

TWENTY-FOURTH DAY

Thursday, February 27, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Jeff Thomas, Religious Ministries Department, Pearl Harbor Naval Station, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 172 to 177) were read by the Clerk and were placed on file:

Gov. Msg. No. 172, dated February 7, 1997, transmitting the "Small Business Task Force on Regulatory Relief Report," prepared by the Department of Business, Economic Development, and Tourism, Business Development Division, pursuant to Act 272, SLH 1996.

Gov. Msg. No. 173, dated February 7, 1997, transmitting the Report of the Task Force Reviewing Sterilization of Incapacitated Minors, prepared by the Department of Health in response to S.R. No. 83 (1996).

Gov. Msg. No. 174, dated February 13, 1997, transmitting a report prepared by the University of Hawaii in response to S.R. No. 132 (1996), requesting the coordination of efforts to make University of Hawaii collections available on a systemwide and statewide basis through modern distributed digital storage systems and telecommunications technologies.

Gov. Msg. No. 175, dated February 24, 1997, transmitting the 1995 Annual Report prepared by the Executive Office on Aging.

Gov. Msg. No. 176, dated February 18, 1997, transmitting a report prepared by the Department of Agriculture in response to Act 287, Section 12.1, SLH 1996, requiring the Department of Agriculture to report on the progress of funding of research projects.

Gov. Msg. No. 177, dated February 21, 1997, transmitting the 1996 Annual Report prepared by The Research Corporation of the University of Hawaii pursuant to Section 307-6, HRS.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 16, from the State Auditor dated February 20, 1997, transmitting a report, "Audit of the University of Hawaii at Manoa's Non-Instructional Personnel," (Report No. 97-6), pursuant to Act 287, Section 72.1, SLH 1996, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 81 to 91) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 81, transmitting H.B. No. 109, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 109, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM PROMOTION AND MARKETING," passed First Reading by

title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 82, transmitting H.B. No. 114, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 83, transmitting H.B. No. 147, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 84, transmitting H.B. No. 419, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 419, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 85, transmitting H.B. No. 580, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 580, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BUSINESS RESEARCH LIBRARY," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 86, transmitting H.B. No. 623, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 623, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 87, transmitting H.B. No. 998, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 998, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC HEALTH CARE SPECIALISTS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 88, transmitting H.B. No. 1320, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1320, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 89, transmitting H.B. No. 1733, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1733, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 90, transmitting H.B. No. 1762, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 91, transmitting H.B. No. 2145, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 2145, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT A PROGRAM OF REGIMENTAL DISCIPLINE," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 36 to 44) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP PLANS AND DESIGNS FOR THE CONSTRUCTION OF A FOYER AT THE OLD KONA AIRPORT STATE RECREATIONAL PARK EVENTS PAVILION."

Offered by: Senator Levin.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH SCHOOL ON THE BIG ISLAND."

Offered by: Senator Levin.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Judiciary

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION

TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 40 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR."

Offered by: Senators Levin, Solomon.

Referred to: Committee on Economic Development

No. 41 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO MANDATE THE U.S. FEDERAL RESERVE SYSTEM TO ADOPT A FULL EMPLOYMENT POLICY."

Offered by: Senator Chun Oakland, by request.

Referred to: Committee on Human Resources

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE INSTITUTE FOR ASTRONOMY AT THE UNIVERSITY OF HAWAII."

Offered by: Senator Chumbley.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY."

Offered by: Senator Bunda.

Referred to: Committee on Education

No. 44 "SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM EXAMINE WHETHER FORMER PEACE CORPS VOLUNTEERS SHOULD RECEIVE RETIREMENT SERVICE CREDIT."

Offered by: Senator McCartney.

Referred to: Committee on Human Resources, then to the Committee on Ways and Means

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 8 to 14) were read by the Clerk and were referred to committees:

Senate Resolution

No. 8 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP PLANS AND DESIGNS FOR THE CONSTRUCTION OF A FOYER AT THE OLD KONA AIRPORT STATE RECREATIONAL PARK EVENTS PAVILION."

Offered by: Senator Levin.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 9 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH SCHOOL ON THE BIG ISLAND."

Offered by: Senator Levin.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 10 "SENATE RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Judiciary

No. 11 "SENATE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 12 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR."

Offered by: Senators Levin, Solomon.

Referred to: Committee on Economic Development

No. 13 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY."

Offered by: Senator Bunda.

Referred to: Committee on Education

No. 14 "SENATE RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM EXAMINE WHETHER FORMER PEACE CORPS VOLUNTEERS SHOULD RECEIVE RETIREMENT SERVICE CREDIT."

Offered by: Senator McCartney.

Referred to: Committee on Human Resources, then to the Committee on Ways and Means

STANDING COMMITTEE REPORTS

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 558) recommending that S.B. No. 910, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 559) recommending that S.B. No. 138, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 560) recommending that S.B. No. 226, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 561) recommending that S.B. No. 656, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 562) recommending that S.B. No. 1498, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 563) recommending that S.B. No. 1504 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1504, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 564) recommending that S.B. No. 1507 pass Second Reading and be placed on the calendar for Third Reading.

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

1507, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 565) recommending that S.B. No. 1508 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 566) recommending that S.B. No. 1509 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1509, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 567) recommending that S.B. No. 1510 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 568) recommending that S.B. No. 1511 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1511, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 569) recommending that S.B. No. 1513 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 570) recommending that S.B. No.

1514 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 571) recommending that S.B. No. 1517 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1517, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 572) recommending that S.B. No. 1518 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 573) recommending that S.B. No. 1519 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1519, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 574) recommending that S.B. No. 1520, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 575) recommending that S.B. No. 1523 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1523, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 576) recommending that S.B. No. 1524 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1524, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 577) recommending that S.B. No. 1525 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1525, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 578) recommending that S.B. No. 1531 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1531, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 579) recommending that S.B. No. 1532 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 580) recommending that S.B. No. 1536, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 581) recommending that S.B. No. 1559 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1559, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was

placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 582) recommending that S.B. No. 1901, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 583) recommending that S.B. No. 1571, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 584) recommending that S.B. No. 1617, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 585) recommending that S.B. No. 1620 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1620, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 586) recommending that S.B. No. 1621 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1621, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 587) recommending that S.B. No. 560, S.D.1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 587 and S.B. No. 560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred until Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 588) recommending that S.B. No. 1300, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 589) recommending that S.B. No. 1556 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 590) recommending that S.B. No. 835, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 590 and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," was deferred until Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 591) recommending that S.B. No. 1943, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1943, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 592) recommending that S.B. No. 1464, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1464, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 593) recommending that S.B. No. 1222, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 594) recommending that S.B. No.

135, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 595) recommending that S.B. No. 160, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 595 and S.B. No. 160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 596) recommending that S.B. No. 161, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 596 and S.B. No. 161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 597) recommending that S.B. No. 193 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 597 and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 598) recommending that S.B. No. 223 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 598 and S.B. No. 223, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 599) recommending that S.B. No. 512, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 599 and S.B. No. 512, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 600) recommending that S.B. No. 680, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 600 and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 601) recommending that S.B. No. 984, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 601 and S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 602) recommending that S.B. No. 1303 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 602 and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 603) recommending that S.B. No. 1363 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 603 and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred until Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 604) recommending that S.B. No. 1554, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 605) recommending that S.B. No. 382, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 606) recommending that S.B. No. 169, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LICENSE PLATES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 607) recommending that S.B. No. 1160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand. Com. Rep. No. 608) recommending that S.B. No. 1668 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO ON-STREET PARKING STALLS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 609) recommending that S.B. No. 1740 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1740, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 610) recommending that S.B. No. 57 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 611) recommending that S.B. No. 136 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 612) recommending that S.B. No. 888 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 613) recommending that S.B. No. 1490, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 614) recommending that S.B. No. 1528, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 615) recommending that S.B. No. 1115, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 616) recommending that S.B. No. 1423 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 617) recommending that S.B. No. 1616, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1616, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 618) recommending that the Senate advise and consent to the nominations of the following:

ALTON H. MIYAMOTO to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 151; and

ROBERT K.U. KIHUNE to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, in accordance with Gov. Msg. No. 156.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 618 and Gov. Msg. Nos. 151 and 156 was deferred until Friday, February 28, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 619) recommending that the Senate consent to the nomination of ELWIN P. AHU to the office of Judge, Circuit Court of the First Circuit, 1st Division, 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. 112.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 619 and Gov. Msg. No. 112 was deferred until Friday, February 28, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 620) recommending that the Senate advise and consent to the nomination of KEITH M. KANESHIRO as the Director of Public Safety, in accordance with Gov. Msg. No. 113.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 620 and Gov. Msg. No. 113 was deferred until Friday, February 28, 1997.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM WEDNESDAY, FEBRUARY 19, 1997

S.B. No. 1624:

On motion by Senator Aki, seconded by Senator Tam and carried, S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1625:

On motion by Senator Aki, seconded by Senator Tam and carried, S.B. No. 1625, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 14, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

S.B. No. 1385:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 130, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

RE-REFERRAL OF HOUSE BILLS

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

House Bill Referred to:

No. 139, H.D. 2 Jointly to the Committee on Human Resources and the Committee on Ways and Means

No. 364, H.D. 1 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

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

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

"Mr. President and my fellow colleagues, you are all aware of the gathering of Native Hawaiians and their supporters on a 24-hour vigil from February 25 to 26 to protest against S.B. No. 8, which attempted to preserve and accommodate the rights of Native Hawaiians to continue to engage in traditional and customary practices on undeveloped land and at the same time provide private landowners with their rights of their property.

"The gathering was well organized, well-meaning and well attended.

"From noon of February 25 to noon of February 26, the Hawaiians danced, chanted, prayed and shared mana'o to express their feeling on this bill. It was an enlightening experience for me.

"Most participants were from hula halaus and actual practitioners of the cultural practices and not the so-called 'activists.'

"The leadership of the gathering felt that this bill was too broad; that consultation just with prominent organizations as the Office of Hawaiian Affairs and the Hawaiian Civic Clubs was inadequate; that there should have been more input from the practitioners themselves.

"Senator Iwase and I were invited to address the gathering before noon of February 26 when more than 1,000 people were gathered. Senator Anderson was also present and I wish to thank him for his presence and moral support.

"We explained to the crowd the purpose of the bill and the implementation process. It was sometimes difficult for us because of vocal interruptions, but I felt that we got the message through, especially to those who had no inkling about the details of the bill. I also think that we conveyed the thought to the Native Hawaiians that this body does care for them.

"The leadership of the hula halaus agreed to the intent of the bill, that is, the rights of Hawaiians to practice their culture be preserved and at the same time respect the right of private landowners on whose land the activities take place. However, they strongly objected to the part of the bill which spells out the requirements to obtain a certificate to engage in activities on private lands.

"In view of the strong, sincere expression of their beliefs on this matter, as well as some of the shortcomings of the bill, Senator Iwase and I recommended deferment of this bill.

"Senate Bill No. 8 went through the legislative process. It was heard by Water, Land and Hawaiian Affairs and in view of

pro and con testimonies, Senate Draft No. 1 was crafted and lateralled to Ways and Means. Meanwhile, this gathering by the people who are vitally affected by the provisions of this bill occurred. Taking into consideration all factors involved, the bill was deferred. This is a good example of the democratic legislative process. I remember, some time ago, we changed the course of a piece of legislation because of a large demonstration of over 5,000 people on the DUI bill.

"In the interim, we hope to find a legislative solution to this matter, that is to preserve the rights of the Native Hawaiians and of the private landowners. This way, it would be the people who make the decision, Mr. President, and not the courts.

"Thank you very much."

Senator Anderson also rose on a point of personal privilege and said:

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

"I'd like to have the Senator's words put into the Journal as though they were my own. And I do so, not just because I am Hawaiian, but this is the only place that we can go. When you're a Native Hawaiian, this is home. This is the only place to practice your culture. Others can learn and go elsewhere. I can go back to Portugal, for instance, because I'm half-Portuguese, and learn all that I want to about that particular culture, or we can practice here to a minimum of what they may have back in Portugal.

"For that reason I would like to say that I agree with the Senator and I hope that the process will continue and it will be workable for all.

"Thank you very much."

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 28, 1997.