penalties assessed against employers who fail to pay wages. Now, nobody would be in favor of an employer who fails to pay wages. The proposed ambiguity that this bill clears up is that the current law says that the penalties assessed can be up to the amount of unpaid wages. This bill eliminates the 'up to'; eliminates the discretion on what the penalty is to be and proposes that the penalty amounts be equal to the unpaid wages.

"There are many reasons why wages are unpaid -- maybe time sheets are not turned in, maybe overtime isn't properly calculated, maybe there was a holiday and correct wages weren't paid. I'm not arguing the case of correct wages should be paid, but I am arguing the point that taking away the 'up to' takes away the discretion from the Department of Labor or whoever the adjudicator is to assess an appropriate penalty. And certainly, we don't want bills that harm employers.

"And the argument can be made that nobody testified against it. The testimonies supporting the measure were from the Consumer Lawyers of Hawaii and the National Employment Lawyers Association. And maybe the question is, Well, who speaks for business? I guess I do, and I hope many of you do, as well. When we purport that the economy is our major issue, then why should we want to press on business anymore than we have?

"So, for those reasons, Mr. President, I speak against the bill. Thank you."

At this time, Senators Bunda, Iwase and Inouye requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 102, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WAGE PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Matsuura, Sakamoto, Slom). Excused, 1 (Tanaka).

Stand. Com. Rep. No. 1384 (H.B. No. 1124, S.D. 1):

On motion by Senator Nakata, seconded by Senator M. Ige and carried, Stand. Com. Rep. No. 1384 was adopted and H.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1431:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1431, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1492:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senator Levin, for the Committee on Ways and Means, requested a waiver of the Required Hours of Notice of a Public Hearing for the following bills:

H.B. No. 140;
H.B. No. 162;
H.B. No. 318;
H.B. No. 375;
H.B. No. 635;
H.B. No. 765;
H.B. No. 1017;
H.B. No. 1183;
H.B. No. 1522;
H.B. No. 1649; and
H.B. No. 1726,

and the Chair granted the waiver.

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

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

"Mr. President, I was told today at a hearing that I do floor speeches, so I thought I'd do one. When I'm in a hearing and I question people and the answers don't really go the way I think the public wants, I'm not an attorney so I get a little upset and I tell them just what the hell I feel because that's what the people feel. So, if you accuse me of doing a floor speech, this is a floor speech.

"And let me tell you, I think it's a shame that we can come here to represent the people and then ask for waivers so that they don't come to hearings. Then we turn around and we blame staff because I got the Order of the Day today at 11:06. Now that's a floor speech and I think it's a shame that we go to these committee hearings; we have to vote in public because it sounds so great, but we can't pass anything if we don't have a quorum. So all the bills pile up the way that they normally do. And if we do have a quorum and they don't have the vote that they want, we can defer the bloody bill. And that's been happening over and over and over again. And the staff is being blamed for that.

"I think it's a shame that we have a practice, Mr. President, that isn't working, and I don't care how many goody goods think that voting in public is satisfying everybody when, in fact, they are making the laws that we have, the worst that we've ever had. We are giving away, Mr. President, and relinquishing the responsibilities to the Board of Education that we have with budgets by giving away the safety net that this Democratic Party says they're so proud of by saying we're going to let groups take over. If you wanted to do a reform, we said long ago, de-centralize the Board of Education. That would have been people voting for those people from their own districts.

"As far as the state hospital, when I was in the House I told them that we should be moving it to a place that we owned a lot more land, which was Waimano Home. And we had a group of people up there that was similar. We had the types of facilities, but what are we going to do? We're going to say, 'No, you're not going to be able to get the types of treatment that you need.' And then we can get rid of some people that we want to in government, Mr. President. Well, that's a helluva way to do it.

"Now, this is a floor speech. And I would hope that once in a while that you folks would listen, rather than say, 'There he goes again,' because that's how your constituents feel, my friends -- that we don't listen.

"And the reason that I'm angry with some of the police people and others that were there is that we have laws on the books that are not being enforced. I have asked for people who are dealing in drugs and given them license plate numbers and given them everything that we can, and it's not enforceable.

"I have people in business that don't like vending on the streets because they have to pay property taxes. They have to pay for their buildings that they're in and everything else, and some guy can get a 4 percent gross income license and he can vend on the streets. And I'm not a very bright person and I'm not an attorney, but when a judge says you have a 4 percent gross income license and I think you're just trying to earn a living, I tell them I can get a gross income license for breeding my animals because then all of the vet bills and the food, I can write off. But once those puppies or horses or whatever give birth, I can't go and sell them on the street. That's not what the 4 percent gross income is all about.

"There are other laws that we have on the books that are not being enforced, and that's what you folks should be looking at. That's what we should be looking at in committees, instead of making believe that things are going to get better and going to turn around. And that's why the frustrations are there, Mr. President, because I'm not an attorney and I'm not one that has the most uninvolved type of personality there is. When I get frustrated, I'm not interested in questions and answers. I'm trying to get a point across, and it's not a floor speech. It's as sincere as can be.

"So I do thank you for your time, Mr. President, and that's the concerns that I have. Thank you very much."

ADJOURNMENT

At 12:19 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 8, 1999.