

SIXTY-FIRST DAY

Wednesday, May 6, 1998

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 8:22 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixtieth Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 341, dated May 6, 1998, transmitting the Executive Order providing for a further extension of the Regular Session of 1998 of the Nineteenth State Legislature, as follows:

"EXECUTIVE ORDER

WHEREAS, Section 10 of Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, pursuant to said Section 10 of Article III, the Regular Session of 1998 of the Nineteenth Legislature of the State of Hawaii has been extended; and

WHEREAS, the Governor has been requested to grant a further extension and it appears that such a further extension is necessary;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of Hawaii, pursuant to the power vested in me by Section 10 of Article III of the Constitution of the State of Hawaii, do hereby further extend the Regular Session of 1998 of the Nineteenth Legislature of the State of Hawaii from 12:00 o'clock midnight, Wednesday, May 6, 1998, to 12:00 o'clock midnight, Monday, May 11, 1998.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 6th
day of May, 1998

/s/Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Margery S. Bronster
MARGERY S. BRONSTER
Attorney General"

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 443 to 454) were read by the Clerk and were placed on file:

Hse. Com. No. 443, informing the Senate that the House, on April 30, 1998, reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House

bills and has on May 5, 1998, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1577, H.D. 2, S.D. 2;
H.B. No. 1647, H.D. 1, S.D. 1;
H.B. No. 1649, H.D. 2, S.D. 1;
H.B. No. 2426, H.D. 1, S.D. 1;
H.B. No. 2614, S.D. 1;
H.B. No. 2660, S.D. 1;
H.B. No. 2711, H.D. 1, S.D. 1;
H.B. No. 2760, H.D. 1, S.D. 2;
H.B. No. 2761, S.D. 1;
H.B. No. 2793, S.D. 1;
H.B. No. 2801, H.D. 1, S.D. 1;
H.B. No. 2866, S.D. 1;
H.B. No. 3027, H.D. 2, S.D. 1;
H.B. No. 3247, H.D. 1, S.D. 1; and
H.B. No. 3248, H.D. 1, S.D. 1.

Hse. Com. No. 444, informing the Senate that the House, on May 1, 1998, reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 5, 1998, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1699, H.D. 2, S.D. 1;
H.B. No. 2670, H.D. 2, S.D. 1;
H.B. No. 2758, H.D. 1, S.D. 2; and
H.B. No. 2855, H.D. 1, S.D. 1.

Hse. Com. No. 445, informing the Senate that the House, on May 5, 1998, reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills and has on May 6, 1998, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1049, H.D. 1, S.D. 1;
H.B. No. 2331, H.D. 1, S.D. 1;
H.B. No. 2537, H.D. 1, S.D. 1;
H.B. No. 2672, H.D. 1, S.D. 1;
H.B. No. 2762, H.D. 1, S.D. 1; and
H.B. No. 3281, H.D. 1, S.D. 1.

Hse. Com. No. 446, informing the Senate that the House, on May 5, 1998, reconsidered its action taken in disagreeing to the amendments made by the Senate to H.C.R. No. 34, H.D. 2, and has on May 5, 1998, agreed to the amendments and finally adopted H.C.R. No. 34, H.D. 2, S.D. 1.

Hse. Com. No. 447, informing the Senate that the House agreed to the amendments proposed by the Senate to the following House concurrent resolutions and said resolutions were finally adopted by the House on May 5, 1998:

H.C.R. No. 9, S.D. 1;
H.C.R. No. 14, H.D. 1, S.D. 1;
H.C.R. No. 17, S.D. 1;
H.C.R. No. 24, H.D. 1, S.D. 1;
H.C.R. No. 26, H.D. 2, S.D. 1;
H.C.R. No. 38, H.D. 1, S.D. 1;
H.C.R. No. 50, H.D. 2, S.D. 1;
H.C.R. No. 60, S.D. 1;
H.C.R. No. 83, H.D. 1, S.D. 1;
H.C.R. No. 90, H.D. 1, S.D. 1;
H.C.R. No. 102, H.D. 1, S.D. 1;
H.C.R. No. 117, H.D. 1, S.D. 1;
H.C.R. No. 120, H.D. 1, S.D. 1;
H.C.R. No. 156, S.D. 1;
H.C.R. No. 162, H.D. 1, S.D. 1;
H.C.R. No. 163, S.D. 1;
H.C.R. No. 177, H.D. 1, S.D. 1;
H.C.R. No. 197, H.D. 1, S.D. 1;
H.C.R. No. 202, S.D. 1;

H.C.R. No. 212, S.D. 1;
H.C.R. No. 213, H.D. 1, S.D. 1;
H.C.R. No. 223, H.D. 1, S.D. 1;
H.C.R. No. 225, H.D. 1, S.D. 1; and
H.C.R. No. 226, H.D. 1, S.D. 1.

Hse. Com. No. 448, informing the Senate that the following House bills passed Final Reading in the House of Representatives on May 5, 1998:

H.B. No. 92, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 1815, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 1830, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2332, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2358, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2361, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 2443, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2533, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 2567, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2598, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2701, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2778, S.D. 1, C.D. 1;
H.B. No. 2878, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2985, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 3022, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 3138, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 3257, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 3289, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 3367, H.D. 1, S.D. 1, C.D. 1; and
H.B. No. 3457, H.D. 2, S.D. 2, C.D. 1.

Hse. Com. No. 449, informing the Senate that the following House bills passed Final Reading in the House of Representatives on May 5, 1998:

H.B. No. 1099, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2355, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2357, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2381, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2496, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2506, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2524, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2613, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2666, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2667, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2734, S.D. 1, C.D. 1;
H.B. No. 2776, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 2779, S.D. 1, C.D. 1;
H.B. No. 2837, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 2843, H.D. 1, S.D. 2, C.D. 1;
H.B. No. 2846, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2847, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2852, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2872, H.D. 1, S.D. 1, C.D. 1; and
H.B. No. 3528, H.D. 1, S.D. 2, C.D. 1.

Hse. Com. No. 450, informing the Senate that the following House bills passed Final Reading in the House of Representatives on May 5, 1998:

H.B. No. 503, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 1332, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 1868, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 1966, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2366, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2486, H.D. 3, S.D. 2, C.D. 1;
H.B. No. 2714, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2786, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2842, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2862, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 2932, S.D. 1, C.D. 1;
H.B. No. 2992, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2998, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 3010, S.D. 2, C.D. 1;
H.B. No. 3024, S.D. 1, C.D. 1;
H.B. No. 3028, H.D. 1, S.D. 2, C.D. 1;

H.B. No. 3065, H.D. 2, S.D. 2, C.D. 1;
H.B. No. 3192, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 3468, H.D. 2, S.D. 2, C.D. 1; and
H.B. No. 3553, S.D. 1, C.D. 1.

Hse. Com. No. 451, informing the Senate that the following House bills passed Final Reading in the House of Representatives on May 5, 1998:

H.B. No. 2675, H.D. 2, S.D. 1, C.D. 1;
H.B. No. 2823, H.D. 1, S.D. 1, C.D. 1;
H.B. No. 2870, S.D. 2, C.D. 1;
H.B. No. 3033, H.D. 2, S.D. 2, C.D. 1; and
H.B. No. 3437, H.D. 2, S.D. 2, C.D. 1.

Hse. Com. No. 452, informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on May 5, 1998:

S.B. No. 1065, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 1597, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2135, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2136, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2414, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2469, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2559, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2575, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2588, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2602, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2655, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2717, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2770, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 2786, H.D. 1, C.D. 1;
S.B. No. 2833, H.D. 1, C.D. 1;
S.B. No. 3035, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 3113, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 3114, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 3137, S.D. 1, H.D. 2, C.D. 1; and
S.B. No. 3159, S.D. 2, H.D. 1, C.D. 1.

Hse. Com. No. 453, informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on May 5, 1998:

S.B. No. 632, S.D. 2, H.D. 3, C.D. 1;
S.B. No. 1273, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2078, S.D. 1, H.D. 3, C.D. 1;
S.B. No. 2256, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2297, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2346, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 2411, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2454, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2460, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 2580, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2759, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2768, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2823, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2866, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2887, S.D. 1, H.D. 1, C.D. 1;
S.B. No. 2957, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2987, S.D. 2, H.D. 3, C.D. 1;
S.B. No. 3043, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 3088, S.D. 1, H.D. 2, C.D. 1; and
S.B. No. 3228, S.D. 1, H.D. 1, C.D. 1.

Hse. Com. No. 454, informing the Senate that the following Senate bills passed Final Reading in the House of Representatives on May 5, 1998:

S.B. No. 720, S.D. 2, H.D. 2, C.D. 1;
S.B. No. 721, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 1309, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2037, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2211, S.D. 2, H.D. 1, C.D. 1;
S.B. No. 2249, S.D. 1, H.D. 2, C.D. 1;
S.B. No. 2326, S.D. 1, H.D. 2, C.D. 1;

S.B. No. 2399, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2624, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2803, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2852, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 2983, S.D. 2, H.D. 2, C.D. 1; and
 S.B. No. 3076, S.D. 1, H.D. 1, C.D. 1.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 216) was read by the Clerk and was disposed of as follows:

Senate Concurrent Resolution

No. 216 "SENATE CONCURRENT RESOLUTION DECLARING THURSDAY, MAY 7, 1998, A RECESS DAY OF THE NINETEENTH LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 1998."

Offered by: Senators Ihara, McCartney.

On motion by Senator Ihara, seconded by Senator McCartney and carried, S.C.R. No. 216 was adopted.

At 8:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:41 o'clock p.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM TUESDAY, MAY 5, 1998

AGREE/DISAGREE ADOPTION OF RESOLUTIONS

S.C.R. No. 25 (H.D. 1):

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 25, seconded by Senator Metcalf.

Senator D. Ige then noted:

"Mr. President, this is a sunrise evaluation on regulation of mental health counselors. The Senate had heard S.B. No. 2341 that deals with this, so this resolution simply requests the evaluation of regulation of these professionals."

The motion was put by the Chair and carried.

At 8:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:43 o'clock p.m.

On motion by Senator D. Ige, seconded by Senator Metcalf and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 25 and S.C.R. No. 25, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ANALYZE THE PROBABLE EFFECTS OF PROPOSED REGULATION OF PROFESSIONAL MENTAL HEALTH COUNSELORS AND PROFESSIONAL REHABILITATION COUNSELORS AND ASSESS WHETHER ITS ENACTMENT IS CONSISTENT WITH STATE POLICY," was Finally Adopted.

S.C.R. No. 90, S.D. 1 (H.D. 1):

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 90, S.D. 1, seconded by Senator Metcalf.

Senator D. Ige noted:

"Mr. President, S.C.R. No. 90 deals with the consent decree regarding the Texaco and Shell Oil Company merger and requests the attorney general to reevaluate its position on requiring Texaco or Shell Oil Company to divest their dealer stations in Hawaii.

"The amendments made by the House are technical and nonsubstantive."

The motion was put by the Chair and carried.

On motion by Senator D. Ige, seconded by Senator Metcalf and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 90, S.D. 1, and S.C.R. No. 90, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO REEVALUATE THE BASIS FOR THE FINAL JUDGMENT AND CONSENT DECREE REGARDING TEXACO INCORPORATED AND SHELL OIL COMPANY AND APPLY TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII TO MODIFY OR COMPLETELY WITHDRAW FROM THAT CONSENT DECREE," was Finally Adopted.

S.C.R. No. 154 (H.D. 1):

Senator D. Ige moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 154, seconded by Senator Metcalf.

Senator D. Ige noted:

"Mr. President, S.C.R. No. 154 deals with the consent decree regarding the Texaco and Shell Oil Company merger and requests the attorney general to investigate the reasons why gasoline prices continue to remain significantly higher.

"The amendments made by the House are technical and nonsubstantive."

The motion was put by the Chair and carried.

Senator D. Ige then moved that S.C.R. No. 154, H.D. 1, be Finally Adopted, seconded by Senator Metcalf.

Senator Slom rose in opposition to the resolution and said:

"Mr. President, I rise to speak against S.C.R. No. 154.

"I speak against the resolution because, as we brought out in testimony, it seems that the state, and particularly the attorney general's office, keeps investigating the oil industry to find out why prices are higher when people tell the attorney general and the state why prices are higher for all kinds of businesses, and we don't do anything to improve the business climate. We've spent hundreds of thousands of dollars in previous investigations. There have been no indictments, no convictions. There's been no lowering of prices. There's been nothing done, except that it seems like it's a good way to keep at least one of the deputy attorney generals employed.

"In addition to that, I think the attorney general is so busy right now pursuing both the Bishop Estate and a position on the circuit court, the 9th Circuit, that she probably won't have time to do a good job on this, so I'm voting 'no.'

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 154 and S.C.R. No. 154, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO INVESTIGATE THE REASONS WHY GASOLINE PRICES CONTINUE TO REMAIN SIGNIFICANTLY HIGHER THAN MAINLAND PRICES,"

was Finally Adopted, with Senators Anderson and Slom voting 'No.'

FINAL READING

S.B. No. 3024, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3024, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," was deferred until Monday, May 11, 1998.

S.B. No. 3025, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3025, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL," was deferred until Monday, May 11, 1998.

Conf. Com. Rep. No. 33 (S.B. No. 3248, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33 and S.B. No. 3248, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Monday, May 11, 1998.

Conf. Com. Rep. No. 117 (H.B. No. 2823, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 117 and H.B. No. 2823, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Monday, May 11, 1998.

Conf. Com. Rep. No. 119 (H.B. No. 3446, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 119 and H.B. No. 3446, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," was deferred until Monday, May 11, 1998.

Conf. Com. Rep. No. 124 (S.B. No. 2852, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 124 and S.B. No. 2852, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE VOLUNTARY RESPONSE PROGRAM," was deferred until Monday, May 11, 1998.

THIRD READING

Stand. Com. Rep. 3171 (H.B. No. 2547, H.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 3171 and H.B. No. 2547, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Monday, May 11, 1998.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2349, S.D. 1, H.D. 2:

Senator Levin moved that the Senate reconsider its action taken on April 16, 1998, in disagreeing to the amendments proposed by the House to S.B. No. 2349, S.D. 1, seconded by Senator Fernandes Salling and carried.

Senator Levin moved that the Senate agree to the amendments proposed by the House to S.B. No. 2349, S.D. 1, seconded by Senator Fernandes Salling.

Senator Levin explained:

"Mr. President, this bill would change the name of the Environmental Health Program Enhancement and Education Fund to simply the Environmental Health Education Fund. It would also repeal the sunset date on that fund and it would provide a program within the state administration to apply for grants issued by the Council of State Governments, which would open us up to developing international partnerships with Asian/Pacific nations and possibly with other states in the United States."

The motion was put by the Chair and carried.

On motion by Senator Levin, seconded by Senator Fernandes Salling and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2349, S.D. 1, and S.B. No. 2349, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

H.B. No. 3403, H.D. 2, S.D. 1, C.D. 1:

Senator Chumbley moved that the Senate reconsider its action taken on May 5, 1998, in passing H.B. No. 3403, H.D. 2, S.D. 1, C.D. 1, on Final Reading, seconded by Senator Matsunaga and carried.

By unanimous consent, H.B. No. 3403, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY," was recommitted to the Committee on Conference.

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

"Mr. President, a point of personal privilege.

"Mr. President, I read in the paper this morning which had a headline that said, 'General excise tax dies.' Do we have a body, Mr. President? Has there been a postmortem? Can you reassure us that it is indeed dead?"

The Chair responded:

"It is dead."

Senator Slom then said:

"Thank you, Mr. President."

ADJOURNMENT

At 8:50 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 9:00 o'clock p.m., Friday, May 8, 1998.