

FIFTY-FIFTH DAY

Monday, April 24, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Eigo Ikenaga, Honolulu Myohoji Mission, after which the Roll was called showing all Senators present with the exception of Senators Iwase and Matsuura who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 313 to 316) were read by the Clerk and were placed on file:

Gov. Msg. No. 313, dated April 3, 2000, transmitting the Commission on Persons With Disabilities Annual Report, 1998-1999.

Gov. Msg. No. 314, dated April 3, 2000, transmitting the Annual Report of the Environmental Council, "Environmental Report Card, 1999, An Assessment of Hawaii's Environmental Health."

Gov. Msg. No. 315, dated April 5, 2000, transmitting the 2000 Report on Hawaii Workforce Development, prepared by the Department of Labor and Industrial Relations, Hawaii Workforce Development Council.

Gov. Msg. No. 316, informing the Senate that on April 19, 2000, he signed the following bills into law:

Senate Bill No. 2465 as Act 21, entitled: "RELATING TO PORNOGRAPHY";

Senate Bill No. 2527 as Act 22, entitled: "RELATING TO CONDOMINIUMS";

Senate Bill No. 2635 as Act 23, entitled: "RELATING TO HIGHWAYS";

Senate Bill No. 2814 as Act 24, entitled: "RELATING TO INSURANCE"; and

Senate Bill No. 2877 as Act 25, entitled: "RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH."

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 31, from the State Auditor dated April 3, 2000, transmitting a report, "Financial Audit of the Employees' Retirement System of the State of Hawaii," (Report No. 00-10), was read by the Clerk and was placed on file.

HOUSE COMMUNICATION

Hse. Com. No. 683, informing the Senate that the Speaker on April 24, 2000, made the following changes to the conferees on the following House bills:

H.B. No. 1172, H.D. 2 (S.D. 1):

Discharged Representative Takamine as second co-chairman, and Representatives Kanoho, Kawakami and Moses as managers.

Appointed Representative Kanoho as second co-chairman, and Representatives Schatz and Meyer as managers.

H.B. No. 2901, H.D. 2 (S.D. 2):

Appointed Representatives Luke and Marumoto as additional managers,

was read by the Clerk and was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2062, H.D. 2, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 2062, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2514, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 2514, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 2514, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3570) recommending that the Senate advise and consent to the nominations of R. KALANI FRONDA, MICHAEL H. FURUKAWA, BRUCE B. ROBINSON, DONNA KALIKO SANTOS, PRESLEY V. WANN, A. JAMES WRISTON III, LA FRANCE KAPAKA-ARBOLEDA and JOHN A.P. KRUSE to the Island Burial Council, Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3570 and Gov. Msg. No. 283 was deferred until Tuesday, April 25, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3571) recommending that the Senate advise and consent to the nominations of A. VAN HORN DIAMOND, LURLINE NAONE SALVADOR, KALEI S. KINI, PETER K. APO, PHYLLIS COOCHIE CAYAN, CLARENCE DE LUDE and THOMAS T. SHIRAI, JR., to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 286.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3571 and Gov. Msg. No. 286 was deferred until Tuesday, April 25, 2000.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3572) recommending that the Senate advise and consent to the nomination of RANDALL QUINONES to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 303.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3572 and Gov. Msg. No. 303 was deferred until Tuesday, April 25, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3573) recommending that H.C.R. No. 18, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3574) recommending that H.C.R. No. 93, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 93, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO ROOSEVELT HIGH SCHOOL COMPLEX," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3575) recommending that H.C.R. No. 62, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 62, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3576) recommending that H.C.R. No. 89 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3577) recommending that H.C.R. No. 101, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 101, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3578) recommending that H.C.R. No. 111, H.D. 1, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R.

No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3579) recommending that H.C.R. No. 190, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," was adopted.

Senators Fukunaga and Levin, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3580) recommending that H.C.R. No. 192 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION INTO THE ACQUISITION OF NO. 1 CAPITOL DISTRICT BY THE STATE," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3581) recommending that H.C.R. No. 81, H.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO-SCHOOL DAY IN HAWAII," was adopted.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 3526 (Gov. Msg. No. 160):

Senator Sakamoto moved that Stand. Com. Rep. No. 3526 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of LORRAINE HENDERSON to the Hawaii Teacher Standards Board, term to expire June 30, 2001, seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3527 (Gov. Msg. No. 239):

Senator Sakamoto moved that Stand. Com. Rep. No. 3527 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LYONS K. NAONE III, term to expire June 30, 2001;

ERIC K. KEAWE, term to expire June 30, 2003; and

MARY LANI AKUI, LANE KAAIAI and CASINA K. WATERMAN, terms to expire June 30, 2004,

seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3528 (Gov. Msg. No. 246):

Senator Sakamoto moved that Stand. Com. Rep. No. 3528 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations of CHARLES T. ARAKI, ED.D., and DONALD S. KARIMOTO to the State Post-Secondary Education Commission, terms to expire June 30, 2004, seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3529 (Gov. Msg. No. 253):

Senator Sakamoto moved that Stand. Com. Rep. No. 3529 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nomination of LYNN C. KINNEY to the Board of Directors, Research Corporation of the University of Hawaii, term to expire June 30, 2001, seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3530 (Gov. Msg. No. 261):

Senator Sakamoto moved that Stand. Com. Rep. No. 3530 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations of STANLEY S. GIMA and IAN L. MATTOCH to the State Foundation on Culture and the Arts Commission, terms to expire June 30, 2004, seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3531 (Gov. Msg. No. 280):

Senator Sakamoto moved that Stand. Com. Rep. No. 3531 be received and placed on file, seconded by Senator Bunda and carried.

Senator Sakamoto then moved that the Senate advise and consent to the nominations to the Hawaii Historic Places Review Board of the following:

WILLIAM K. MILLS, term to expire June 30, 2002;

LINDA NISHIGAYA, PH.D., term to expire June 30, 2003; and

AGNES E. GRIFFIN, MICHIKO KODAMA-NISHIMOTO and GAYLORD C. KUBOTA, terms to expire June 30, 2004,

seconded by Senator Bunda.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3567 (Gov. Msg. No. 198):

Senator Tam moved that Stand. Com. Rep. No. 3567 be received and placed on file, seconded by Senator Chun and carried.

Senator Tam then moved that the Senate advise and consent to the nomination of LESLIE Y. KURISAKI to the Rental Housing Trust Fund Advisory Commission, term to expire June 30, 2004, seconded by Senator Chun.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3568 (Gov. Msg. No. 272):

Senator Inouye moved that Stand. Com. Rep. No. 3568 be received and placed on file, seconded by Senator Buen and carried.

Senator Inouye then moved that the Senate advise and consent to the nomination of FRANK JAMES "JIM" LYON to the Board of Directors, Aloha Tower Development Corporation, term to expire June 30, 2004, seconded by Senator Buen.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3569 (Gov. Msg. No. 274):

Senator Chumbley moved that Stand. Com. Rep. No. 3569 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of KEITH E. TANAKA to the Defender Council, term to expire June 30, 2003, seconded by Senator Matsunaga.

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

Ayes, 18. Noes, none. Excused, 7 (Chun Oakland, D. Ige, M. Ige, Iwase, Kanno, Matsuura, Taniguchi).

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ADOPTION OF RESOLUTIONS

H.C.R. No. 7, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 7, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Fukunaga moved that H.C.R. No. 7, H.D. 1, be adopted, seconded by Senator Levin.

Senator Anderson rose at this time on a point of information and said:

"I will vote for this measure, but I would like to share a point of information.

"A few years back, while in the House as Minority Floor Leader, we turned almost all rejected bills into resolutions. As the Minority Floor Leader, I voted against them because of the very high cost. I had to follow it to prove my point. It cost the taxpayers over \$600,000 to turn those bills into resolutions because they had to be printed; they had to be sent out to all the different people. And just for your information, it was a very costly decision.

"So when we introduce and urge passing of resolutions, I would hope that they are pertinent, informative, and going to be used for good reasons, not just for campaign purposes.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," was adopted.

H.C.R. No. 24, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 24, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 24, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was adopted.

H.C.R. No. 44, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 44, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 44, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was adopted.

H.C.R. No. 52, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 52, H.D. 1, to the

Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE AND ASSIST EFFORTS TO STRENGTHEN AND EVALUATE EXISTING STUDENT LEADERSHIP PROGRAMS," was adopted.

H.C.R. No. 65, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 65, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was adopted.

H.C.R. No. 66, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 66, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 66, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was adopted.

H.C.R. No. 96:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 96, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

H.C.R. No. 103, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 103, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 103, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON COMMERCIAL FISHING IN WATERS OF THE WAIANAE COAST OF OAHU," was adopted.

H.C.R. No. 120, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 120, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 120, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was adopted.

H.C.R. No. 123, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 123, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 123, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," was adopted.

H.C.R. No. 126, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 126, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF COURSE INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION THE GOLF CAPITAL OF OAHU," was adopted.

H.C.R. No. 132:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 132, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was adopted.

H.C.R. No. 145, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 145, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 145, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE WHETHER MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED CONSUMER ACCESS TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY, AND IF THIS HAS CONTRIBUTED TO CONSUMER COST SAVINGS UNDER THE ACT," was adopted.

H.C.R. No. 151:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 151, to the Committee

on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND WAIMEA CANYON STATE PARKS," was adopted.

H.C.R. No. 156, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 156, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 156, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMMISSION A STUDY TO DETERMINE THE SECURITY OF THE 5(F) TRUST ASSETS IN LIGHT OF THE RICE V. CAYETANO U.S. SUPREME COURT RULING," was adopted.

H.C.R. No. 158:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 158, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," was adopted.

H.C.R. No. 163, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 163, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 163, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was adopted.

H.C.R. No. 164, H.D. 2:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 164, H.D. 2, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 164, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was adopted.

H.C.R. No. 165, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 165, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 165, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was adopted.

H.C.R. No. 184:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 184, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was adopted.

H.C.R. No. 188, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 188, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 188, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was adopted.

H.C.R. No. 196, H.D. 1, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 196, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 196, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was adopted.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1095 (H.D. 2):

Senator Inouye moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 1095, seconded by Senator Chumbley and carried.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 1095, seconded by Senator Chumbley.

Senator Inouye noted:

"Mr. President, S.B. No. 1095 gives DLNR an additional two years to allow adequate time to implement and evaluate the effect of hand gun hunting."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1095 and S.B. No. 1095, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was placed on the calendar for Final Reading on Tuesday, April 25, 2000.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

S.B. No. 862, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 862, S.D. 2, seconded by Senator Chumbley and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 862, S.D. 2, seconded by Senator Chumbley.

Senator Chun Oakland then noted:

"Mr. President, S.B. No. 862, S.D. 2, H.D. 1, would allow for the possession and use of marijuana for medical purposes. In reviewing the House amendments, provisions relating to the amount of medical marijuana allowed to be possessed have been tightened up, and the registration of the physician and the patients with the Department of Public Safety and aspects of enforcement have been clarified.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 862, S.D. 2, and S.B. No. 862, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL USE OF MARIJUANA," was placed on the calendar for Final Reading on Tuesday, April 25, 2000.

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

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

"While I'm sure we all enjoyed a nice weekend and Easter, there was an event that took place and overshadowed all of this, and of course this was the continuation of the Elian Gonzalez saga that's lasted for more than five months now. It is a complicated issue. There are many factors involved.

"I certainly am a strong supporter of returning the son to his father. However, Mr. President, I am extremely disturbed about a growing and continuing trend that we're seeing by the federal government using naked force against citizens and civilians of this country. And I wonder where the civil libertarians are. I don't hear them speaking up.

"The break-in by the INS on early Saturday morning in Miami is just a continuation of things that occurred at Ruby Ridge, things that occurred at Waco, Texas, things that have occurred across the country with DEA agents looking for drugs or looking for other people and finding the wrong people and the wrong households. The one common denominator is the tremendous show of force and guns by the federal government at the same time while many in Congress and in states such as ours are continually debating removing guns or the right to defend one's self and their home and their family from law abiding citizens.

"I'm sorry, but I have no respect for the Attorney General of the United States, Ms. Reno. It is my understanding at the time that the raid took place, early Saturday morning, the reason that there were very few protesters around is because they had been assured that negotiations were continuing with the federal government. The FBI, it is also my understanding, was in opposition to this kind of action by the INS or any other agency. And so I think that we should be very careful when we're debating civil rights and we're debating the issue of taking away defense from law abiding citizens in this country and in our state, when the prime example -- the federal government, the INS, the ATF, the DEA, and the FBI -- have shown over the last several years a wanton disregard for the rights and the privacy of individuals in this country.

"Thank you, Mr. President."

ADOPTION OF RESOLUTION

H.C.R. No. 149, H.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 149, H.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

On motion by Senator Fukunaga, seconded by Senator Levin and carried, H.C.R. No. 149, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-O-DROME PROPERTY," was adopted.

APPOINTMENT OF CONFEREES

H.B. No. 2024, H.D. 1 (S.D. 2):

The President appointed Senator D. Ige as an additional 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. 2024, H.D. 1.

ADJOURNMENT

At 12:14 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., Tuesday, April 25, 2000.