

## FIFTY-NINTH DAY

Friday, April 24, 1992

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1992, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Donna Williams, SLW, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senators Fernandes Salling and Ikeda who were excused.

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

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 981 to 986) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 981, transmitting H.C.R. No. 466, which was adopted by the House of Representatives on April 23, 1992, was placed on file.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.C.R. No. 466, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE MEMORY OF TED MORIOKA AND EXTENDING CONDOLENCES AND SYMPATHY TO HIS FAMILY," was adopted.

Hse. Com. No. 982, returning S.C.R. No. 70, S.D. 1, which was adopted by the House of Representatives on April 23, 1992, in an amended form, was placed on file.

On motion by Senator Holt, seconded by Senator Solomon and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 70, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Holt, chairman, Ikeda, George as managers on the part of the Senate at such conference.

Hse. Com. No. 983, returning S.C.R. No. 76, S.D. 1, which was adopted by the House of Representatives on April 23, 1992, in an amended form, was placed on file.

On motion by Senator McMurdo, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 76, S.D. 1, and S.C.R. No. 76, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND MAKE RECOMMENDATIONS FOR THE PROVISION OF SERVICES FOR CHILDREN WITH CANCER AND THE FAMILIES OF CHILDREN WITH CANCER," was finally adopted.

Hse. Com. No. 984, returning S.C.R. No. 18, which was adopted by the House of Representatives on April 23, 1992, was placed on file.

Hse. Com. No. 985, returning S.C.R. No. 55, S.D. 1, which was adopted by the House of Representatives on April 23, 1992, was placed on file.

Hse. Com. No. 986, returning S.B. No. 2234, S.D. 1, which passed Third Reading in the House of Representatives on April 23, 1992, was placed on file.

## STANDING COMMITTEE REPORTS

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2946) recommending that H.C.R. No. 65, H.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE IMPACTS OF UNACCREDITED DEGREE GRANTING AND NON-DEGREE GRANTING INSTITUTIONS ON THE STATE," was referred to the Committee on Legislative Management.

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2947) recommending that H.C.R. No. 240, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 240, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO INVESTIGATE ISSUES RELATED TO THE SOLICITATION OF TIME SHARE PLANS AND THE SALE OF TIME SHARE INTEREST," was adopted.

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2948) recommending that H.C.R. No. 241, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 241, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A STUDY ON ALTERNATIVE PREMIUM ADJUSTMENT PROGRAMS WITH REGARD TO WORKERS' COMPENSATION INSURANCE," was adopted.

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2949) recommending that H.C.R. No. 254, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 254, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ATTORNEY GENERAL'S OPINION ON MANDATORY ERRORS AND OMISSIONS INSURANCE COVERAGE FOR REAL ESTATE BROKERS AND SALESPERSONS," was adopted with the exception of Senator Koki who voted "no."

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2950) recommending that H.C.R. No. 400, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was

adopted and H.C.R. No. 400, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ENACTING MANDATORY SELLER DISCLOSURE LAWS," was adopted.

Senator Ikeda, for the Committee on Consumer Protection and Business Regulation, presented a report (Stand. Com. Rep. No. 2951) recommending that H.C.R. No. 403, be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 403, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE COMMERCIAL PRACTICES AND REGULATION OF OUT-OF-STATE PHARMACIES," was referred to the Committee on Legislative Management.

Senator Matsuura, for the Committee on Science, Technology and Economic Development, presented a report (Stand. Com. Rep. No. 2952) recommending that H.C.R. No. 314, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 314, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF HAWAII HOSTING THE NINTH ROUND OF MULTILATERAL TRADE NEGOTIATIONS UNDER THE AUSPICES OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE," was adopted.

Senator Matsuura, for the Committee on Science, Technology and Economic Development, presented a report (Stand. Com. Rep. No. 2953) recommending that H.C.R. No. 358, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 358, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STRATEGIC PLANS FOR TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY FOR THE STATE OF HAWAII," was adopted.

Senator Chang, for the Committee on Agriculture and Environmental Protection, presented a report (Stand. Com. Rep. No. 2954) recommending that H.C.R. No. 252, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 252, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE ISLAND PROVINCE OF HAINAN OF THE PEOPLE'S REPUBLIC OF CHINA," was adopted.

Senator Chang, for the Committee on Agriculture and Environmental Protection, presented a report (Stand. Com. Rep. No. 2955) recommending that H.C.R. No. 280, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 280, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES AND JAPAN TO JOIN IN A CONCERTED, BILATERAL EFFORT TO CONDEMN AND CEASE

'JAPAN-BASHING' AND 'AMERICA-BASHING,'" was adopted.

Senator Chang, for the Committee on Agriculture and Environmental Protection, presented a report (Stand. Com. Rep. No. 2956) recommending that H.C.R. No. 218, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 218, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE ROADSIDE SPRAY TASK FORCE," was adopted.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2957) recommending that the Senate consent to the nomination of GAIL C. NAKATANI for 4th Judge of the Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 341.

In accordance with Senate Rule 34, action on Ldr. Com. Rep. No. 2957 and Gov. Msg. No. 341 was deferred until Monday, April 27, 1992.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2958) recommending that the Senate consent to the nomination of PAULA A. NAKAYAMA for 8th Judge of the Circuit Court of the First Circuit, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 342.

In accordance with Senate Rule 34, action on Ldr. Com. Rep. No. 2958 and Gov. Msg. No. 342 was deferred until Monday, April 27, 1992.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2959) recommending that the Senate advise and consent to the nominations of the following:

GERALD L. DE MELLO to the Western Interstate Commission for Higher Education, in accordance with Gov. Msg. No. 271;

CLAUDIO R. SUYAT to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 307;

GEORGE K. KAGEHIRO and JACOB Y.W. NG to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 308;

ERNEST M.S. LOO, AILEEN F. SAITO, ORLANDO SORIANO, JOAQUIN P. FREITAS, FRANCIS KANIAUPIO and HENRY E. ROSA to the State Highway Safety Council, in accordance with Gov. Msg. No. 309;

TRUDY K. SENDA and ELTON S. WADA to the Land Use Commission, in accordance with Gov. Msg. No. 310;

KENNETH K. FUKUNAGA, HARRY M. NAKATA, JIM NICHOLSON, GERARD SAKAMOTO and HERBERT T. TATEISHI to the Environmental Council, in accordance with Gov. Msg. No. 321;

ALEXANDER A.S. AKUNA, MONSIGNOR CHARLES A. KEKUMANO, MARIE A. MCDONALD, WARREN C.R. PERRY and PETER LIHOLIHO TRASK to the

Hawaiian Home Lands Trust Individual Claims Review Panel, in accordance with Gov. Msg. No. 325;

NANI GLADYS BRANDT and ROBERT MCFARLANE to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 326;

HERBERT K. APAKA, JR., to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 329;

LARRY S. TANIMOTO and JOSEPH FREDERIC BLANCO to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 332;

EDWARD Y. HIRATA, CLAY A. KAGAWA and FREDERICK LAVARIAS to the Stadium Authority, in accordance with Gov. Msg. No. 333;

JIM DEMPSEY, MANUEL JUNIOR MONIZ and YOSHITO TAKAMINE to the Commission on Transportation, in accordance with Gov. Msg. No. 334; and

ALICE E. DEAN-DANIEL, PAULA HARRIS-WHITE, CYNTHIA F. LEONG and LISA-ANN NAKANO to the Commission on the Status of Women, in accordance with Gov. Msg. No. 335.

In accordance with Senate Rule 34, action on Ldr. Com. Rep. No. 2959 and Gov. Msg. Nos. 271, 307, 308, 309, 310, 321, 325, 326, 329, 332, 333, 334 and 335 was deferred until Monday, April 27, 1992.

#### ORDER OF THE DAY

#### MATTERS DEFERRED FROM THURSDAY, APRIL 23, 1992

#### STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 2925 (H.C.R. No. 15, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO HELP KEEP BROWN TREE SNAKES OUT OF HAWAII," was adopted.

Stand. Com. Rep. No. 2926 (H.C.R. No. 27, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 27, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A BLUE RIBBON PANEL TO REVIEW THE CLEAN AIR ACT AMENDMENTS OF 1990 AS THEY RELATE TO HAZARDOUS EMISSIONS FROM MOTOR VEHICLES," was adopted.

Stand. Com. Rep. No. 2927 (H.C.R. No. 100, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 100, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO JOHNSTON ISLAND," was adopted.

Stand. Com. Rep. No. 2928 (H.C.R. No. 119, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO UPDATE THE

NONPOINT SOURCE ASSESSMENT REPORT AND THE NONPOINT SOURCE MANAGEMENT PLAN AND SUBMIT FINAL VERSIONS TO THE HAWAII STATE LEGISLATURE IN 1994," was adopted.

Stand. Com. Rep. No. 2929 (H.C.R. No. 175):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PERFORM A COMPREHENSIVE EVALUATION ON THE SEWAGE TREATMENT NEEDS OF OAHU'S NORTH SHORE," was adopted.

Stand. Com. Rep. No. 2930 (H.C.R. No. 177, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 177, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO CONSIDER EXTENDING THE FINANCIAL ASSURANCE COMPLIANCE DEADLINE APPLICABLE TO SMALL UNDERGROUND STORAGE TANK OWNERS AND OPERATORS IN HAWAII," was adopted.

Stand. Com. Rep. No. 2931 (H.C.R. No. 212, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 212, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PROGRAM SUPPORTING PROFESSIONAL AND TECHNICAL COOPERATION WITH MICRONESIAN AND OTHER PACIFIC ISLAND NATIONS," was adopted.

Stand. Com. Rep. No. 2932 (H.C.R. No. 265, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO USE ALL AVAILABLE PROCEDURES TO SECURE COMPLIANCE WITH THE UNITED NATIONS MORATORIUM ON DRIFTNET FISHING FROM NATIONS THAT CONTINUE TO EMPLOY THIS TECHNIQUE," was adopted.

Stand. Com. Rep. No. 2933 (H.C.R. No. 283, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 283, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND HEALTH TO STUDY THE IMPACT OF STATE AND FEDERAL OIL CARRIER LIABILITY LEGISLATION ON INTER-ISLAND SHIPMENTS OF OIL," was adopted.

Stand. Com. Rep. No. 2934 (H.C.R. No. 284, S.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 284, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INTERNATIONAL RELATIONS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO RECOMMEND WAYS TO ENCOURAGE COMMERCIAL ACTIVITIES

BETWEEN HAWAII AND THE PHILIPPINES," was adopted.

Stand. Com. Rep. No. 2935 (H.C.R. No. 297, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 297, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP A LONG-TERM ACTION PLAN TO PREVENT INTRODUCTION OF NEW WEEDY PLANTS AND INSECT PESTS THROUGH THE PLANT IMPORTATION PROCESS," was adopted.

Stand. Com. Rep. No. 2936 (H.C.R. No. 298, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 298, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF AGRICULTURE AND TRANSPORTATION TO STUDY THE FEASIBILITY OF ESTABLISHING AN AIRPORT AMNESTY BIN PROJECT," was adopted.

Stand. Com. Rep. No. 2937 (H.C.R. No. 301, S.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 301, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE PEOPLE OF THE TERRITORY OF GUAM IN THEIR QUEST FOR COMMONWEALTH STATUS WITH THE UNITED STATES," was adopted.

Stand. Com. Rep. No. 2938 (H.C.R. No. 308, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 308, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE OFFICE OF INTERNATIONAL RELATIONS TO INVITE OUR PACIFIC ISLAND NEIGHBORS TO HAWAII FOR AN OCEAN-RELATED ENVIRONMENTAL CONFERENCE AS A PRELIMINARY PLANNING SESSION FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT," was adopted.

Stand. Com. Rep. No. 2939 (H.C.R. No. 354, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 354, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES COAST GUARD TO CONSIDER OTHER FACTORS AS EVIDENCE OF FINANCIAL RESPONSIBILITY UNDER THE OIL POLLUTION ACT OF 1990," was adopted.

Stand. Com. Rep. No. 2940 (H.C.R. No. 363, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 363, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO PREPARE A PLAN TO STRENGTHEN THE WATER QUALITY SAMPLING PROGRAM FOR WAIMANALO BAY AND TO DEVELOP A CITIZEN WATER MONITORING PROGRAM," was adopted.

Stand. Com. Rep. No. 2941 (H.C.R. No. 421, H.D. 1):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 421, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSESS THE IMPACT OF GILL NETTING IN STATE WATERS AND PROPOSE REGULATIONS TO CONTROL OR RESTRICT THE USE OF GILL NETS," was adopted.

Stand. Com. Rep. No. 2942 (H.C.R. No. 422):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 422, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESSIONAL SUPPORT FOR THE DEVELOPMENT OF A STATE-OF-THE-ART AQUACULTURE WATER QUALITY RESEARCH FACILITY AT THE OCEANIC INSTITUTE," was adopted.

Stand. Com. Rep. No. 2943 (H.C.R. No. 424):

On motion by Senator Solomon, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 424, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING PRIME MINISTER KIICHI MIYAZAWA AND THE GOVERNMENT OF JAPAN FOR THEIR DECISION TO SUPPORT A TOTAL BAN ON DRIFT-NET FISHING," was adopted.

#### ADVISE AND CONSENT

Ldr. Com. Rep. No. 2894 (Gov. Msg. Nos. 303, 304, 305, 306, 311, 312 and 313):

Senator A. Kobayashi moved that Ldr. Com. Rep. No. 2894 be received and placed on file, seconded by Senator Hagino and carried.

Senator A. Kobayashi then moved that the Senate advise and consent to the nominations of the following:

ANGELA CROMWELL THOMAS and YOSHIKAKI FUJITANI to the Advisory Council for Children and Youth, terms to expire June 30, 1996 (Gov. Msg. No. 303);

MYRNA B. MURDOCH to the Civil Defense Advisory Council, term to expire June 30, 1995 (Gov. Msg. No. 304);

JAMES T. MCCLELLAN and REUBEN YOSHIDA to the Civil Defense Advisory Council, terms to expire June 30, 1996 (Gov. Msg. No. 304);

EDWARD GUM HUNG AU, BERNARD T. MIURA and MELVYN T. KANAI to the Contractors License Board, terms to expire June 30, 1996 (Gov. Msg. No. 305);

VICTORIA LANI L. GANDIZA to the Commission on Persons with Disabilities, term to expire June 30, 1996 (Gov. Msg. No. 306);

STANLEY E. AMOS, DOLLY WON, PATRICIA RAE MUMFORD, TRACY J. TAKANO, HELEN R. NAGTALON-MILLER, EDWARD H. YOUNG, JR., FAYE KENNEDY, IRA VANTERPOOL, VICTORIA NAVARRO OANA, VERNYCE DANNELLS, SONIA P. JUVIK, Ph.D., DONNIS H. THOMPSON, Ed.D., and ROSALIND A. GRIFFIN-HAMBY to the Martin Luther King, Jr. Commission, terms to expire June 30, 1995 (Gov. Msg. No. 311);

WENDELL T. KOGA to the Pest Control Board, term to expire June 30, 1995 (Gov. Msg. No. 312);

CLAUDE Y. HEBARU, EARL JOJII SASAKI and MALCOLM T. KOGA to the Pest Control Board, terms to expire June 30, 1996 (Gov. Msg. No. 312); and

KATHLEEN H. CAMPBELL, LAURA Y. CHOCK, MAILE TANAKA SINGSON and CAROL K. KAWAGUCHI to the Board of Speech Pathology and Audiology, terms to expire June 30, 1995 (Gov. Msg. No. 313),

seconded by Senator Hagino.

At this time, Senator Solomon rose to speak in support of Gov. Msg. No. 312, Mr. Wendell Koga to the Pest Control Board, and said:

"Mr. President, I speak in support of Gov. Msg. No. 312, the confirmation of Mr. Wendell Koga to the Pest Control Board.

"Mr. Koga has been a long-time lobbyist for the Hawaii Farm Bureau. He has done an excellent job advocating diversified agriculture as well as the other major agricultural industries in Hawaii, namely, sugar and pineapple. I had the pleasure of working with Mr. Koga when I chaired your Committee on Agriculture.

"I urge my colleagues to support the confirmation of Wendell Koga."

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

Ayes, 22. Noes, none. Excused, 3 (Fernandes Salling, Ikeda, Nakasato).

Ldr. Com. Rep. No. 2895 (Gov. Msg. Nos. 318, 319, 320, 322, 323, 324, 327, 328, 330 and 331):

Senator A. Kobayashi moved that Ldr. Com. Rep. No. 2895 be received and placed on file, seconded by Senator Hagino and carried.

Senator A. Kobayashi then moved that the Senate advise and consent to the nominations of the following:

HARVEY T. KODAMA and ALVIN M. YOSHIMORI to the Civil Service Commission, terms to expire June 30, 1996 (Gov. Msg. No. 318);

LOIS Y. OKINO to the Board of Trustees, Deferred Compensation Plan, term to expire June 30, 1993 (Gov. Msg. No. 319);

CHARLES OTA to the Board of Trustees, Deferred Compensation Plan, term to expire June 30, 1996 (Gov. Msg. No. 319);

DAISY C. YAMADA to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, term to expire June 30, 1995 (Gov. Msg. No. 320);

MICHAEL S. CHU, MILES K. ONISHI, DOUGLAS K. SONODA and WAYNE T. WADA to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, terms to expire June 30, 1996 (Gov. Msg. No. 320);

SUSAN W.F. TODANI to the Hawaii Community Development Authority, term to expire June 30, 1995 (Gov. Msg. No. 322);

SAM CALLEJO and T.C. YIM to the Hawaii Community Development Authority, terms to expire June 30, 1996 (Gov. Msg. No. 322);

BETTINA W.J. LUM and SANDRA T. OHARA to the Board of Directors of the Hawaii Information Network Corporation (Hawaii Inc.), terms to expire June 30, 1996 (Gov. Msg. No. 323);

KEITH A. GOTO to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire June 30, 1993 (Gov. Msg. No. 324);

KENNETH T. KOIKE and WILLARD P. MIYAKE to the Board of Trustees, Hawaii Public Employees Health Fund, terms to expire June 30, 1996 (Gov. Msg. No. 324);

EDISON R.K. KEOMAKA and CLARENCE MILLS to the Board of Directors, Housing Finance and Development Corporation, terms to expire June 30, 1996 (Gov. Msg. No. 327);

CHARLES T. AKAMA to the Labor and Industrial Relations Appeals Board, term to expire June 30, 1996 (Gov. Msg. No. 328);

CAROL KIKUE YAMAMOTO to the Labor and Industrial Relations Appeals Board, term to expire June 30, 1998 (Gov. Msg. No. 328);

FRANK J. YAP, JR., to the Labor and Industrial Relations Appeals Board, term to expire June 30, 2000 (Gov. Msg. No. 328);

RICHARD N. WEST to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, term to expire June 30, 1996 (Gov. Msg. No. 330);

YEIKO "TONY" ARAKAKI to the Board of Public Broadcasting, term to expire June 30, 1995 (Gov. Msg. No. 331); and

MILLICENT L. WELLINGTON to the Board of Public Broadcasting, term to expire June 30, 1997 (Gov. Msg. No. 331),

seconded by Senator Hagino.

Senator A. Kobayashi then rose to speak in support of Gov. Msg. No. 328, Charles T. Akama to the Labor and Industrial Relations Appeals Board, as follows:

"Mr. President, I rise to speak in support of Gov. Msg. No. 328.

"Mr. Charlie Akama has been around these halls for many, many years. We all know how capable and qualified he is when it comes to labor issues. I think he will be a real asset to the Labor and Industrial Relations Appeals Board. I urge your support for his confirmation."

Senator Mizuguchi also rose to speak in support of Charles Akama and said:

"Mr. President, I too add my words of support for the confirmation of Charles Akama to the Labor and Industrial Relations Appeals Board.

"I guess, today, a little bit of history, and with nostalgic thoughts, there will be a 'passing of the guard.' Charlie, in his long years of service as a legislative lobbyist for the HGEA served his tenure at Iolani Palace, moved to the State Capitol, and he has been with us this

year in the State Office Tower. There are few who can claim such tenure. Speak to anyone who has known Charlie for any length of time, and one of the things they will tell you about Charles Akama is that he is a fair person, and he is a man of tremendous expertise and unfailing integrity.

"Placing Charlie on the Labor and Industrial Relations Appeals Board will assure us and the citizens of Hawaii that the labor appeals process will have, as one of its members, a man with a comprehensive, detailed, and historical knowledge of labor laws that govern this state. Thus, every moment of his professional background makes Charles a logical choice for membership on this appeals board.

"But far beyond even his considerable professional credentials, is the worth of the man, himself. Charlie Akama is known by everyone as a man who first is concerned with fairness and compassion. For that reason, Mr. President, there are many leaders in the labor unions who have vigorously supported Charlie's confirmation because they have experienced his objectivity.

"Finally, on a more personal note, I have known and admired Charlie Akama for 24 years. My favorable understanding of the man is more than opinion, it is conviction founded on hard experience. I am glad to have this opportunity to call him a friend, a cook, and I know that he will do well for us on the Labor and Industrial Relations Appeals Board.

"I ask my colleagues to support his confirmation. Thank you."

Senator Solomon also rose to speak in support of Charles Akama, and in support of Edison Keomaka to the Board of Directors, Housing Finance and Development Corporation, and said:

"Mr. President, in support of the previous speaker's remarks, I would like the Journal to reflect the remarks of the previous speaker as if they were my own.

"Also, Mr. President, I rise to speak in support of Governor's Message No. 327. I urge my colleague to support the nomination of Edison Keomaka to the Board of Directors of the Housing Finance and Development Corporation.

"Mr. Keomaka served as a commissioner on the Hawaiian Home Lands Commission. He did an excellent job on the commission and it is my hope that with Mr. Keomaka's expertise we may be able to settle the many controversial issues that are now facing the Hawaiian entitlements involving HFDC."

Senator Levin also rose to speak in support of Charles Akama as follows:

"Mr. President, I join the previous speakers in their kind words for various nominees, especially Charlie Akama."

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

Senator Chang then rose to speak in support of Charles Akama as follows:

"Mr. President, Mr. Akama will be sorely missed in these halls, certainly by me. He offered me guidance when I got involved in the perilous area of privatization and contracting out. He taught me a lot about Eddie

Wasano's bill. I've carried the name Eddie Wasano in my mind ever since. That kind of institutional memory, Mr. President, will be valuable in providing service to the people of Hawaii on the Labor and Industrial Relations Appeals Board so I'm entirely confident that he is appropriately placed and will be of great service to the state in that capacity.

"Thank you."

Senator Cobb also rose to speak in support of Mr. Akama and said:

"Very briefly, Mr. President, in support of Mr. Akama. I'm honored to be able to support him not only as a constituent but as a person who has really served as a valuable adviser in so many areas, touching on labor, on human rights, other aspects of legislation that go far beyond his normal lobbying duties. We'll miss him around here.

"I keep smelling the good food that emanates from Senator Mizuguchi's office. We shall miss that also."

Senator Matsuura added his support of Mr. Akama as follows:

"I too rise to lend my support to Charlie Akama.

"When I first met Charlie I thought he was working for the ILWU. I get blamed for a lot of things around here but I have to share with you one thing. A lot of people associate me with the 'unagi' bill. The two persons most responsible for my push for the unagi bill have been the late Representative Richard Kawakami and Charlie Akama.

"I have great respect for any person, who, in the midst of all the opposition of the unagi bill, stood by me throughout the years in support of the unagi bill. We have not succeeded in passing the unagi bill but I hope we will someday. Perhaps we should refer the unagi bill to the Labor and Industrial Relations Appeals Board. I'm sure we'll have favorable reaction with Charlie Akama on the board."

Senator Holt also spoke in support of Mr. Akama and said:

"Mr. President, I also speak in support of Charlie Akama.

"My colleague next to me gets blamed for a lot of things. Charlie, you can blame him for telling a secret that everyone has not known all these years about the unagi bill -- that you're behind it.

"Mr. Akama's protege, Mr. Kunitake, is sitting out there next to Charlie. We know that Charlie has been giving him lessons because he will now have to follow in Charlie's footsteps.

"One thing I just found out, and the reason why Senator McCartney is smiling, is now that Charlie is leaving we have a better chance with the optional retirement plan. (Laughter.)

"Thank you."

Senator Tungpalan also in support of Mr. Akama's appointment then said:

"I've known Charlie Akama for about 19 years, both as an aide to the House Committee on Labor and during the four years I chaired the Labor Committee in the House. I will say that Charlie was there for those tumultuous times

and his expertise certainly was of help to not only our committee but to the people of the state.

"Thank you, Charlie. I know you are moving on to help the people again but in a higher role at the Labor and Industrial Relations Appeals Board. Congratulations and good luck!"

Senator McCartney then added:

"Mr. President, I would like to have the Journal reflect the remarks of Senator Holt's as though they were my own. Thank you."

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

Ayes, 22. Noes, none. Excused, 3 (Fernandes Salling, Ikeda, Nakasato).

At this time, Senator A. Kobayashi introduced Mr. Charles Akama who was seated in the audience with a group of friends.

The Chair then made the following observation:

"Members of the Senate, the budget bill is still tied up with a few items to be worked out. We may be able to give you an update during the 5:00 o'clock session.

"Second, with reference to non-fiscal bills, the filing deadline has long passed. However, we are now in communication with the House. We have not received word from the House as to what is to be the disposition of these bills. But I would like to encourage all of the committee chairs who have non-fiscal bills outstanding to continue negotiating with the House. Perhaps, sometime this afternoon we will reach agreement with the House clarifying and possibly extending the deadline for these bills.

"I would like to encourage all conference committee chairs of non-fiscal bills to continue their negotiations. For those who chair conference committees of bills with fiscal impact, please, by all means, continue your negotiations."

Senator Koki then rose to speak on a point of personal privilege and said:

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

"Mr. President, the cost of building homeless cabins has revealed a major cause of our budget problems.

"It was estimated that it was going to cost \$13,500 per 150 square foot cabin. One hundred fifty square feet is 10 feet by 15 feet. These cabins are to be used for 5 years and then dismantled.

"We discovered that the actual cost is \$32,000 per cabin. That breaks down to \$213.00 per square foot. This does not include the cost of the land.

"These are supposed to be cabins clustered together in a way that would eliminate costly infrastructure. A developer can buy the land, build county standard roads and infrastructure, and a house for \$213.00 per square foot.

"The former homeless coordinator said, 'The fact that the estimates were low, we're willing to say we're sorry.'

"Thirteen thousand five hundred dollars for a 150 square foot cabin is not low. That is still high. If they

said in the beginning that they estimated the cabins to cost \$32,000, I don't believe we in the Legislature would not have supported the project. But the state went ahead and signed the contracts anyway.

"Is it any wonder that we are having budget problems?

"We cannot allow the administration to continue to have a blank check in running the homeless program. Because we gave the administration a blank check and because the cost is so high, we need to run an audit on the actual construction cost to see why these cabins cost more to build than regular homes.

"Thank you."

Senator Crozier also rose to speak on a point of personal privilege and said:

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

"Mr. President, in response to the good Senator from Kaneohe, I would like to compliment him on the role he has taken these past four years as the watchdog of the treasury, to making sure that the money is spent in a prudent way.

"I want to say that we are trying to rectify the homeless problem. We were all shocked. We had a hearing the other day, a joint hearing with the Housing and the Human Services Committees of the House and the Senate, and this is where we found out about the \$32,000 per unit. We were all shocked! Some of us are even embarrassed about the whole thing but we can't just not do anything about it.

"I salute the governor for taking swift action and shifting the program under the leadership of Mr. Mits Shito of the Hawaii Housing Authority. Mr. Shito as of April 1st began to investigate and to audit and to try and rectify the shortcomings of the homeless problem.

"Our homeless problem is too important to put aside. We cannot be lax in our responsibilities and I think Mr. Shito is on the right track."

Senator McMurdo also rose to speak on a point of personal privilege and said:

"Mr. President, I rise to speak on a point of personal privilege and pursue the thoughts of the two previous speakers.

"I have already commended both the governor and Mr. Mits Shito for the quick change that was made when the problem surfaced. I think it was made just in the nick of time. It was a very bad error, and very unfortunate but I have talked to some of providers like the Reverend Frank Chong for whom I'm sure all of us have the best of feelings and the greatest respect. They are all pleased that the homeless movement is on the right track again and they are backing Mr. Shito 100%. I share Senator Koki's concerns on this because it was a real shock but in the same story it did mention what Mr. Shito has been able to do with the same amount of money.

"I think it's good we got on top of this before it got worse.

"Thank you."

The Chair then made the following observation:

"Members of the Senate, I would like to take this opportunity to apologize to the chairman of our Judiciary

Committee. It seems that in my zeal to have a gun reform bill passed here in the Senate, I did broach the idea to several Senators that I was thinking about changing conferees. This created a very difficult situation for the chairman to negotiate with the House because once the word got out that I was hinting about a change, it made the position of the chairman much more difficult in dealing with his House counterpart. In spite of my 'big mouth' the chairman has come out with a finished product which I think the Legislature and the people of the state can live with.

"My apologies to the chairman."

At 12:29 o'clock p.m., on motion by Senator Solomon, seconded by Senator Reed and carried, the Senate stood in recess until 5:00 o'clock p.m., on a rising vote and a moment of silence, in memory of the late Ted Morioka, former State Representative.

#### AFTERNOON SESSION

The Senate reconvened at 5:35 o'clock p.m., with the President in the Chair.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 987 to 989) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 987, informing the Senate that the House reconsidered its action taken on April 10, 1992, in disagreeing to the amendments proposed by the Senate to the following House bills:

H.B. No. 770, H.D. 2, S.D. 1;  
H.B. No. 2139, H.D. 1, S.D. 1;  
H.B. No. 2490, S.D. 1;  
H.B. No. 2780, S.D. 1;  
H.B. No. 2843, S.D. 2;  
H.B. No. 3090, H.D. 2, S.D. 1; and  
H.B. No. 3770, H.D. 1, S.D. 1,

was placed on file.

Hse. Com. No. 988, informing the Senate that the amendments proposed by the Senate to the following House bills were agreed to by the House, and said bills, as amended, passed Final Reading in House of Representatives on April 23, 1992:

H.B. No. 2308, H.D. 2, S.D. 1;  
H.B. No. 2312, S.D. 1;  
H.B. No. 2349, H.D. 2, S.D. 1;  
H.B. No. 2385, S.D. 1;  
H.B. No. 2720, H.D. 2, S.D. 1;  
H.B. No. 2784, H.D. 1, S.D. 1;  
H.B. No. 2850, H.D. 1, S.D. 1;  
H.B. No. 2861, S.D. 2;  
H.B. No. 3038, S.D. 1;  
H.B. No. 3047, S.D. 1;  
H.B. No. 3059, H.D. 1, S.D. 1;  
H.B. No. 3248, S.D. 1;  
H.B. No. 3666, H.D. 1, S.D. 1;  
H.B. No. 3811, S.D. 1;  
H.B. No. 3903, S.D. 1; and  
H.B. No. 3945, H.D. 1, S.D. 1,

was placed on file.

Hse. Com. No. 989, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 70, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 24, 1992, the Speaker appointed

Representatives Stegmaier, Oshiro, co-chairmen, Baker, Thompson, Ward as managers on the part of the House for the consideration of said amendments, was placed on file.

#### CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1293, S.D. 2, presented a report (Conf. Com. Rep. No. 85) recommending that S.B. No. 1293, 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. 85 and S.B. No. 1293, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2824, S.D. 2, presented a report (Conf. Com. Rep. No. 86) recommending that S.B. No. 2824, 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. 86 and S.B. No. 2824, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FOR NEW VEHICLES AND OFFICIAL VEHICLES," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2918, S.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that S.B. No. 2918, 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. 87 and S.B. No. 2918, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL VEHICLE SURCHARGE TAX," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3164, H.D. 2, presented a report (Conf. Com. Rep. No. 104) recommending that H.B. No. 3164, 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. 104 and H.B. No. 3164, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3277, H.D. 2, presented a report (Conf. Com. Rep. No. 105) recommending that H.B. No. 3277, 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. 105 and H.B. No. 3277, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.



Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1509, H.D. 1, presented a report (Conf. Com. Rep. No. 106) recommending that H.B. No. 1509, 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. 106 and H.B. No. 1509, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL IMPROVEMENTS AND SERVICES," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2960) recommending that H.C.R. No. 67 be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CHILD SUPPORT ENFORCEMENT AGENCY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TO DEVELOP AND IMPLEMENT MECHANISMS TO ENHANCE THE EFFICIENCY AND TIMELINESS OF THE COLLECTION PROCESS FOR CHILD SUPPORT PAYMENTS," was adopted.

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2961) recommending that H.C.R. No. 172, H.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT AN EVALUATION BE MADE REGARDING THE ADEQUACY OF VARIOUS MANDATORY PENALTY OR SENTENCING STRUCTURES FOR CRIMES," was referred to the Committee on Legislative Management.

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2962) recommending that H.C.R. No. 299 be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 299, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE DUTIES OF THE LIEUTENANT GOVERNOR," was adopted.

Senator Blair, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2963) recommending that H.C.R. No. 326, H.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 326, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE INCREASE IN REPETITIVE CHILD ABUSE CASES AND AN EVALUATION OF THE ROLES OF THE MEDICAL DIRECTOR AND MULTI-DISCIPLINARY TEAM IN THE DIAGNOSIS AND TREATMENT OF CHILD ABUSE," was referred to the Committee on Legislative Management.

Senator Fernandes Salling, for the Committee on Transportation and Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 2964) recommending that H.C.R. No. 230, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 230, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT IDENTIFYING SUITABLE LANDS FOR THE RELOCATION OF FEDERAL AVIATION ADMINISTRATION FACILITIES NOW LOCATED IN DIAMOND HEAD CRATER," was adopted.

Senators McCartney and Mizuguchi, for the Committee on Education and the Committee on Employment and Public Institutions, presented a joint report (Stand. Com. Rep. No. 2965) recommending that H.C.R. No. 93, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the joint report of the Committees was adopted and H.C.R. No. 93, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF CAREER LADDERS FOR TEACHERS," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2966) recommending that H.C.R. No. 35 be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE LATE UNITED STATES SENATOR SPARK M. MATSUNAGA," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2967) recommending that H.C.R. No. 201, H.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 201, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE SALARY AND BENEFITS PACKAGE OF PUBLIC SCHOOL PRINCIPALS AND VICE PRINCIPALS," was referred to the Committee on Legislative Management.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2968) recommending that H.C.R. No. 282, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 282, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO UTILIZE A COMPREHENSIVE USER-ORIENTED APPROACH IN THE DEVELOPMENT, TESTING, AND INSTALLATION OF THE FINANCIAL MANAGEMENT SYSTEM AND STUDENT INFORMATION AND PROGRAM MANAGEMENT SYSTEMS," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2969) recommending that H.C.R. No. 361, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 361, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW ITS POLICIES AND PRACTICES AND REPORT ON ITS CURRENT EFFORTS AND RECOMMENDATIONS TO IMPROVE THE DELIVERY OF PROGRAMS AND

SERVICES TO NATIVE HAWAIIAN CHILDREN AND CHILDREN OF OTHER UNDER-REPRESENTED ETHNIC GROUPS WHO ARE GIFTED AND TALENTED," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2970) recommending that H.C.R. No. 367, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 367, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM, WORKING COOPERATIVELY WITH THE HAWAII DEPARTMENT OF HEALTH, TO PLAN AND IMPLEMENT AN ULTRAVIOLET RADIATION MONITORING AND PUBLIC EDUCATIONAL PROGRAM TO INFORM RESIDENTS AND VISITORS ABOUT OZONE DEPLETION, HEALTH EFFECTS FROM ULTRAVIOLET RADIATION, AND PRECAUTIONS THEY CAN TAKE TO GUARANTEE SAFE WORK AND RECREATION IN HAWAII'S SUN," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2971) recommending that H.C.R. No. 393, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 393, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A MULTI-DISCIPLINARY INSTITUTE FOR HOUSING AT THE UNIVERSITY OF HAWAII," was adopted.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2972) recommending that H.C.R. No. 420 be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 420, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A COMPUTER AND INFORMATION TECHNOLOGY MASTER PLAN," was adopted.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2973) recommending that H.C.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 78, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO CONSIDER PERMITTING AND ENCOURAGING RESIDENTS OF COUNTY HOUSING PROJECTS TO ESTABLISH AND OPERATE CHILD CARE FACILITIES WITHIN THEIR PRIVATE RESIDENCES," was adopted.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2974) recommending that H.C.R. No. 219, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 219, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAIIAN HOMES COMMISSION AND THE NATIONAL PARK SERVICE QUICKLY RESOLVE THEIR DISPUTE OVER THE LEASE OF LANDS IN

THE KALAUPAPA SETTLEMENT AND ENSURE THE CONTINUITY OF SERVICES TO KALAUPAPA RESIDENTS," was adopted.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2975) recommending that H.C.R. No. 263, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 263, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR OF EACH COUNTY TO WORK WITH THE DEPARTMENT OF HAWAIIAN HOME LANDS, NATIVE HAWAIIAN COMMUNITY REPRESENTATIVES, AND COMMUNITY PLANNERS TO ESTABLISH INTERIM DEVELOPMENT STANDARDS TO ENCOURAGE THE EARLY SETTLEMENT OF HAWAIIAN HOME LANDS HOUSING ESTATES," was adopted.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2976) recommending that H.C.R. No. 269, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 269, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT AN ASSESSMENT OF THE NATIVE HAWAIIAN POPULATION IN THE STATE'S CORRECTIONAL INSTITUTIONS AND PROGRAMS," was adopted.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2977) recommending that H.C.R. No. 300, H.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator George and carried, the report of the Committee was adopted and H.C.R. No. 300, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING BREACHES OF TRUST RESPONSIBILITY BETWEEN THE STATE OF HAWAII AND THE HAWAIIAN PEOPLE, EXTENDING A FORMAL APOLOGY TO THE HAWAIIAN PEOPLE, AND RECOGNIZING AND SUPPORTING THE RIGHT OF THE HAWAIIAN PEOPLE TO SOVEREIGNTY AND SELF-DETERMINATION," was adopted.

At this time, Senator A. Kobayashi introduced to the members Mrs. Sally Youngblood and her son, 'Bo.'

## ORDER OF THE DAY

### RECOMMITTAL OF BILLS

Conf. Com. Rep. No. 71 (S.B. No. 2770, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 71 and S.B. No. 2770, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 102 (H.B. No. 3030, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 102 and H.B. No. 3030, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," were recommitted to the Committee on Conference.

At this time, the President stated:

"Members of the Senate, we have been informed by the House that the budget bill will not be able to be printed on time. The process takes 15 hours and we still have some issues that have not been resolved. One of the issues is the provisos in the budget and, another, an appropriation of \$450,000 for a study which is yet to be resolved. As a result of this, the probability is that we will, I repeat, we will be going into an extension of the session until Wednesday of next week.

"Let me repeat, we will be extending the session for an additional two days."

Senator George then inquired:

"Mr. President, the announcement which you have just made, does that mean that there is an extension of the deadline for receiving in the Clerk's office of committee reports which are now circulating?"

The Chair answered:

"That is correct. We will leave the Journal open to receive all fiscal and non-fiscal bills."

Senator George further inquired:

"Beyond today?"

The Chair answered:

"Just till midnight tonight."

#### CONFERENCE COMMITTEE REPORTS STANDING COMMITTEE REPORTS

On motion by Senator Solomon, seconded by Senator George and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on bills for Final Reading and on a Senate Concurrent Resolution, authorizing the disposition of public lands pursuant to Chapter 171, Hawaii Revised Statutes, for Final Adoption. The Clerk was further authorized to receive Standing Committee Reports on House Concurrent Resolutions for adoption and Leadership Committee Reports on Governor's Messages for advise and consent to nominations. In consequence thereof, and subsequent to its recessing at 5:39 o'clock p.m., the Senate took the following actions:

#### CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2714, S.D. 2, presented a report (Conf. Com. Rep. No. 88) recommending that S.B. No. 2714, 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. 88 and S.B. No. 2714, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," was deferred for a period of 48 hours.

Senator Holt, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 70, S.D. 1, presented a report (Conf. Com. Rep. No. 89) recommending that S.C.R. No. 70, S.D. 1, H.D. 1, as amended in C.D. 1, be adopted.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89 and S.C.R. No. 70, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO GRANT AN EASEMENT OR TO LEASE CERTAIN SUBMERGED LANDS AT EWA TO HASEKO," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3247, S.D. 2, presented a report (Conf. Com. Rep. No. 90) recommending that S.B. No. 3247, 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. 90 and S.B. No. 3247, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Senator Ikeda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2770, S.D. 1, presented a report (Conf. Com. Rep. No. 91) recommending that S.B. No. 2770, S.D. 1, H.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91 and S.B. No. 2770, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2758, S.D. 2, presented a report (Conf. Com. Rep. No. 92) recommending that S.B. No. 2758, 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. 92 and S.B. No. 2758, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred for a period of 48 hours.

Senator Ikeda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2258, S.D. 1, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 2258, S.D. 1, H.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and S.B. No. 2258, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2313, H.D. 1, presented a report (Conf. Com. Rep. No. 107) recommending that H.B. No. 2313, 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. 107 and H.B. No. 2313, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2366, H.D. 2, presented a report (Conf. Com. Rep. No. 108) recommending that H.B. No. 2366, 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. 108 and H.B. No. 2366, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM," was deferred for a period of 48 hours.

Senator Ikeda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3030, H.D. 1, presented a report (Conf. Com. Rep. No. 109) recommending that H.B. No. 3030, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109 and H.B. No. 3030, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3342, H.D. 2, presented a report (Conf. Com. Rep. No. 110) recommending that H.B. No. 3342, 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. 110 and H.B. No. 3342, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2719, H.D. 2, presented a report (Conf. Com. Rep. No. 111) recommending that H.B. No. 2719, 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. 111 and H.B. No. 2719, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS PROGRAMS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 3982, H.D. 1, presented a report (Conf. Com. Rep. No. 112) recommending that H.B. No. 3982, 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. 112 and H.B. No. 3982, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD," was deferred for a period of 48 hours.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2978) recommending that the Senate advise and consent to the nomination of SIDNEY W. "BILL" COOK to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, in accordance with Gov. Msg. No. 330.

In accordance with Senate Rule 34, action on Ldr. Com. Rep. No. 2978 and Gov. Msg. No. 330 was deferred until Monday, April 27, 1992.

Senator A. Kobayashi, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 2979) recommending that the Senate advise and consent to the nomination of ALLEN K. HOE to the Land Use Commission, in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 34, action on Ldr. Com. Rep. No. 2979 and Gov. Msg. No. 310 was deferred until Monday, April 27, 1992.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2980) recommending that H.C.R. No. 260 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2980 and H.C.R. No. 260, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO FULFILL THE 1992 RECOMMENDATIONS OF THE HUI 'IMI TASK FORCE REPORT," was deferred until Monday, April 27, 1992.

Senator Crozier, for the Committee on Housing and Hawaiian Programs, presented a report (Stand. Com. Rep. No. 2981) recommending that H.C.R. No. 302, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2981 and H.C.R. No. 302, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF AN AD HOC PANEL TO EXAMINE ISSUES RELATING TO HAWAIIAN ENTITLEMENT," was deferred until Monday, April 27, 1992.

Senator Nakasato, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 2982) recommending that H.C.R. No. 114 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2982 and H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW THE ALOHA WEEK PARADE TO CONSIDER ENLARGING ITS SCOPE AND SIZE," was deferred until Monday, April 27, 1992.

Senator Nakasato, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 2983) recommending that H.C.R. No. 244 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2983 and H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE RELOCATION OF THE HEADQUARTERS AND PRINCIPAL BUSINESS OFFICE OF THE PACIFIC ASIA TRAVEL ASSOCIATION BACK TO HAWAII," was deferred until Monday, April 27, 1992.

Senator Nakasato, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 2984) recommending that H.C.R. No. 378, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2984 and H.C.R. No. 378, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE PROMOTION OF INTRA-STATE TOURISM," was deferred until Monday, April 27, 1992.

Senator McCartney, for the Committee on Education, presented a report (Stand. Com. Rep. No. 2985) recommending that H.C.R. No. 359, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2985 and H.C.R. No. 359, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER MEANS OF REWARDING SCHOOLS FOR THEIR INITIATIVE IN IMPLEMENTING INNOVATIVE EDUCATIONAL PROGRAMS," was deferred until Monday, April 27, 1992.

#### **ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 11:00 o'clock a.m., Monday, April 27, 1992.