

## FIFTY-EIGHTH DAY

Thursday, April 27, 2000

BENJAMIN J. CAYETANO  
Governor of Hawaii"

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 6:44 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Most Reverend Father Daniel of Mount Carmel, Archangel Sanctuary of Waikiki, The Inclusive Orthodox Church, after which the Roll was called showing all Senators present.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 320 and 321) were read by the Clerk and were placed on file:

Gov. Msg. No. 320, dated April 24, 2000, transmitting his statement of objections to House Bill No. 2021 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 20, 2000

## STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2021

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2021, entitled 'A Bill for an Act Relating to Act 316, Session Laws of Hawaii 1993, as Amended by Act 157, Session Laws of Hawaii 1995; and to Act 278, Session Laws of Hawaii 1999.'

The purpose of this bill is to amend Act 316, Session Laws of Hawaii 1993, and Act 278, Session Laws to Hawaii 1999, to add reenactment provisions to restore the prior language of the Hawaii Revised Statutes sections amended by those act when those acts are repealed on July 1, 2001. Act 316 amended sections 706-621 and 706-623, Hawaii Revised Statutes, to make amendments relating to an expedited sentencing program. Act 278 amended section 351-62.5(d), Hawaii Revised Statutes, the statute governing the use of the Crime Victim Compensation Special Fund, to temporarily delete the percentage limitation on the use of the fund's moneys for operating expenses. These acts are two separate, distinct, and unrelated session laws.

Section 14 of article III of the State Constitution requires that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' This provision 'is mandatory and a violation thereof would render an enactment nugatory.' *Schwab v. Ariyoshi*, 58 Haw. 25, 31 (1997). This bill embraces two subjects, Act 316, Session Laws of Hawaii 1993, and Act 278, Session Laws of Hawaii 1999, both of which are expressed in the bill's title. Consequently, this bill violates the single-subject requirement of section 14 of article III of the State Constitution.

For the foregoing reason, I am returning House Bill No. 2021 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

Gov. Msg. No. 321, informing the Senate that on April 26, 2000, he signed the following bills into law:

House Bill No. 1691 as Act 38, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 2333 as Act 39, entitled: "RELATING TO CONDOMINIUMS PROPERTY REGIMES."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 716 to 720) were read by the Clerk and were placed on file:

Hse. Com. No. 716, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on April 26, 2000, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1491, H.D. 1, S.D. 1;  
H.B. No. 2129, H.D. 1, S.D. 1;  
H.B. No. 2471, H.D. 1, S.D. 1; and  
H.B. No. 2649, H.D. 1, S.D. 1.

Hse. Com. No. 717, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to H.B. No. 2485, H.D. 1, and the amendments proposed by the Senate were agreed to by the House and H.B. No. 2485, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 26, 2000.

Hse. Com. No. 718, informing the Senate that the following House concurrent resolutions have been adopted in Final form by the House of Representatives on April 26, 2000:

H.C.R. No. 27, S.D. 1; and  
H.C.R. No. 41, S.D. 1.

Hse. Com. No. 719, informing the Senate that the Speaker on April 27, 2000, appointed Representative Luke as third co-chairman on the part of the House at the conference on H.B. No. 2098, H.D. 2, S.D. 1.

Hse. Com. No. 720, returning S.C.R. No. 21, which was adopted by the House of Representatives on April 26, 2000.

## CONFERENCE COMMITTEE REPORTS

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1902, H.D. 1, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 1902, H.D. 1, 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. 7 and H.B. No. 1902, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1773, H.D. 1, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 1773, H.D. 1, 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. 8 and

H.B. No. 1773, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," was deferred for a period of 48 hours.

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. 2521, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 2521, 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. 9 and H.B. No. 2521, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2469, H.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 2469, H.D. 1, 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. 10 and H.B. No. 2469, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2183, H.D. 1, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 2183, H.D. 1, 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. 11 and H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred for a period of 48 hours.

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. 2701, H.D. 3, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 2701, H.D. 3, 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. 12 and H.B. No. 2701, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1984, H.D. 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 1984, H.D. 1, 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. 13 and H.B. No. 1984, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2480, H.D. 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 2480, H.D. 1, 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. 14 and H.B. No. 2480, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2484, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 2484, 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. 15 and H.B. No. 2484, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2797, H.D. 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 2797, H.D. 1, 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. 16 and H.B. No. 2797, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," was deferred for a period of 48 hours.

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. 284, H.D. 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 284, H.D. 1, 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. 17 and H.B. No. 284, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

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. 2092, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 2092, 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. 18 and H.B. No. 2092, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

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. 2095, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 2095, 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. 19 and H.B. No. 2095, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

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. 2490, H.D. 1, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 2490, H.D. 1, 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. 20 and H.B. No. 2490, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred for a period of 48 hours.

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. 2491, H.D. 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 2491, H.D. 1, 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. 21 and H.B. No. 2491, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2480, S.D. 1, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 2480, S.D. 1, H.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. 56 and S.B. No. 2480, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3073, S.D. 2, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 3073, S.D. 2, H.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. 57 and S.B. No. 3073, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3038, S.D. 1, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 3038, S.D. 1, H.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. 58 and S.B. No. 3038, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3597) recommending that the Senate advise and consent to the nomination of ROEN K. HIROSE to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 223.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3597 and Gov. Msg. No. 223 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3598) recommending that the Senate advise and consent to the nominations of HOWARD A. OKITA, MORRIE STOEBNER and ROBERT K. TIRRELL to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 241.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3598 and Gov. Msg. No. 241 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3599) recommending that the Senate advise and

consent to the nominations of STEPHEN G. DUBEY, N.D., and DIANA JOY OSTROFF, N.D., to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 243.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3599 and Gov. Msg. No. 243 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3600) recommending that the Senate advise and consent to the nomination of CHERILYN S.L. LAI, O.D., to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 244.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3600 and Gov. Msg. No. 244 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3601) recommending that the Senate advise and consent to the nominations of MICHAEL E. KRUPNICK, HENRY L. GUERRERO SR., and GORDON M. MACHADO to the Pest Control Board, in accordance with Gov. Msg. No. 245.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3601 and Gov. Msg. No. 245 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3602) recommending that the Senate advise and consent to the nomination of ALBERT K.P. AH NEE to the Radiologic Technology Board, in accordance with Gov. Msg. No. 247.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3602 and Gov. Msg. No. 247 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3603) recommending that the Senate advise and consent to the nominations of DEBORAH E. LICHOTA, RDH, JILL TSUCHITORI, RONALD L. YOUNG, D.M.D., WALLACE F. CHONG, JR., D.D.S., and ROGER H. YOKOYAMA, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3603 and Gov. Msg. No. 275 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3604) recommending that the Senate advise and consent to the nomination of GREGORY M. SATO to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 281.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3604 and Gov. Msg. No. 281 was deferred until Friday, April 28, 2000.

Senators Kanno and Taniguchi, for the majority of the Committee on Commerce and Consumer Protection, presented a report (Stand. Com. Rep. No. 3605) recommending that the Senate advise and consent to the nomination of GREGORY G.Y. PAI, PH.D., to the Public Utilities Commission, in accordance with Gov. Msg. No. 169.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3605 and Gov. Msg. No. 169 was deferred until Friday, April 28, 2000.

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3606) recommending that the Senate advise and consent to the nominations of MAMO P. CUMMINGS, NORM BAKER, EUGENE BAL III, CLAYTON W. DELA CRUZ, MORRIS A. GRAHAM, PH.D., ROCHELLE LEE GREGSON, RUTHANN QUITQUIT, MYLES SHIBATA, RICHARD W. SMITH and JAMES G. WESTLAKE to the Hawaii Workforce Development Council, in accordance with Gov. Msg. No. 309.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3606 and Gov. Msg. No. 309 was deferred until Friday, April 28, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3607) recommending that the Senate advise and consent to the nominations of DAVID LEONG, WINIFRED M. ODO, GREG KING and PHYLLIS M. KOIKE to the Procurement Policy Board, in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3607 and Gov. Msg. No. 288 was deferred until Friday, April 28, 2000.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3608) recommending that S.R. No. 11, 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. 11, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND EVALUATION OF AIR CONDITIONING MAINTENANCE SERVICE OF ALL STATE FACILITIES," was referred to the Committee on Ways and Means.

At 6:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:57 o'clock p.m.

### ORDER OF THE DAY ADVISE AND CONSENT

Stand. Com. Rep. No. 3585 (Gov. Msg. No. 200):

Senator Fukunaga moved that Stand. Com. Rep. No. 3585 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of CAROL RAE BAPTISTA to the Board of Taxation Review, First Taxation District (Oahu), term to expire June 30, 2004, seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3586 (Gov. Msg. No. 201):

Senator Fukunaga moved that Stand. Com. Rep. No. 3586 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Second Taxation District (Maui County) of the following:

ALAN K. BERNALDO, terms to expire June 30, 2000, and June 30, 2004; and

RANDOLPH R. CABANILLA, term to expire June 30, 2004,

seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3587 (Gov. Msg. No. 202):

Senator Fukunaga moved that Stand. Com. Rep. No. 3587 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Third Taxation District (Hawaii) of the following:

BRADLEY T. KINOSHITA, term to expire June 30, 2003; and

GORDON Y. INABA and RICHARD G. WITHINGTON, terms to expire June 30, 2004,

seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3588 (Gov. Msg. No. 203):

Senator Fukunaga moved that Stand. Com. Rep. No. 3588 be received and placed on file, seconded by Senator Levin and carried.

Senator Fukunaga then moved that the Senate advise and consent to the nomination of SANDRA I. KLUTKE to the Board of Taxation Review, Fourth Taxation District (Kauai), term to expire June 30, 2004, seconded by Senator Levin.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3589 (Gov. Msg. No. 276):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3589 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Planning Council on Developmental Disabilities of the following:

ANGIE CONNOR, M.D., and CANDICE CULLIN-PAYNE, terms to expire June 30, 2003; and

WILLIAM AUSTIN BURWELL, ELLEN M. CHING, MARTHA GUINAN, GARY A. OKAMOTO, M.D., HEATHER PROUD, LAURA ROBERTSON, BETSY WHITNEY and ANITA YUSKAUSKAS, PH.D., terms to expire June 30, 2004,

seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3590 (Gov. Msg. No. 277):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3590 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

KENNETH C.C. CHANG, JAN LORI FRIED, AARON S. FUJII, GRETCHEN S. LAWSON and MARK B. MACANAS, terms to expire June 30, 2001;

RONALD K. AWA, HAROLD R. DECOSTA, DEAN M. GEORGIEV, STEPHEN G. LARACUENTE, DONALD A. MEDEIROS and CHRISTINA M. PILKINGTON, terms to expire June 30, 2002; and

ANTHONY S. AKAMINE, RICHARD R. CHAVES, FRANCINE M.L. AONA KENYON, LUCY MILLER, PH.D., PATRICIA M. NIELSEN and OSCAR C. PAEZ, JR., terms to expire June 30, 2003,

seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3591 (Gov. Msg. No. 278):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3591 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of JAMES P. EPURE, M.D., and STEPHEN K. MIYASATO, M.D., to the Drug Product Selection Board, terms to expire June 30, 2004, seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3592 (Gov. Msg. No. 279):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3592 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Emergency Medical Services Advisory Committee of the following:

DAVID WILLIAM MAY, term to expire June 30, 2002;

TEOFILO PHIL TACBIAN, term to expire June 30, 2003; and

DOUG CONNORS, ED.D, PATRICIA S. JONES, MILTON C. MARTIN, CATHY STEVENS, ANGELA M. TEXEIRA and JOSEPH W. TURBAN, M.D., terms to expire June 30, 2004,

seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3593 (Gov. Msg. No. 299):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3593 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of ELROY K. MALO to the State Planning Council on Developmental Disabilities, term to expire June 30, 2004, seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3594 (Gov. Msg. No. 302):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3594 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of STANLEY G. YATES to the Kauai County Subarea Health Planning Council, term to expire June 30, 2003, seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3595 (Gov. Msg. No. 304):

Senator Chun Oakland moved that Stand. Com. Rep. No. 3595 be received and placed on file, seconded by Senator Iwase and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

PAULINE D. ARELLANO, VICKY M. FOLLOWELL and ALBERT HAUOLA PEREZ, terms to expire June 30, 2001; and

GORDON M. BRONSON, LONIA BURROUGHS, SALLY J. CROVO, DEBRA T. FARMER, WILLIAM C. LENNOX, JR., HOWARD A. LESSER, JAMES M. MIHALKE, SHARON ROSE NOBRIGA and SHARON P. YOKOTE, terms to expire June 30, 2004,

seconded by Senator Iwase.

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

Stand. Com. Rep. No. 3596 (Gov. Msg. No. 300):

Senator Nakata moved that Stand. Com. Rep. No. 3596 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 nominations of BRIAN K. NAKAMURA and

KATHLEEN RACUYA-MARKRICH to the Hawaii Labor Relations Board, terms to expire June 30, 2006, seconded by Senator M. Ige.

Senator M. Ige rose for a conflict ruling from the Chair as follows:

"Mr. President, could I declare a potential conflict?"

The Chair responded:

"Please state your potential conflict."

Senator M. Ige continued:

"Mr. President, Mr. Nakamura served as the attorney who gave me advice during this so-called campaign investigation by the attorney general. Mr. Nakamura gave me advice and the attorney general turned around and charged me with certain things that he gave me advice on. I plan to use him as my key witness to address some of the charges that the attorney general has brought before me."

The Chair stated:

"Yes, I understand your situation. The Chair rules no conflict. You may vote on this particular confirmation."

Senator Nakata rose in support of as follows:

"Mr. President, I rise to speak in favor of Mr. Brian Nakamura's confirmation to the Hawaii Labor Relations Board.

"Mr. Nakamura has been a member of the Hawaii Bar since 1981. He is currently in private practice. His employment credentials include the Hawaii State Campaign Spending Commission, the Senate Judiciary Committee, the United States Senate Sergeant-at-Arms, and the office of United States Senator Daniel K. Inouye. In addition, he has served as project manager for the Pacific International Center for High Technology, executive officer for the Hawaii Natural Energy Institute, and executive assistant/staff attorney for the office of the Lieutenant Governor.

"In the confirmation hearing there was overwhelming support for Mr. Nakamura for his intelligence, for his ability to learn quickly, to be fair, a man of integrity and other important attributes. I therefore recommend that the Senate advise and consent to the nomination of Mr. Brian Nakamura to the Hawaii Labor Relations Board.

"Thank you."

Senator Hanabusa rose in support with reservations and stated:

"Mr. President, I rise to speak in favor of the nomination of Brian Nakamura, but with reservations.

"Mr. President, just so that it's clear, the Governor's Message is on two nominees, Brian Nakamura and Kathleen Racuya-Markrich. I have no reservations as to Ms. Markrich's nomination. The reason that I rise with reservations as to Mr. Nakamura is because of the position that he's taken. I have spoken to Ms. Markrich and I do know that she does have labor experience. She's appeared before the Hawaii Labor Relations Boards. Mr. Nakamura, however, in reviewing his resume, has none.

"Unlike the Labor Appeals Board, which has very similar kinds of language in terms of the composition of the Hawaii Labor Relations Board, we do not have the committee reports of years past to basically guide us into what exactly was intended by people who hold this position. Nonetheless, I read an attorney general's opinion, which I think was sent to the good Senator from Maui, which said that in determining

qualifications, it's like a sliding scale, and the Hawaii Labor Relations Board sits as a quasi-judicial body. They're really the determiner of administrative procedures under Chapter 89 and Chapter 377.

"The problem that I have is that this Senate, especially the Labor Committee, has toiled very long, very hard on S.B. No. 2859, which we all know is the Civil Service Reform. If the bill that ultimately makes it through looks anything like what S.B. No. 2859, S.D. 1, looks like, then what we will be enacting into law is a bright line between civil service and collective bargaining or Chapter 89. When that happens and different types of decisions are being given to the Hawaii Labor Relations Board, that body must then become very active, and those that are sitting at its helm must understand labor law.

"Mr. President and colleagues, the most comparable system is the National Labor Relations Board, and in the National Labor Relations Board you will find that those who head the board have extensive training in labor before they even rise to the position of a sub-region head, not even a regional head, a sub-region head. A lot of them have masters degrees in law specializing in the labor area and in fact have spent many years, usually beginning at the advise section in Washington, D.C., which is the home of the National Labor Relations Board, and then moving their way out to the various regions. That is the level and the quality of people that we should be looking for.

"We all know that when it comes to collective bargaining, we must have that decision. And if the hard work of the Senate Committee on Labor comes to fruition and we do have a bill that does make that distinction and more is place in collective bargaining, we need a Hawaii Labor Relations Board that can act quickly and that can understand the nuances of the labor law. And that is what I find lacking in Mr. Nakamura's resume and the reason why I can only support his nomination with reservations.

"Thank you, Mr. President."

Senator M. Ige, rising in support, then said:

"Mr. President, I rise to support the message, specifically Mr. Nakamura.

"Mr. President, on August 4th I was summoned by the Attorney General's Office regarding some Bishop Estate investigation, and I made some statements. Immediately following, calling Mr. Nakamura at the Campaign Spending Commission and working together, I amended my campaign spending report. And on August 10th, actually on August 18th I went back to the Attorney General's Office and they could not believe that I had made this change, that I had said 'Hey, it was a mistake. We didn't know about it and we worked with the Campaign Spending Commission and made the change.' Then on the 25th, Mr. Nakamura and I, as my attorney I guess, worked on new language because we felt we made a mistake. It wasn't really in kind contribution; it was more like a loan. It was like a loan. So working with him, we came out with this decision and we tried to correct what we did wrong. And as you know, everything else is history. The Attorney General came after me based on the recommendations of Mr. Nakamura.

"So Mr. President, I will be using Mr. Nakamura as a key witness for me. But I think, Mr. President, these are the kinds of individuals that we need in government, people who don't look around them for advice or approval. They go on record and tell it like it is. They go on record and tell you whether you're right or whether you're wrong.

"The other thing that I like about Mr. Nakamura is that he's not a grandstander. He's not out there to gain points or to take people's money from their campaigns. He's out there doing his job and it's not an easy job being a member of the legal portion or the legal arm of the Campaign Spending Commission. But

he's out there doing his job. He understands campaign law. He's sensitive to its history. And I'm just hopeful that with this kind of insight and this kind of caring for the elected officials of this state, that he will do the same kind of job and bring the same kind of confidence and integrity to this Labor Relations Board.

"So, for those reasons, Mr. President, I support this nomination. Thank you."

Senator Nakata, again rising in support, then said:

"Mr. President, I wish to rise and speak in favor of Ms. Kathleen Racuya-Markrich's confirmation to the Hawaii Labor Relations Board.

"Ms. Racuya-Markrich received her law degree from the U.H. Richardson School of Law. For eight years she represented the state and its agencies in labor and employment litigation as a deputy attorney general. Besides being legal counsel of record for various boards and commissions, Ms. Racuya-Markrich represented the state in arbitration proceedings concerning denial of sabbatical, sexual harassment procedure, and termination. Since January of 1995, she has been press secretary to the governor.

"She is a person of action. She is someone who is decisive, qualities that I think are important to this office to which we are confirming her. I therefore recommend that the Senate advise and consent to the nomination of Ms. Kathleen Racuya-Markrich to the Hawaii Labor Relations Board.

"Thank you."

Senator Chun rose with reservations and said:

"Mr. President, I rise in favor of the nominations with reservations.

"Mr. President, I rise in favor of the nomination for Kathleen Racuya-Markrich with no reservations, to make it clear. After talking with her and looking at her resume, it is eminently clear that she has the necessary experience and knowledge to serve well on the Hawaii Labor Relations Board.

"However, my concern is on Mr. Nakamura, and I would echo the concerns of the Senator from Waianae. Even more so, I would say that in this, one of the big issues that we have in front of us -- the Civil Service Reform bill -- we all know in our own committee meetings one of the controversial issues within that bill is, How do we handle situations where the parties, the union and the employer, are at an impasse? And we had a controversial provision that says the impasse is going to be implemented immediately by the employer, and we're still working on the language to clarify that.

"But if those things are happening, the impasse will always go down to the Hawaii Labor Relations Board, and it is imperative that these impasses be resolved quickly and fairly by the board. In order to do that, we need to have people who are experienced and knowledgeable in the area. Yes, the Hawaii Labor Relations Board uses Hawaii law, but it also must take into consideration the labor laws of the United States and also from other states because we borrow very heavily from them. Somebody who has not worked in that area will find the myriad number and conflicting opinions within the State and the United States to be confusing, and it will be a shame that decisions are held up because they're still trying to learn that area of the law.

"I have no problems in terms of Mr. Nakamura being able to do that in time. His resume is very impressive in terms of his knowledge, his quick learning ability and his integrity, and I have no problems with that. I'm very sure that those characteristics will serve him well. But I'm concerned about the potential danger of putting a person that will eventually be

the chair or could be the chair of that committee of having to learn on the job, and the impact it might have on essential decisions that might need to be made very quickly.

"Another instance is in essential workers. If we are going to preserve the right to strike in certain employees, we will have to have an essential worker provision in there to make sure that essential workers are kept on the job while the other employees of that union are on strike. Those are also very complicated and cumbersome procedures which the HLRB has already been criticized severely as being too slow in making their decisions.

"Mr. President, the members of the board right now are all experienced labor law lawyers and also have worked in that area, and if they have been criticized for being slow, I shudder to think in terms of people who have no labor experience being confronted with those issues.

"The bottom line, Mr. President, is we're trying to make sure that Hawaii Labor Relations Board functions quickly. It is true that that board has a lot of decisions that's been pending and they take a long time in making decisions. And I'm not quite sure how our goal of making decisions move faster will be served by appointing a person who needs to learn on the job. Like I said before, I know Mr. Nakamura will be able to learn on the job. I think he is intelligent enough to do that. His experience in the United States Senate has shown that he has the capacity to do so. But again I must say, is that the direction we're going in terms of having people learn on the job, versus appointing people who know the area.

"Thank you, Mr. President."

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

Ayes, 22. Noes, none. Excused, 3 (D. Ige, Matsuura, Taniguchi).

#### FINAL READING

Conf. Com. Rep. No. 3 (H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 3 and H.B. No. 1955, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 51 (S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51 and S.B. No. 2513, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred until Tuesday, May 2, 2000.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 915, S.D. 1 (H.D. 1):

Senator Chumbley 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. 915, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 915, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 915, S.D. 1, and S.B. No. 915, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE VACANCIES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2535 (H.D. 1):

Senator Chumbley 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. 2535, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2535, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 2535 and S.B. No. 2535, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2667 (H.D. 1):

Senator Chumbley 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. 2667, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2667, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 2667 and S.B. No. 2667, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2670 (H.D. 1):

Senator Chumbley 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. 2670, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2670, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 2670 and S.B. No. 2670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2758, S.D. 1 (H.D. 2):

Senator Chumbley 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. 2758, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2758, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 2758, S.D. 1, and S.B. No. 2758, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2924, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2924, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 2924, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, we've had additional time to review these amendments and find them primarily stylistic in statutory construction and would agree to the amendments.

"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. 2924, S.D. 1, and S.B. No. 2924, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2301, S.D. 2 (H.D. 1):

Senator Kawamoto 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. 2301, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2301, S.D. 2, on the following showing of Ayes and Noes:



Ayes, 4 (Kawamoto, Hanabusa, Levin, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2301, S.D. 2, seconded by Senator Chun.

Senator Kawamoto noted:

"Mr. President, S.B. No. 2301, S.D. 2, H.D. 1, describes and establishes the definition of maritime lands. Also it requires that Piers 1 and 2 at Fort Armstrong shall be limited to maritime use.

"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. 2301, S.D. 2, and S.B. No. 2301, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2311, S.D. 1 (H.D. 1):

Senator Kawamoto 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. 2311, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2311, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Kawamoto, Anderson). Noes, 1 (Matsunaga). Excused, 2 (Bunda, Buen).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2311, S.D. 1, seconded by Senator Chun.

Senator Kawamoto explained:

"Mr. President, S.B. No. 2311, S.D. 1, H.D. 1, increases the fine from \$20 to \$40 for each violation of the mandatory seatbelt use and requires that back seat passengers between the ages of 4 and 17 use seatbelts.

"Just a personal note, Mr. President, this is called the 'Tanya Bill,' and this bill has given life to the Shirai family. Myles Shirai hasn't worked since his daughter passed away in an accident, and today he was all smiles. Again it's a great feeling that we were able to not only save lives with seatbelts but also to bring life back into a family that had a great loss.

"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. 2311, S.D. 1, and S.B. No. 2311, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY USE OF SEATBELTS," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2766, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 2766, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the

Senate agree to the amendments proposed by the House to S.B. No. 2766, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kawamoto, Tam, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2766, S.D. 1, seconded by Senator Chun.

Senator Kawamoto noted:

"Mr. President, on S.B. No. 2766 the description clarifies that projects created as condominium property regimes under Chapter 5114A are subject to county zoning and other county building and development ordinances and rules.

"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. 2766, S.D. 1, and S.B. No. 2766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3201, S.D. 1 (H.D. 2):

Senator Kawamoto 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. 3201, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 3201, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kawamoto, Buen, Slom). Noes, none. Excused, 1 (Bunda).

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 3201, S.D. 1, seconded by Senator Chun.

Senator Kawamoto explained:

"Mr. President, S.B. No. 3201, relating to a scenic highway system, the bill directs the Department of Transportation to establish new design guidelines to govern new construction, reconstruction, resurfacing, restoration, rehabilitation of bridges, principals, minor arterial roads, collector and local roads and streets."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3201, S.D. 1, and S.B. No. 3201, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A SCENIC HIGHWAYS SYSTEM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 568, S.D. 2 (H.D. 3):

Senator Hanabusa 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. 568, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 568, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Hanabusa, Nakata, Tanaka, Anderson). Noes, none. Excused, 1 (Matsuura).

Senator Hanabusa moved that the Senate agree to the amendments proposed by the House to S.B. No. 568, S.D. 2, seconded by Senator Chun.

Senator Hanabusa noted:

"Mr. President, this bill established a burial site program within DLNR to assist island burial councils with their mandated responsibilities.

"Mr. President, the Committee on Water, Land, and Hawaiian Affairs has recently confirmed and the Senate has also confirmed the various burial councils throughout the islands. We believe that with this bill it will provide the burial councils the opportunity to go forward and to define important issues such as heiau.

"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. 568, S.D. 2, and S.B. No. 568, S.D. 2, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2745, S.D. 1 (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. 2745, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2745, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Inouye, Kawamoto, Buen, Slom). Noes, none. Excused, none.

Senator Inouye moved that the Senate agree to the amendments proposed by the House to S.B. No. 2745, S.D. 1, seconded by Senator Chun.

Senator Inouye noted:

"Mr. President, this bill is relating to aquaculture and this authorizes the Department of Agriculture to establish and assess fees for aquatic animal and plant health diagnostic services as well as purchase items and forest services relating to aquaculture planning, disease management, and the marketing of seafood products.

"We are in agreement that this bill also establishes the aquaculture development special fund.

"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. 2745, S.D. 1, and S.B. No. 2745, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 278, S.D. 2 (H.D. 1):

Senator Sakamoto 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. 278, S.D. 2, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 278, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (D. Ige, Fukunaga, Sakamoto). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 278, S.D. 2, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, on S.B. No. 278 the bill related to adjusting the composition of the RCUH board of directors, and the House made amendments to clarify the administration's members that were basically nonsubstantive.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 278, S.D. 2, and S.B. No. 278, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2574, S.D. 1 (H.D. 1):

Senator Sakamoto 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. 2574, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2574, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (D. Ige, Sakamoto, Iwase, Slom). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 2574, S.D. 1, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, S.B. No. 2574 authorizes the University of Hawaii Community Colleges to deposit their special fund revenues into a system special fund, and there were technical amendments made to that bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2574, S.D. 1, and S.B. No. 2574, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3079 (H.D. 1):

Senator Sakamoto 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. 3079, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the

Senate agree to the amendments proposed by the House to S.B. No. 3079 on the following showing of Ayes and Noes:

Ayes, 4 (D. Ige, Sakamoto, Chumbley, Slom). Noes, none. Excused, none.

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 3079, seconded by Senator Chun.

Senator Sakamoto noted:

"Mr. President, S.B. No. 3079 dealt with criminal trespass in schools, and the House amended it to limit it to the hours of 10:00 p.m. to 5:00 a.m.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3079 and S.B. No. 3079, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2293 (H.D. 1):

Senator Kanno 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. 2293, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2293 on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Kanno, Nakata). Noes, none. Excused, 2 (M. Ige, Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2293, seconded by Senator Chun.

Senator Kanno then explained:

"Mr. President, S.B. No. 2293, H.D. 1, deems a request for approval granted if the insurance commissioner takes no action on the request within 30 calendar days and eliminates the public hearing requirement for workers' compensation rate filings. House amendments were technical and nonsubstantive.

"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. 2293 and S.B. No. 2293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2369, S.D. 1 (H.D. 1):

Senator Kanno 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. 2369, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2369, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Kanno, Taniguchi, Levin, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2369, S.D. 1, seconded by Senator Chun.

Senator Kanno noted:

"Mr. President, S.B. No. 2369, S.D. 1, H.D. 1, allows a contributory member to withdraw for one time only the member's contribution for financial hardship. The House amendments made the process more restrictive.

"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. 2369, S.D. 1, and S.B. No. 2369, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2419, S.D. 1 (H.D. 1):

Senator Kanno 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. 2419, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2419, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Taniguchi, Kanno, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2419, S.D. 1, seconded by Senator Chun.

Senator Kanno explained:

"Mr. President, S.B. No. 2419, S.D. 1, H.D. 1, establishes a capital access program in DBEDT. House amendments were technical and nonsubstantive.

"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. 2419, S.D. 1, and S.B. No. 2419, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL ACCESS PROGRAM," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2731, S.D. 1 (H.D. 2):

Senator Kanno 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. 2731, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2731, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Taniguchi, Kanno). Noes, none. Excused, 1 (Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2731, S.D. 1, seconded by Senator Chun.

Senator Kanno explained:

"Mr. President, S.B. No. 2731, S.D. 1, H.D. 2, requires tax refunds in error to be paid out of the general fund rather than the insurance regulation fund. The House amendments were technical and nonsubstantive.

"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. 2731, S.D. 1, and S.B. No. 2731, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2808 (H.D. 2):

Senator Kanno 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. 2808, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2808 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Hanabusa). Noes, none. Excused, 1 (Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 2808, seconded by Senator Chun.

Senator Kanno then noted:

"Mr. President, S.B. No. 2808, H.D. 2, allows the consumer advocate to hire its own legal counsel. Amendments were technical and nonsubstantive.

"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. 2808 and S.B. No. 2808, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 3129 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 11, 2000, in disagreeing to the amendments proposed by the House to S.B. No. 3129, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 3129 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Slom). Noes, none. Excused, none.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 3129, seconded by Senator Chun.

Senator Kanno then explained:

"Mr. President, S.B. No. 3129, H.D. 2, extends the sunset date from July 1, 2000, to July 1, 2002, for traditional Hawaiian

healing practices. Amendments were technical and nonsubstantive.

"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. 3129 and S.B. No. 3129, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALING PRACTICES," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

At 7:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:27 o'clock p.m.

S.B. No. 2607, S.D. 1 (H.D. 3):

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. 2607, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2607, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Chun Oakland, Fukunaga, Anderson). Noes, none. Excused, none.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2607, S.D. 1, seconded by Senator Chun.

Senator Chun Oakland then noted:

"Senator President, S.B. No. 2607 establishes a trust fund for the Commission on the Status of Women and amends provisions of the statutes relating to the Commission. There was a change in the House version basically eliminating the provision that would enable the Commission on the Status of Women to hire civil service exempt staff, as well as language eliminating the establishment of the Hawaii non-profit organization of the Commission.

"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. 2607, S.D. 1, and S.B. No. 2607, S.D. 1, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

S.B. No. 2621, S.D. 1 (H.D. 2):

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. 2621, S.D. 1, seconded by Senator Chun and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 2621, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Chun Oakland, Kawamoto, Levin, Anderson). Noes, none. Excused, none.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 2621, S.D. 1, seconded by Senator Chun.

Senator Chun Oakland then noted:

"Mr. President, S.B. No. 2621 requires health care facilities to report all incidents of injuries and fatalities caused by fireworks to the Department of Health and the Police Department of the county in which the person was attended to or treated. The amendments made by the House were primarily stylistic and technical in nature.

"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. 2621, S.D. 1, and S.B. No. 2621, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was placed on the calendar for Final Reading on Tuesday, May 2, 2000.

At 7:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:32 o'clock p.m.

### RECOMMITTAL OF A BILL

Conf. Com. Rep. No. 1 (H.B. No. 2062, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, 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," were recommitted to the Committee on Conference.

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

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

"We're down to the end now. We're down to the wire. Two minutes ago we started the Senate Conference Committee on the bill that was supposed to be the hallmark of this legislative session -- civil service reform. I worked on that Committee; I worked on that bill. I've been on the Conference Committees; I will be there in a few minutes.

"I'm very unhappy, however, that we have not maintained the position -- the very strong position and the very strong bill -- that the Senate has taken from the beginning. It's one of the few times where we have taken a much stronger position from the House and maintained it, explained it. Publicly, the perception was that we were doing the right thing . . . but then a funny thing happened -- we had a period of about a month-and-a-half with total inactivity. The only activity was coming from the outside, from special interest groups, particularly public service employee unions. We've all been bombarded with lobbying efforts, with pleadings, and, in some cases, political threats. A lot of people misunderstand the idea and the importance of why we need to change this system; why we need to reform both the civil service and the collective bargaining process.

"Our bill that was hammered out after many, many, many hours with all parties concerned was a good bill, but I don't feel that we have pushed that bill and pushed that position and maintained our position. And I think that's a shame. We still have some time to do it and I hope that we will do it. And I hope that my colleagues will support this position because, as I said earlier in this session, this is the one issue that will really define the 2000 Legislature -- whether or not we as legislators, we as State Senators have the ability to stand up, show some backbone, take a position that might be politically threatening, but a position that every one of us knows in this body that has to be done, that change must occur, and at the same time, as I've said previously, we can make these changes without taking anything away from any existing employee, any existing retiree, without breaking one promise . . . but what we must do

is untie the hands of management and change the mathematical formulas for any future hired employees. And if we're not willing to do that, then we have set back the course of political reform and we have also endangered educational and other programs for the future.

"So again, I urge my colleagues to give their support to a strong Senate position to make sure that in these waning hours we accomplish something, not just in the name of reform but in meaningful civil service and collective bargaining reform.

"Thank you, Mr. President."

### CONFERENCE COMMITTEE REPORTS

On motion by Senator Chun, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 7:36 o'clock p.m., the Senate took the following actions:

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2574, H.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 2574, H.D. 1, 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. 22 and H.B. No. 2574, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred for a period of 48 hours.

Senator Nakata, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2405, H.D. 2, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 2405, 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. 23 and H.B. No. 2405, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1763, H.D. 2, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1763, H.D. 2, 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. 24 and H.B. No. 1763, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1881, H.D. 2, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1881, H.D. 2, 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. 25 and H.B. No. 1881, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2572, H.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 2572, H.D. 1, 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. 26 and H.B. No. 2572, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 749, H.D. 3, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 749, H.D. 3, 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. 27 and H.B. No. 749, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2160, H.D. 2, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 2160, H.D. 2, 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. 28 and H.B. No. 2160, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1983, H.D. 1, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 1983, H.D. 1, 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. 29 and H.B. No. 1983, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1938, H.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that H.B. No. 1938, H.D. 1, 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. 30 and H.B. No. 1938, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2472, H.D. 2, presented a report (Conf. Com. Rep. No. 31) recommending that H.B. No. 2472, H.D. 2, 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. 31 and H.B. No. 2472, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2585, H.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that H.B. No. 2585, H.D. 1, 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. 32 and H.B. No. 2585, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," was deferred for a period of 48 hours.

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. 1874, H.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that H.B. No. 1874, H.D. 1, 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. 33 and H.B. No. 1874, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1925, presented a report (Conf. Com. Rep. No. 34) recommending that H.B. No. 1925, 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. 34 and H.B. No. 1925, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1912, H.D. 1, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 1912, H.D. 1, 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. 35 and H.B. No. 1912, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2017, H.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 2017, H.D. 1, 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. 36 and H.B. No. 2017, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," was deferred for a period of 48 hours.

Senator Nakata, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2476, H.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 2476, H.D. 1, 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. 37 and H.B. No. 2476, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," 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. 2774, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 2774, 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. 38 and

H.B. No. 2774, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2779, S.D. 1, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 2779, S.D. 1, H.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. 59 and S.B. No. 2779, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred for a period of 48 hours.

Senator Inouye, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3199, S.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 3199, S.D. 1, H.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. 60 and S.B. No. 3199, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2121, S.D. 1, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 2121, S.D. 1, H.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. 61 and S.B. No. 2121, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2982, S.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 2982, S.D. 1, H.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. 62 and S.B. No. 2982, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 680, S.D. 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 680, S.D. 1, H.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. 63 and S.B. No. 680, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2062, S.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 2062, S.D. 1, H.D. 3, 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. 64 and S.B. No. 2062, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2254, S.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 2254, S.D. 1, H.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. 65 and S.B. No. 2254, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2655, S.D. 2, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 2655, S.D. 2, H.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. 66 and S.B. No. 2655, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2850, S.D. 1, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 2850, S.D. 1, H.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. 67 and S.B. No. 2850, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2863, S.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 2863, S.D. 1, H.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. 68 and S.B. No. 2863, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2154, S.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 2154, S.D. 1, H.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. 69 and S.B. No. 2154, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2711, S.D. 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 2711, S.D. 1, H.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. 70 and S.B. No. 2711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2151, S.D. 1, presented a report (Conf.

Com. Rep. No. 71) recommending that S.B. No. 2151, S.D. 1, H.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. 71 and S.B. No. 2151, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3133, S.D. 1, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 3133, S.D. 1, H.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. 72 and S.B. No. 3133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2722, S.D. 1, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 2722, S.D. 1, H.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. 73 and S.B. No. 2722, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2741, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 2741, H.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. 74 and S.B. No. 2741, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Senator Hanabusa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2843, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 2843, H.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. 75 and S.B. No. 2843, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2186, S.D. 2, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 2186, S.D. 2, H.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. 76 and S.B. No. 2186, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2283, S.D. 1, presented a report (Conf. Com. Rep. No. 77) recommending that S.B. No. 2283, S.D. 1, H.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. 77 and S.B. No. 2283, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2729, S.D. 1, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 2729, S.D. 1, H.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. 78 and S.B. No. 2729, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2819, S.D. 1, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 2819, S.D. 1, H.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. 79 and S.B. No. 2819, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3043, S.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 3043, S.D. 2, H.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. 80 and S.B. No. 3043, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3190, S.D. 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 3190, S.D. 1, H.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. 81 and S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2467, S.D. 2, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 2467, S.D. 2, H.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. 82 and S.B. No. 2467, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," was deferred for a period of 48 hours.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 6:30 o'clock p.m., Friday, April 28, 2000.