

## FIFTY-SECOND DAY

**Wednesday, April 18, 1990**

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:35 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lt. Colonel Kenneth E. Briggs of the 15th Air Base Wing, after which the Roll was called showing all members present with the exception of Representatives O'Kieffe and Tajiri, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-First Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-First Day was approved.

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 184) was read by the Clerk and placed on file:

Gov. Msg. No. 184, informing the House that on April 17, 1990, he signed the following bills into law:

Senate Bill No. 2141 as Act 13, entitled: "RELATING TO ANABOLIC STEROIDS";

Senate Bill No. 2700 as Act 14, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 3114 as Act 15, entitled: "RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE";

Senate Bill No. 3116 as Act 16, entitled: "RELATING TO S CORPORATIONS";

Senate Bill No. 3122 as Act 17, entitled: "RELATING TO CERTIFICATIONS FOR TAX EXEMPTIONS";

House Bill No. 1159 as Act 18, entitled: "RELATING TO ANATOMICAL GIFT DESIGNATIONS";

House Bill No. 2020 as Act 19, entitled: "RELATING TO POBATE";

House Bill No. 2753 as Act 20, entitled: "RELATING TO PERMITS";

Senate Bill No. 2668 as Act 21, entitled: "RELATING TO THE OFFICE OF AUDITOR PROPER";

Senate Bill No. 2711 as Act 22, entitled: "RELATING TO HISTORIC PROPERTIES";

Senate Bill No. 3423 as Act 23, entitled: "RELATING TO FENCES";

House Bill No. 2487 as Act 24, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 2490 as Act 25, entitled: "RELATING TO EMPLOYMENT SECURITY"; and

House Bill No. 2638 as Act 26, entitled: "RELATING TO PUBLIC CONTRACTS".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 694 and 695) were read by the Clerk and placed on file:

Sen. Com. No. 694, informing the House that the President has, on April 17, 1990, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills:

**H.B. No. 69, HD 2, SD 2:**

Senators Yamasaki and A. Kobayashi, Co-Chairmen; McMurdo, Nakasato and Koki.

**H.B. No. 726, HD 1, SD 1:**

Senators Matsuura, Chairman; Hagino and George.

**H.B. No. 839, SD 2:**

Senators Blair, Chairman; Chang, Levin and Koki.

**H.B. No. 1023, HD 1, SD 1:**

Senators Ikeda, Chairman; Hagino and Reed.

**H.B. No. 1144, HD 2, SD 2:**

Senators Yamasaki, Chairman; Chang, A. Kobayashi, Matsuura and George.

**H.B. No. 1148, SD 1:**

Senators Yamasaki, Chairman; Holt, Ikeda, A. Kobayashi, McCartney and George.

**H.B. No. 1251, HD 1, SD 2:**

Senators Yamasaki, Chairman; Hagino, A. Kobayashi, McMurdo and Koki.

**H.B. No. 1261, HD 1, SD 1:**

Senators Matsuura, Chairman; Holt, A. Kobayashi and George.

**H.B. No. 1275, HD 1, SD 1:**

Senators Crozier, Chairman; Holt and Reed.

**H.B. No. 1490, HD 2, SD 1:**

Senators Yamasaki, Chairman; Chang and George.

**H.B. No. 1576, HD 1, SD 1:**

Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.

**H.B. No. 1900, SD 1:**

Senators Yamasaki, Chairman; McCartney and George.

**H.B. No. 2002, HD 2, SD 1:**

- Senators Fernandes Salling, Chairman; Ikeda and George.
- H.B. No. 2006, SD 1:**
- Senators Fernandes Salling, Chairman; Mizuguchi, Nakasato and George.
- H.B. No. 2008, HD 1, SD 1:**
- Senators Fernandes Salling and B. Kobayashi, Co-Chairman; and Koki.
- H.B. No. 2011, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 2014, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 2046, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, McMurdo, Tungpalan and Koki.
- H.B. No. 2057, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Menor and Koki.
- H.B. No. 2089, HD 1, SD 1:**
- Senators Menor, Chairman; Blair, Levin and Reed.
- H.B. No. 2092, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Crozier, McMurdo, Nakasato and Koki.
- H.B. No. 2103, HD 1, SD 1:**
- Senators Yamasaki, Chairman; McCartney and George.
- H.B. No. 2131, HD 1, SD 1:**
- Senators Blair, Chairman; Hagino, Tungpalan and Koki.
- H.B. No. 2208, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Hagino, Solomon, Tungpalan and Koki.
- H.B. No. 2229, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Crozier, Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2233, HD 1, SD 1:**
- Senators Matsuura, Chairman; Holt and George.
- H.B. No. 2258, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Aki, Hagino, A. Kobayashi and George.
- H.B. No. 2259, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Aki, Hagino, A. Kobayashi and George.
- H.B. No. 2265, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Holt, Ikeda, McCartney and George.
- H.B. No. 2268, SD 1:**
- Senators Yamasaki, Chairman; Blair, McCartney, Tungpalan and George.
- H.B. No. 2273, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Tungpalan and George.
- H.B. No. 2280, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, Levin, McMurdo and George.
- H.B. No. 2281, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, McMurdo, Tungpalan and Koki.
- H.B. No. 2287, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Chang, A. Kobayashi, Levin and George.
- H.B. No. 2288, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Chang, A. Kobayashi, Matsuura and George.
- H.B. No. 2290, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Chang, A. Kobayashi, Matsuura and George.
- H.B. No. 2293, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Blair, Hagino, Ikeda and Koki.
- H.B. No. 2294, SD 1:**
- Senators Blair, Chairman; Cobb, Ikeda and Koki.
- H.B. No. 2295, HD 1, SD 1:**
- Senators Blair, Chairman; Cobb, A. Kobayashi and George.
- H.B. No. 2296, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Holt and Koki.
- H.B. No. 2299, HD 1, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, B. Kobayashi, McCartney and Koki.
- H.B. No. 2302, HD 1, SD 2:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2308, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, B. Kobayashi, Menor and Koki.
- H.B. No. 2368, HD 1, SD 1:**

- Senators Fernandes Salling, Chairman; McCartney and George.
- H.B. No. 2381, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Ikeda, A. Kobayashi, McMurdo, Solomon, Tungpalan and George.
- H.B. No. 2388, HD 2, SD 1:**
- Senators Ikeda, Chairman; Solomon and Reed.
- H.B. No. 2411, HD 1, SD 1:**
- Senators Blair, Chairman; Cobb and Koki.
- H.B. No. 2424, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 2425, HD 2, SD 1:**
- Senators Fernandes Salling, Chairman; Menor and George.
- H.B. No. 2429, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 2457, HD 2, SD 1:**
- Senators Crozier, Chairman; Cobb and Reed.
- H.B. No. 2458, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Crozier, Fernandes Salling, Solomon and Koki.
- H.B. No. 2489, HD 1, SD 1:**
- Senators Yamasaki, Chairman; A. Kobayashi, Mizuguchi, Nakasato and George.
- H.B. No. 2500, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2531, HD 1, SD 1:**
- Senators Holt and McCartney, Co-Chairman; and George.
- H.B. No. 2546, HD 1, SD 1:**
- Senators Levin, Chairman; Menor and Reed.
- H.B. No. 2582, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Aki, A. Kobayashi, McMurdo and Koki.
- H.B. No. 2603, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, Levin, McMurdo and Koki.
- H.B. No. 2608, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Menor, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2645, HD 2, SD 1:**
- Senators Yamasaki, Chairman; A. Kobayashi, B. Kobayashi, Levin and George.
- H.B. No. 2649, HD 2, SD 2:**
- Senators Yamasaki, Chairman; B. Kobayashi, Levin, McMurdo and George.
- H.B. No. 2737, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Hagino, Menor and George.
- H.B. No. 2751, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Hagino, Ikeda, Matsuura, Solomon and Koki.
- H.B. No. 2752, SD 1:**
- Senators Hagino, Chairman; Aki and George.
- H.B. No. 2787, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Matsuura and George.
- H.B. No. 2789, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Hagino, A. Kobayashi, Nakasato and Koki.
- H.B. No. 2864, HD 1, SD 1:**
- Senators Yamasaki, Chairman; McMurdo and Koki.
- H.B. No. 2865, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2871, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Menor, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2874, HD 2, SD 1:**
- Senators Menor, Chairman; Aki, Levin and Reed.
- H.B. No. 2878, HD 1, SD 1:**
- Senators Ikeda, Chairman; Aki and Reed.
- H.B. No. 2884, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Mizuguchi, Nakasato, Solomon and George.
- H.B. No. 2891, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, Mizuguchi, Nakasato and Koki.
- H.B. No. 2892, SD 1:**

- Senators Nakasato, Chairman; A. Kobayashi, Mizuguchi and Reed.
- H.B. No. 2894, HD 1, SD 1:**
- Senators McMurdo and Yamasaki, Co-Chairmen; Levin and Koki.
- H.B. No. 2896, HD #, SD 2:**
- Senators Yamasaki, Chairman; Crozier, Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2904, HD 2, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, McMurdo, Tungpalan and Koki.
- H.B. No. 2908, SD 1:**
- Senators Yamasaki, Chairman; Aki, A. Kobayashi, McMurdo and George.
- H.B. No. 2919, HD 1, SD 2:**
- Senators Yamasaki, Chairman; Chang, Holt and Koki.
- H.B. No. 2929, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Nakasato and Koki.
- H.B. No. 2932, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Nakasato and Koki.
- H.B. No. 2947, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2949, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2950, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Fernandes Salling, Ikeda, McCartney and George.
- H.B. No. 2957, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 2960, HD 1, SD 2:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan and Koki.
- H.B. No. 2967, HD 1, SD 2:**
- Senators Yamasaki, Chairman; A. Kobayashi, Menor, Mizuguchi and Koki.
- H.B. No. 2984, HD 1, SD 1:**
- Senators Crozier, Chairman; Blair and Reed.
- H.B. No. 2985, HD 2, SD 1:**
- Senators Yamasaki, Chairman; A. Kobayashi, B. Kobayashi, Levin and Koki.
- H.B. No. 2986, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Chang, A. Kobayashi, Matsuura and Koki.
- H.B. No. 2990, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Hagino, Ikeda, A. Kobayashi, Matsuura, McCartney, McMurdo, Mizuguchi, Solomon, Tungpalan, George and Koki.
- H.B. No. 2994, HD 1, SD 1:**
- Senators Holt, Chairman; Ikeda, McCartney and Koki.
- H.B. No. 3081, HD 2, SD 1:**
- Senators Fernandes Salling, Chairman; Ikeda and George.
- H.B. No. 3095, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Holt, Ikeda, McCartney and George.
- H.B. No. 3098, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Crozier, Holt, A. Kobayashi, Nakasato and George.
- H.B. No. 3103, HD 2, SD 1:**
- Senators Crozier, Chairman; Blair and Reed.
- H.B. No. 3109, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Fernandes Salling, Ikeda, A. Kobayashi, McMurdo, Solomon, Tungpalan and George.
- H.B. No. 3111, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Crozier, Fernandes Salling, A. Kobayashi and George.
- H.B. No. 3114, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Holt, Ikeda, McCartney and George.
- H.B. No. 3125, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 3128, HD 1, SD 1:**
- Senators Fernandes Salling, Chairman; Nakasato and George.
- H.B. No. 3149, HD 1, SD 1:**
- Senators Matsuura, Chairman; Holt and George.
- H.B. No. 3171, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Crozier, Fernandes Salling, A. Kobayashi and Koki.
- H.B. No. 3176, HD 1, SD 1:**

- Senators Blair, Chairman; Cobb, Hagino and Koki.
- H.B. No. 3256, HD 1, SD 1:**
- Senators Blair, Chairman; Chang and Koki.
- H.B. No. 3286, HD 1, SD 1:**
- Senators Matsuura, Chairman; Crozier and George.
- H.B. No. 3296, HD 2, SD 1:**
- Senators Yamasaki, Chairman; Hagino, Solomon, Tungpalan and George.
- H.B. No. 3299, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Matsuura and George.
- H.B. No. 3302, HD 2, SD 1:**
- Senators Ikeda and Menor, Co-Chairmen; Solomon and Reed.
- H.B. No. 3355, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Aki, A. Kobayashi, McMurdo and Koki.
- H.B. No. 3356, HD 2, SD 2:**
- Senators Yamasaki, Chairman; Mizuguchi and Koki.
- H.B. No. 3357, HD 2, SD 1:**
- Senators Yamasaki, Chairman; A. Kobayashi, Levin, McMurdo and Koki.
- H.B. No. 3380, HD 1, SD 1:**
- Senators Blair, Chairman; Cobb and Koki.
- H.B. No. 3385, SD 1:**
- Senators Yamasaki, Chairman; Aki, A. Kobayashi, McMurdo and Koki.
- H.B. No. 3403, HD 1, SD 1:**
- Senators Yamasaki, Chairman; Crozier, A. Kobayashi, Matsuura and George.
- Sen. Com. No. 695, informing the House that the President has, on April 17, 1990, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills:
- H.B. No. 256, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and Reed.
- H.B. No. 1693, SD 1:**
- Senators Menor, Chairman; Levin and Reed.
- H.B. No. 2051, SD 1:**
- Senators Menor, Chairman; Levin and Reed.
- H.B. No. 2052, HD 1, SD 1:**
- Senators Menor, Chairman; B. Kobayashi and Reed.
- H.B. No. 2053, HD 1, SD 1:**
- Senators Menor, Chairman; B. Kobayashi and Reed.
- H.B. No. 2112, SD 1:**
- Senators Menor, Chairman; B. Kobayashi and Reed.
- H.B. No. 2183, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, Blair and Reed.
- H.B. No. 2184, HD 1:**
- Senators Menor, Chairman; Levin and Reed.
- H.B. No. 2191, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, Aki and Reed.
- H.B. No. 2202, SD 1:**
- Senators Menor, Chairman; Aki, B. Kobayashi and Reed.
- H.B. No. 2204, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and Reed.
- H.B. No. 2207, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and George.
- H.B. No. 2301, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and Reed.
- H.B. No. 2400, SD 1:**
- Senators Menor, Chairman; Aki and Reed.
- H.B. No. 2611, SD 1:**
- Senators Menor, Chairman; Aki and Reed.
- H.B. No. 2817, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, Aki and Reed.
- H.B. No. 2843, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and Reed.
- H.B. No. 2844, SD 1:**
- Senators Menor, Chairman; Levin and Reed.
- H.B. No. 2872, HD 1, SD 1:**
- Senators Menor, Chairman; Blair and Reed.
- H.B. No. 2876, HD 1, SD 1:**
- Senators Menor, Chairman; Levin, B. Kobayashi and Reed.
- H.B. No. 2883, SD 1:**
- Senators Menor, Chairman; Aki and Reed.
- H.B. No. 2965, HD 1, SD 1:**

Senators Menor, Chairman; Levin, Aki and Reed.

**H.B. No. 3183, HD 1, SD 1:**

Senators Menor, Chairman; Aki, B. Kobayashi and Reed.

**H.B. No. 3265, SD 1:**

Senators Menor, Chairman; Blair, Mizuguchi and Reed.

**H.B. No. 3410, HD 1, SD 1:**

Senators Menor, Chairman; B. Kobayashi and Reed.

**H.B. No. 3428, SD 1:**

Senators Menor, Chairman; Blair, B. Kobayashi and Reed.

Sen. Com. No. 695-A, informing the House that S.B. No. 3236, SD 1, HD 1, had passed Final Reading in the Senate on April 17, 1990.

At this time, the following introductions were made to the members of the House:

Representative Yoshimura, on behalf of Representative Liu and himself, introduced a group of fifth grade students from Princess Victoria Kaiulani School. They were accompanied by their teachers, Ms. Sue Ann Kim, Mrs. Ruth Nishimura and Mr. Aaron Levine.

Representative Cachola, on behalf of Representatives Arakaki, Alcon, Yoshimura and himself, introduced a group of eighth and ninth grade students from Kalakaua Intermediate School. They were accompanied by their teacher, Mrs. Dale Kimura, and counselor, Mr. Randy Ing.

**ORDER OF THE DAY**

**COMMITTEE REASSIGNMENT**

S.C.R. No. 34 was re-referred to the Committee on Health.

**INTRODUCTION OF RESOLUTIONS**

The following resolutions (H.R. Nos. 390 to 392) were read by the Clerk and were disposed of as follows:

H.R. No. 390, entitled: "HOUSE RESOLUTION HONORING THE FIRST HAWAIIAN BANK FOR ITS INNOVATIVE COMMITMENT TO THE WORKING FAMILIES OF HAWAII," was jointly offered by Representatives Horita, Amaral, Baker, Hirayama, Isbell, Kawakami, Kihano, Say, Taniguchi and Tom.

On motion by Representative Horita, seconded by Representative Amaral and carried, H.R. No. 390 was adopted.

Representative Horita rose to introduce the honorees, stating:

"Mr. Speaker and fellow colleagues, it is my pleasure and honor to introduce Mr. Walter Dods, Chairman of the Board and Chief Executive Officer of First Hawaiian Bank, First Hawaiian Creditcorp. and First Hawaiian Leasing.

"Mr. Dods joined First Hawaiian Bank in 1968 in their Marketing Division, and in 1984 became the Bank's youngest president. In this capacity, he was instrumental in leading the Bank to the forefront of Hawaii's financial industry.

"Mr. Dods remains deeply committed to his community. His vision and aloha for Hawaii's family unit has been the catalyst for the implementation of the State's first employee dependent care program known as 'SHARECARE.' This program will benefit more than 700 First Hawaiian Bank employees.

"Continually active in community affairs, he serves on the Boards of many companies here in Hawaii, including Alexander and Baldwin, GTE Hawaiian Telephone, Grace Pacific Corporation, Oceanic Cablevision, and Pacific Guardian Life Insurance Company. He also holds the distinguished title of Chairman for the Japan/Hawaii Economic Council, the Aloha United Way, and the St. Louis High School Building Fund.

"Seated next to him this morning is Ms. Sheila Sumida, Vice President of First Hawaiian Bank's Human Resources Division, in charge of employee benefits. Dedicated to the Bank employees, their job enhancement and moral, the participation in the planning and research of a new 'SHARECARE' Program was vital to its development and completion.

"At this time, I would like to congratulate Mr. Dods and Ms. Sumida for their dedication and creativity in leading First Hawaiian Bank to the forefront of Hawaii's employee dependent care concerns in setting the pace for the business community.

"At this time, I would like Mr. Dods to rise to be recognized, and Ms. Sheila Sumida."

The honorees rose to be recognized and certified copies of the resolution were presented to them by Representative Horita and floral leis by Representatives Amaral and Oshiro.

At 11:53 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:58 o'clock a.m., the following late introductions were made to the members of the House:

Representative Cavasso introduced Winne Buckley, past secretary of Small Business Hawaii, key founding member with Lex Brodie, and "just an outstanding leader in our community."

Representative Chang introduced Kaleo Pellar, daughter of Joe Tassle, Shaun Moore, Shaun Ambrey, Miliana Smith, Pablo Weaver and Farah Miller, students from Naalehu Intermediate School, "who are winners of an essay contest." They were accompanied by their teachers, Judy Bradoff and Sandra Trenhorn.

Representative Tam introduced his aide, Ann Uyehara's relatives from California, who were seated in the gallery.

H.R. No. 391, entitled: "HOUSE RESOLUTION HONORING THE MEMBERS OF THE 1989 ALOHA MEDICAL MISSION," was jointly offered by Representatives Cachola, Alcon, Kihano, Bunda, Duldulao, Bellinger, Arakaki, Okamura, Amaral, Anderson, Chang, Fukunaga, Hashimoto, Honda, Ihara, Kawakami, Leong, Say, Souki, Stegmaier and Tajiri.

On motion by Representative Cachola, seconded by Representative Alcon and carried, H.R. No. 391 was adopted.

Representative Cachola then rose and proceeded to introduce the honorees, stating:

"Mr. Speaker and colleagues, the resolution so eloquently read by the Chief Clerk speaks for itself. However, if I may, Mr. Speaker, I would like to make additional comments about the Aloha Medical Mission.

"Aloha usually means hello and goodbye. The Aloha Medical Mission has added a new meaning to the word, 'aloha' -- that of service and compassion to the less fortunate. I would like to emphasize that the Mission members receive no compensation at all, Mr. Speaker, and they pay for expenses like plane fare, hotel bills, food and others, out of their own pockets.

"The 1989 mission to Cebu City in the Philippines came to a premature end because of the attempted coup d'etat. Nevertheless, the team managed to treat five thousand patients and performed about three hundred surgeries in just a matter of four days. Despite the disruption caused by the coup and the fear for their safety, Mission members managed to see additional patients when they set up a makeshift clinic at a relief center for people displaced by the coup. Fortunately, no fighting broke out in Cebu City, despite the large rebel stronghold there. Unfortunately, that rebels' stronghold was the last to surrender and prevented all air travel to and from the city of Cebu.

"Because of the uncertainty of the travel situation and the logistical difficulties of handling such a large group, the Mission members gambled and decided to divide the group into two with one travelling by ship to Manila, and the other taking a commuter airline several days later. Both groups reached Honolulu without further incident.

"Despite last year's coup, Mr. Speaker, the Aloha Medical Mission will again undertake a mission to the Philippines, this time in Cagayan Rio City in the island of Mindanao.

"In addition to its usual overseas work, Mr. Speaker, the Aloha Medical Mission decided this year to do medical mission work here in Hawaii. The Aloha Medical Mission members are truly ambassadors of goodwill.

"Unfortunately, Mr. Speaker, most of the 54 members of the Mission could not attend today's event due to scheduling conflict but they would like to thank you, Mr. Speaker and the members of this House, for the honor accorded to them.

"Mr. Speaker and honorable colleagues, with great pride, I present to you some of the members of the 1989 Aloha Medical Mission."

Representative Cachola then asked the following guests who were seated on the House floor to stand to be recognized: Dr. Geoffrey Davis; Dr. Gary Edwards; Dr. Bradley Wong; and Alice Searle, a registered nurse.

Representative Cachola then asked other members of the Aloha Medical Mission who were seated in the gallery to stand to be recognized, as follows: Firmo and Olivia Dayao; Jalna Gomes, R.M.A.; Ruth Leftwich, R.N.; Victoria Williams; Abundio Saramosing; Esther Tagama, R.N.; and John Morita, "my Committee Clerk who really had a lot of guts to take video tapes of what was going on in Cebu, as well as the Aloha Medical Mission work, and

some of that tape was used by KHON-TV for their newscast here in Hawaii."

Representative Cachola then presented certified copies of the resolution to the honorees and floral leis were presented to them by Representatives Duldulao, Amaral, Alcon and Kawakami.

H.R. No. 392, entitled: "HOUSE RESOLUTION HONORING COLONEL DAVID M. PETERS FOR HIS MANY YEARS OF PUBLIC SERVICE," was jointly offered by Representatives Hashimoto, Alcon, Andrews, Arakaki, Baker, Bunda, Cachola, Chang, Hemmings, Hirayama, Hirono, Honda, Horita, D. Ige, M. Ige, Kawakami, Kihano, Liu, Marumoto, Metcalf, Peters, Say, Shon, Tajiri, Takamine, Tam, Taniguchi, Yonamine and Yoshimura.

On motion by Representative Hashimoto, seconded by Representative Yoshimura and carried, H.R. No. 392 was adopted.

Representative Hashimoto then rose to introduce the honoree, stating:

"I know that I speak for many of my colleagues when I say, 'Colonel Peters, we will miss you. We will miss your professionalism in handling our never-ending requests, no matter how trivial, and we will miss your very patient hand-holding while leading us through the federal bureaucratic maze in addressing our many concerns. As Senator Inouye's Senior Executive Assistant in charge of his Hawaii office, you truly served, not only the Senator very well, but all of Hawaii and with aloha.'

"It gives me great pleasure, Mr. Speaker and colleagues, to introduce to all of you at this time, Colonel David Peters."

Colonel Peters then rose to be recognized. With Colonel Peters on the House floor was his wife, Mrs. Millie Peters, who also rose to be recognized.

Representative Hashimoto then asked the following guests who were seated in the gallery to stand to be recognized: Ione Akana, sister of Colonel Peters; Bobby Kapaona, son of Mrs. Peters; and Tucker Gratz, friend and former Democratic Party Committeeman.

Representative Lee then rose and stated:

"Mr. Speaker, I'd like to add a few words because Colonel Peters and I go back a long way, and it is very proper that the House of Representatives honor the son of Hawaii for a long career, devoted not only to the military, but to civic pursuits as well.

"I first met Dave when he was President of the Hawaii State Society in Washington, D.C., in the very first years of statehood. Then, years later, we worked very much together when he was the head of Senator Inouye's office here in Honolulu. But my fondest memories go back to the Vietnam War when he was very instrumental in our effort there. I shall also remember how we both had a bowl of rice and ham ha in the delta, and it is great to see Colonel Peters here.

"Thank you, Mr. Speaker."

Representative Yoshimura presented Colonel Peters with a certified copy of the resolution and Representative Baker presented the honoree with a maile/ilima lei while Representative Say presented Mrs. Peters with an ilima/pikake lei.

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representatives Bunda and Tom, for the Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1514-90) recommending that S.C.R. No. 4, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the joint report of the Committees was adopted and S.C.R. No. 4, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RESOLUTION URGING SUPPORT FOR THE ESTABLISHMENT OF A COMPACT BETWEEN PACIFIC STATES AND THE CANADIAN PROVINCE OF BRITISH COLUMBIA TO PROVIDE FOR FUTURE PLANNING AND PROTECTION OF OCEAN RESOURCES WHICH ARE OF REGIONAL CONCERN," was adopted.

Representatives Bunda and Tom, for the Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1515-90) recommending that S.C.R. No. 5, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the joint report of the Committees was adopted and S.C.R. No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF STATE TO GIVE HIGHER PRIORITY TO THE ELIMINATION OF HIGH SEAS DRIFT GILL NETS, AND TO INCREASE INTERNATIONAL COOPERATION AND RESEARCH TO FOSTER A GREATER UNDERSTANDING OF THE OCEAN," was adopted.

Representatives Bunda and Tom, for the Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1516-90) recommending that S.C.R. No. 46, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the joint report of the Committees was adopted and S.C.R. No. 46, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INFORM THE COASTAL STATES OF THE UNITED STATES AS WELL AS THE PACIFIC ISLANDS OF AMERICAN SAMOA, FEDERATED STATES OF MICRONESIA, GUAM, NORTHERN MARIANA ISLANDS AND REPUBLIC OF BELAU TO BAN LARGE-SCALE DRIFTNETS, TO PROHIBIT TRANSSHIPMENT OF DRIFTNET-CAUGHT FISH, AND TO REFUSE TO SERVICE SHIPS ENGAGING IN DRIFTNETTING WITH ANY NATION SUPPORTING OR SANCTIONING THE PRACTICE OF DRIFTNET FISHING," was adopted.

Representatives Bunda and Tom, for the Committees on Ocean and Marine Resources and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1517-90) recommending that S.C.R. No. 7, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the joint report of the Committees was adopted and S.C.R. No. 7, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS TO EXTEND THE TERRITORIAL LIMITS OF THE UNITED STATES AND COASTAL STATES FROM THREE TO TWELVE NAUTICAL MILES OFFSHORE," was adopted.

Representatives Andrews and Tom, for the Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1518-90) recommending that S.C.R. No. 2, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the joint report of the Committees was adopted and S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO PERIODICALLY REVIEW THEIR BUILDING CODES AND TO REVISE THEM TO IMPROVE THEIR ENERGY EFFICIENCY PROVISIONS," was adopted.

Representative Takamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1519-90) recommending that S.C.R. No. 84 be adopted.

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was adopted.

Representative D. Ige, for the Committee on Economic Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1520-90) recommending that S.C.R. No. 51, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.C.R. No. 51, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN EXAMINATION OF EXECUTIVE BRANCH PROCEDURES AND MECHANISMS TO ENSURE THAT HAWAIIAN BENEFICIARY PROGRAMS RECEIVE THEIR FULL REVENUE ENTITLEMENTS FROM THE UTILIZATION AND DISPOSITION OF CULTIVATED SUGARCANE LANDS AND CEDED LANDS," was referred to the Committee on Legislative Management.

#### APPOINTMENT OF CONFEREES

In accordance with the disagreement of the Senate to the amendments proposed by the House to the following Senate Bills and the request for a conference on the respective subject matters thereof, the Speaker appointed the following managers on the part of the House at such conference:

##### S.B. No. 26, SD 1, HD 1:

Representatives Metcalf, Chairman; Amaral, Bellinger, Peters and Anderson.

##### S.B. No. 46, SD 1, HD 1:



- Representatives Oshiro and Souki, Co-Chairmen; Baker, Horita, Yonamine and Marumoto.
- S.B. No. 103, HD 1:**
- Representatives Metcalf, Chairman; Bellinger, Hiraki, Takamine and Anderson.
- S.B. No. 210, SD 1, HD 1:**
- Representatives Hirono, Chairman; Hagino, Hayes, Hiraki and Anderson.
- S.B. No. 506, SD 1, HD 1:**
- Representatives Hirono, Chairman; Hagino, Hiraki and Shon.
- S.B. No. 664, HD 1:**
- Representatives Takamine, Chairman; Hirono, Horita, Taniguchi and Anderson.
- S.B. No. 973, SD 2, HD 1:**
- Representatives D. Ige and Souki, Co-Chairmen; Isbell, Kanoho, Tajiri and O'Kieffe.
- S.B. No. 1146, HD 1:**
- Representatives Metcalf, Chairman; Hirono, Takamine, Shon and Anderson.
- S.B. No. 1214, SD 1, HD 2:**
- Representatives Oshiro and Souki, Co-Chairmen; Horita, Yonamine and Marumoto.
- S.B. No. 1398, SD 1, HD 2:**
- Representatives Shon and Hirono, Co-Chairmen; Amaral, Hayes, Kawakami and Liu.
- S.B. No. 1509, HD 1:**
- Representatives Takamine, Chairman; Horita, Yonamine, Yoshimura and Marumoto.
- S.B. No. 1526, SD 2, HD 1:**
- Representatives Takamine and Souki, Co-Chairmen; Baker, Horita, Kawakami, Yonamine and Marumoto.
- S.B. No. 1611, SD 2, HD 2:**
- Representatives Andrews and Souki, Co-Chairmen; Fukunaga, Hiraki, Kanoho, Leong, Say and O'Kieffe.
- S.B. No. 1630, SD 2, HD 2:**
- Representatives Shon and Souki, Co-Chairmen; Baker, Chang, Fukunaga, Kawakami, Metcalf and Cavasso.
- S.B. No. 1719, SD 1, HD 2:**
- Representatives Oshiro and Souki, Co-Chairmen; Baker, Fukunaga, Okamura, Say, Tom, Yonamine and Marumoto.
- S.B. No. 1721, SD 1, HD 1:**
- Representatives Oshiro and Metcalf, Co-Chairmen; Hirayama, Hirono and Marumoto.
- S.B. No. 1810, SD 2, HD 4:**
- Representatives Andrews and Fukunaga, Co-Chairmen; Honda, Ihara, Kanoho, Stegmaier and O'Kieffe.
- S.B. No. 1963, HD 1:**
- Representatives Takamine, Chairman; Horita, Oshiro, Taniguchi and Anderson.
- S.B. No. 2019, SD 1, HD 1:**
- Representatives Hirono and Metcalf, Co-Chairmen; Hagino, Hiraki, Takamine and Cavasso.
- S.B. No. 2115, SD 1, HD 1:**
- Representatives Oshiro and Shon, Co-Chairmen; Bybee, Tajiri and Marumoto.
- S.B. No. 2117, SD 1, HD 1:**
- Representatives Hirono and Metcalf, Co-Chairmen; Hiraki, Oshiro, Takamine and Anderson.
- S.B. No. 2119, SD 1, HD 1:**
- Representatives Taniguchi and Hirono, Co-Chairmen; Hiraki, Takamine and Anderson.
- S.B. No. 2122, SD 1, HD 1:**
- Representatives Hirono and Shon, Co-Chairmen; Amaral, Andrews, Cachola and Cavasso.
- S.B. No. 2159, SD 1, HD 1:**
- Representatives Souki, Chairman; Baker, Chang, Duldulao, Fukunaga, Horita, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Say, Tajiri, Yonamine, Liu and Marumoto.
- S.B. No. 2169, HD 1:**
- Representatives Shon and Hirono, Co-Chairmen; Amaral, Hiraki, Ihara and Cavasso.
- S.B. No. 2174, SD 2, HD 1:**
- Representatives Hirono and Metcalf, Co-Chairmen; Hagino, Hiraki and Anderson.
- S.B. No. 2212, SD 2, HD 2:**
- Representatives Andrews, D. Ige and Souki, Co-Chairmen; Apo, Hiraki, Kanoho, Lee and Hemmings.
- S.B. No. 2213, SD 1, HD 2:**
- Representatives Oshiro and Metcalf, Co-Chairmen; Bybee, Yoshimura and Anderson.
- S.B. No. 2219, SD 1, HD 1:**
- Representatives Hagino, Chairman; Isbell, Kanoho, Lee, Yoshimura and Hemmings.
- S.B. No. 2222, SD 2, HD 2:**
- Representatives Andrews and Souki, Co-Chairmen; Apo, Hashimoto, Honda, M. Ige, Say and O'Kieffe.
- S.B. No. 2223, SD 1, HD 2:**
- Representatives Bunda and Metcalf, Co-Chairmen; Isbell, Kanoho, Yoshimura and O'Kieffe.
- S.B. No. 2235, SD 1, HD 1:**

- Representatives Hirono, Chairman; Amaral, Andrews, Hiraki and Cavasso.
- S.B. No. 2252, SD 2, HD 1:**
- Representatives Honda and Fukunaga, Co-Chairmen; Bellinger, M. Ige, Isbell, Lee and Hemmings.
- S.B. No. 2254, SD 1, HD 1:**
- Representatives Honda and Souki, Co-Chairmen; Duldulao, Kanoho, Say, Stegmaier and Hemmings.
- S.B. No. 2275, SD 1, HD 1:**
- Representatives D. Ige and Fukunaga, Co-Chairmen; Bellinger, Chang, Hiraki, Kanoho and O'Kieffe.
- S.B. No. 2279, HD 1:**
- Representatives Metcalf, Chairman; Bellinger, Hagino, Takamine and Anderson.
- S.B. No. 2292, SD 1, HD 1:**
- Representatives Metcalf, Chairman; Amaral, Andrews, Hagino and Anderson.
- S.B. No. 2307, SD 2, HD 2:**
- Representatives Shon and Metcalf, Co-Chairmen; Duldulao, Hagino, Kawakami and Liu.
- S.B. No. 2314, SD 1, HD 1:**
- Representatives Hirono and Metcalf, Co-Chairmen; Hiraki, Shon and Anderson.
- S.B. No. 2318, SD 1, HD 1:**
- Representatives Shon and Metcalf, Co-Chairmen; Hagino, Hiraki, M. Ige and Liu.
- S.B. No. 2338, SD 1, HD 2:**
- Representatives Fukunaga and Souki, Co-Chairmen; Alcon, Apo, Ihara, Okamura and Liu.
- S.B. No. 2347, SD 1, HD 1:**
- Representatives Hiraki, Chairman; Amaral, Bellinger, Oshiro and Cavasso.
- S.B. No. 2356, SD 1, HD 2:**
- Representatives Shon, Metcalf and Fukunaga, Co-Chairmen; Chang, Duldulao, Kawakami, Leong and Cavasso.
- S.B. No. 2376, SD 1, HD 1:**
- Representatives Souki, Chairman; Baker, Chang, Duldulao, Fukunaga, Horita, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Say, Tajiri, Yonamine, Liu and Marumoto.
- S.B. No. 2377, SD 1, HD 1:**
- Representatives Souki, Chairman; Fukunaga, Horita, Leong and Marumoto.
- S.B. No. 2432, SD 1, HD 1:**
- Representatives Shon and Souki, Co-Chairmen; Isbell, Tajiri and Marumoto.
- S.B. No. 2433, SD 1, HD 1:**
- Representatives Hirono, Chairman; Hiraki, Metcalf, Shon and Cavasso.
- S.B. No. 2435, SD 1, HD 1:**
- Representatives Hirono, Chairman; Hagino, Hiraki, Metcalf and Anderson.
- S.B. No. 2475, SD 2, HD 1:**
- Representatives Honda, Chairman; Kanoho, Lee, Stegmaier and Hemmings.
- S.B. No. 2482, SD 1, HD 2:**
- Representatives Honda, Bybee, Shon and Metcalf, Co-Chairmen; and O'Kieffe.
- S.B. No. 2505, SD 2, HD 2:**
- Representatives Honda and Souki, Co-Chairmen; Bellinger, M. Ige, Isbell and O'Kieffe.
- S.B. No. 2549, SD 1, HD 2:**
- Representatives Tom and Metcalf, Co-Chairmen; Baker, Hirayama, Yoshimura and Anderson.
- S.B. No. 2560, SD 2, HD 2:**
- Representatives Hayes, Shon and Souki, Co-Chairmen; Ihara and Cavasso.
- S.B. No. 2569, SD 2, HD 1:**
- Representatives Metcalf and Souki, Co-Chairmen; Amaral, Bellinger, Horita, Yonamine and Anderson.
- S.B. No. 2587, SD 1, HD 2:**
- Representatives Shon and Fukunaga, Co-Chairmen; Duldulao, Kawakami, Leong and Cavasso.
- S.B. No. 2596, SD 2, HD 2:**
- Representatives Tam and Souki, Co-Chairmen; Hirayama, M. Ige, Kawakami, Taniguchi, Yonamine and Hemmings.
- S.B. No. 2597, SD 1, HD 1:**
- Representatives Souki, Chairman; Baker, Chang, Duldulao, Fukunaga, Horita, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Say, Tajiri, Yonamine, Liu and Marumoto.
- S.B. No. 2599, SD 1, HD 1:**
- Representatives Hirono, Chairman; Andrews, Bellinger, Hiraki and Anderson.
- S.B. No. 2604, SD 2, HD 1:**
- Representatives Arakaki and Fukunaga, Co-Chairmen; Duldulao, Ihara, Kawakami, Metcalf, Yonamine and Cavasso.
- S.B. No. 2617, HD 1:**
- Representatives Arakaki and Souki, Co-Chairmen; Chang, Duldulao, Hayes, Ihara, Leong and Liu.
- S.B. No. 2674, SD 2, HD 2:**

Representatives Andrews, Tom and Fukunaga, Co-Chairmen; Hiraki, Hirayama, Honda, Isbell, Kanoho, Stegmaier, Yonamine, Marumoto and O'Kieffe.

**S.B. No. 2694, HD 1:**

Representatives Hiraki, Chairman; Bellinger, Cachola, Hayes and Anderson.

**S.B. No. 2699, SD 1, HD 1:**

Representatives D. Ige, Chairman; Bellinger, Hiraki, Isbell and O'Kieffe.

**S.B. No. 2706, HD 1:**

Representatives Souki, Chairman; M. Ige, Tajiri and Marumoto.

**S.B. No. 2730, SD 1, HD 1:**

Representatives Takamine and Souki, Co-Chairmen; Baker, Bybee, Horita, Hirayama, Ihara and Anderson.

**S.B. No. 2764, SD 1, HD 2:**

Representatives D. Ige and Metcalf, Co-Chairmen; Fukunaga, Stegmaier and O'Kieffe.

**S.B. No. 2776, HD 1:**

Representatives Souki, Chairman; Fukunaga, Horita, Say, Tajiri and Marumoto.

**S.B. No. 2781, SD 2, HD 1:**

Representatives Andrews, Chairman; Hashimoto, Kanoho, Lee and Hemmings.

**S.B. No. 2784, SD 1, HD 2:**

Representatives Shon, Honda and Souki, Co-Chairmen; Fukunaga, Horita, Leong, Metcalf and Liu.

**S.B. No. 2794, SD 2, HD 2:**

Representatives Arakaki, Shon and Souki, Co-Chairmen; Baker, M. Ige, Leong and Liu.

**S.B. No. 2801, SD 1, HD 1:**

Representatives Hirono and Tom, Co-Chairmen; Baker, Bybee, Cachola, Hiraki and Anderson.

**S.B. No. 2811, SD 2, HD 2:**

Representatives Tom and Metcalf, Co-Chairmen; Baker, Bybee, Taniguchi and Marumoto.

**S.B. No. 2833, SD 1, HD 1:**

Representatives Hirono, Chairman; Hayes, Hiraki, Shon and Cavasso.

**S.B. No. 2835, HD 1:**

Representatives Hiraki, Chairman; Andrews, Metcalf, Peters and Anderson.

**S.B. No. 2838, SD 1, HD 1:**

Representatives Hirono, Chairman; Hagino, Peters, Yoshimura and Cavasso.

**S.B. No. 2839, SD 1, HD 1:**

Representatives Hirono, Chairman; Hayes, Hiraki, Yoshimura and Anderson..

**S.B. No. 2881, SD 2, HD 2:**

Representatives Metcalf, Tam and Fukunaga, Co-Chairmen; Bellinger, Hagino, Kawakami, Yoshimura and Anderson.

**S.B. No. 2894, SD 1, HD 1:**

Representatives Takamine and Metcalf, Co-Chairmen; Horita, Tom, Yoshimura and Marumoto.

**S.B. No. 2906, SD 2, HD 2:**

Representatives Arakaki, Shon and Souki, Co-Chairmen; Baker, Kanoho, Kawakami, Metcalf and Liu.

**S.B. No. 2907, SD 2, HD 2:**

Representatives Arakaki, Shon and Souki, Co-Chairmen; Amaral, M. Ige, Isbell, Kawakami and Liu.

**S.B. No. 2919, SD 2, HD 2:**

Representatives Cachola, Tom and Souki, Co-Chairmen; Baker, Chang, Duldulao, Fukunaga, Horita, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Say, Tajiri, Yonamine, Liu and Marumoto.

**S.B. No. 2943, HD 1:**

Representatives Tam and Metcalf, Co-Chairmen; Apo, Lee and O'Kieffe.

**S.B. No. 2945, SD 2, HD 2:**

Representatives Metcalf and Souki, Co-Chairmen; Baker, Bellinger, Hagino, Isbell, Takamine and Marumoto.

**S.B. No. 2964, HD 1:**

Representatives Metcalf, Chairman; Bellinger, Hagino, Takamine and Anderson.

**S.B. No. 2972, SD 2, HD 2:**

Representatives Cachola and Souki, Co-Chairmen; Baker, Hirayama, Horita, Oshiro, Tajiri and Anderson.

**S.B. No. 2978, SD 1, HD 2:**

Representatives Taniguchi and Souki, Co-Chairmen; Duldulao, Horita, Lee and Marumoto.

**S.B. No. 3013, SD 1, HD 1:**

Representatives Honda and Fukunaga, Co-Chairmen; Chang, Hiraki, M. Ige, Isbell and O'Kieffe.

**S.B. No. 3018, SD 1, HD 1:**

Representatives Metcalf, Chairman; Amaral, Hagino, Yoshimura and Anderson.

**S.B. No. 3019, HD 1:**

Representatives Metcalf and Souki, Co-Chairmen; Amaral, Bellinger, Fukunaga, Takamine and Anderson.

**S.B. No. 3021, HD 1:**

- Representatives Metcalf, Chairman; Cachola, Okamura, Takamine and Anderson.
- S.B. No. 3039, SD 2, HD 2:**
- Representatives Metcalf, Arakaki and Fukunaga, Co-Chairmen; Amaral, Bellinger, Hagino, Leong and Cavasso.
- S.B. No. 3077, SD 2, HD 1:**
- Representatives Shon and Souki, Co-Chairmen; Arakaki, Duldulao, Ihara, Leong, Yonamine and Liu..
- S.B. No. 3079, HD 2:**
- Representatives Arakaki and Fukunaga, Co-Chairmen; Amaral, Horita, M. Ige, Shon, Tajiri and Liu.
- S.B. No. 3088, SD 1, HD 2:**
- Representatives D. Ige and Souki, Co-Chairmen; Bellinger, Horita, Isbell, Say and Hemmings.
- S.B. No. 3093, SD 2, HD 2:**
- Representatives Hayes and Souki, Co-Chairmen; Chang, Duldulao, Kawakami and Cavasso.
- S.B. No. 3094, SD 1, HD 2:**
- Representatives Hayes and Fukunaga, Co-Chairmen; Chang, M. Ige, Isbell, Shon and Marumoto.
- S.B. No. 3101, SD 1, HD 2:**
- Representatives Takamine and Souki, Co-Chairmen; Baker, Bybee, Horita, Ihara and Anderson.
- S.B. No. 3109, SD 1, HD 1:**
- Representatives Andrews and Metcalf, Co-Chairmen; Honda, Kanoho, Lee, Shon and O'Kieffe.
- S.B. No. 3111, SD 1, HD 1:**
- Representatives Shon, Chairman; Amaral, Chang, M. Ige, Leong and Cavasso.
- S.B. No. 3115, SD 1, HD 2:**
- Representatives Takamine and Fukunaga, Co-Chairmen; Cachola, Chang, Horita, Yonamine and Marumoto.
- S.B. No. 3117, SD 2, HD 1:**
- Representatives Hirono and Souki, Co-Chairmen; Andrews, Duldulao, Hiraki, M. Ige and Cavasso.
- S.B. No. 3119, SD 1, HD 1:**
- Representatives Souki, Chairman; Horita, Say, Tajiri and Marumoto.
- S.B. No. 3127, SD 2, HD 2:**
- Representatives Hagino, Tom and Souki, Co-Chairmen; Baker, Bybee, Fukunaga, Isbell, Say, Stegmaier, Yoshimura, Hemmings and Marumoto.
- S.B. No. 3128, SD 2, HD 2:**
- Representatives Oshiro, Tom and Souki, Co-Chairmen; Baker, Fukunaga, Horita, Okamura, Say, Yonamine and Marumoto.
- S.B. No. 3129, SD 2, HD 2:**
- Representatives Oshiro, Tom, Metcalf and Fukunaga, Co-Chairmen; M. Ige, Yonamine and Marumoto.
- S.B. No. 3142, SD 1, HD 2:**
- Representatives Taniguchi and Souki, Co-Chairmen; Arakaki, Baker, Duldulao, Fukunaga, Stegmaier and O'Kieffe.
- S.B. No. 3143, SD 2, HD 2:**
- Representatives Arakaki and Fukunaga, Co-Chairmen; Amaral, M. Ige, Peters, Tajiri and Cavasso.
- S.B. No. 3146, HD 2:**
- Representatives Arakaki and Fukunaga, Co-Chairmen; Duldulao, Ihara, M. Ige, Leong and Liu.
- S.B. No. 3150, SD 1, HD 1:**
- Representatives Hayes and Fukunaga, Co-Chairmen; Chang, Duldulao and Liu.
- S.B. No. 3154, SD 1, HD 2:**
- Representatives Takamine and Fukunaga, Co-Chairmen; Horita, Kawakami, Tom, Yonamine, Yoshimura and Anderson.
- S.B. No. 3156, SD 1, HD 1:**
- Representatives Takamine and Souki, Co-Chairmen; Bybee, Horita, Isbell, Leong, Yoshimura and Marumoto.
- S.B. No. 3162, SD 2, HD 2:**
- Representatives Takamine, Tom and Souki, Co-Chairmen; Cachola, Hirayama, Horita, Kanoho and Anderson.
- S.B. No. 3165, SD 1, HD 1:**
- Representatives Takamine and Fukunaga, Co-Chairmen; Baker, Horita, Tajiri, Tom, Yoshimura and Marumoto.
- S.B. No. 3166, SD 1, HD 1:**
- Representatives Takamine and Souki, Co-Chairmen; Horita, Hirayama, M. Ige, Kawakami, Tajiri and Anderson.
- S.B. No. 3168, HD 1:**
- Representatives Oshiro, Chairman; Baker, Bybee, Hirayama and Anderson.
- S.B. No. 3169, SD 2, HD 2:**
- Representatives Shon and Souki, Co-Chairmen; Arakaki, Baker, Duldulao, Hayes, Leong and Liu.
- S.B. No. 3170, SD 2, HD 2:**
- Representatives Shon and Fukunaga, Co-Chairmen; Arakaki, Hayes, Ihara, M. Ige, Leong and Liu.
- S.B. No. 3176, SD 1, HD 2:**

Representatives Arakaki and Souki, Co-Chairmen; Amaral, Duldulao, Fukunaga, Horita, M. Ige and Cavasso.

**S.B. No. 3225, SD 1, HD 1:**

Representatives Bunda and Metcalf, Co-Chairmen; Apo, Say, Yoshimura and Anderson.

**S.B. No. 3229, SD 1, HD 2:**

Representatives Andrews, Hagino and Fukunaga, Co-Chairmen; Hashimoto, D. Ige, Isbell, Tajiri and O'Kieffe.

**S.B. No. 3233, SD 2, HD 2:**

Representatives Tom and Souki, Co-Chairmen; Baker, Horita, Tajiri, Yoshimura and Anderson.

**S.B. No. 3237, HD 1:**

Representatives Hirono, Chairman; Hiraki, Metcalf, Yoshimura and Cavasso.

**S.B. No. 3246, HD 2:**

Representatives Hirono and Souki, Co-Chairmen; Hiraki, Horita, Kawakami and Anderson.

**S.B. No. 3247, SD 2, HD 2:**

Representatives D. Ige, Tom, Hagino and Souki, Co-Chairmen; Cachola, Fukunaga, Yonamine and O'Kieffe.

**S.B. No. 3280, SD 1, HD 1:**

Representatives Oshiro, Chairman; Hirayama, Hirono, Yoshimura and Anderson.

**S.B. No. 3287, SD 1, HD 2:**

Representatives Hirono and Souki, Co-Chairmen; Andrews, Cachola, Tajiri, Yonamine and Anderson.

**S.B. No. 3292, SD 2, HD 1:**

Representatives Tom and Souki, Co-Chairmen; Baker, Cachola, Say, Yoshimura and Anderson.

**S.B. No. 3295, SD 1, HD 1:**

Representatives Hirono and Metcalf, Co-Chairmen; Amaral, Hiraki and Anderson.

**S.B. No. 3303, SD 2, HD 1:**

Representatives Hagino and Fukunaga, Co-Chairmen; Bellinger, Chang, Hiraki, Isbell, Kanoho and Hemmings.

**S.B. No. 3306, SD 2, HD 2:**

Representatives Bunda, Hagino and Souki, Co-Chairmen; Bellinger, Isbell, Kanoho, Yonamine and O'Kieffe.

**S.B. No. 3311, SD 1, HD 1:**

Representatives Tom and Souki, Co-Chairmen; Baker, Cachola, Duldulao, Horita, Kawakami and Marumoto.

**S.B. No. 3323, SD 1, HD 1:**

Representatives Oshiro and Tam, Co-Chairmen; Baker, D. Ige, Hirayama, Yonamine and Marumoto.

**S.B. No. 3327, HD 1:**

Representatives Tam and Fukunaga, Co-Chairmen; Arakaki, Kawakami, Tajiri, Stegmaier and O'Kieffe.

**S.B. No. 3334, HD 1:**

Representatives Takamine and Fukunaga, Co-Chairmen; Baker, Horita, Ihara, M. Ige, Taniguchi and Marumoto.

**S.B. No. 3341, SD 1, HD 2:**

Representatives Arakaki and Fukunaga, Co-Chairman; Amaral, Duldulao, Ihara, Metcalf, Leong and Cavasso.

**S.B. No. 3358, SD 2, HD 1:**

Representatives Metcalf and Fukunaga, Co-Chairmen; Amaral, Bellinger, Hiraki, Isbell, Peters and Anderson.

**S.B. No. 3399, SD 1, HD 1:**

Representatives Oshiro, Shon and Metcalf, Co-Chairmen; Yoshimura and Anderson.

**S.B. No. 3403, HD 1:**

Representatives Tom and Souki, Co-Chairmen; Baker, Bybee, Isbell, Kanoho, Tajiri and Marumoto.

**S.B. No. 3414, SD 2, HD 1:**

Representatives Taniguchi, Bunda and Fukunaga, Co-Chairmen; Apo, Say, Tajiri and Liu.

**S.B. No. 3443, SD 1, HD 2:**

Representatives Arakaki and Fukunaga, Co-Chairmen; Ihara, Kawakami, Leong, Shon and Liu.

**S.B. No. 3454, SD 1, HD 1:**

Representatives Oshiro, Chairman; Baker, Bybee, Hirayama and Anderson.

**S.B. No. 3472, SD 2, HD 2:**

Representatives Tom and Souki, Co-Chairmen; Baker, Chang, Duldulao, Fukunaga, Horita, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Say, Tajiri, Yonamine, Liu and Marumoto.

**S.B. No. 3492, SD 1, HD 2:**

Representatives D. Ige and Souki, Co-Chairmen; Fukunaga, Kanoho, Stegmaier, Taniguchi and Marumoto.

**ANNOUNCEMENTS**

Representative Hayes: "Tomorrow morning at 8:30, in Room 416, there will be a joint conference committee meeting of the Housing Committee and Consumer Protection with the Senate Housing Committee. The agenda is House Bill 1275, HD 1, SD 1, and House Bill 3103, HD 1, SD 1."

At this time, Representative Marumoto was granted permission to make a late introduction, and she introduced to the members of the House Tom Matrano and his mother who were seated in the gallery.

**ADJOURNMENT**

At 12:31 o'clock p.m., on motion by Representative Apo, seconded by Representative Liu and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 19, 1990.

## FIFTY-THIRD DAY

Thursday, April 19, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Bishop Dwight Nakamura of the Jodo Mission of Hawaii, after which the Roll was called showing all members present with the exception of Representatives Peters, Shon and Takamine, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Second Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Second Day was approved.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 185 to 189) were read by the Clerk and were placed on file:

Gov. Msg. No. 185, informing the House that on April 18, 1990, he signed the following bills into law:

House Bill No. 2269 as Act 27, entitled: "RELATING TO ORGANIZED CRIME";

House Bill No. 2799 as Act 28, entitled: "RELATING TO THE THEFT OF LIVESTOCK"; and

House Bill No. 3274 as Act 29, entitled: "RELATING TO SERVICE OF PROCESS".

Gov. Msg. No. 186, transmitting copies of the **Report of the Statewide Fair Access Commission**, in accordance with provisions of Act 404 of the 1988 Regular Session.

Gov. Msg. No. 187, transmitting copies of the Hawaii Paroling Authority's Annual Report for Fiscal Year 1987-88, prepared pursuant to Chapter 93-12, Hawaii Revised Statutes.

Gov. Msg. No. 188, transmitting copies of the Hawaii Aquaculture Advisory Council's 1989 Annual Report.

Gov. Msg. No. 189, transmitting copies of a report prepared by the Hawaii Criminal Justice Data Center entitled, "**Crime Trends in Hawaii, Nine Month Review 1989.**"

## SENATE COMMUNICATION

Sen. Com. No. 696, informing the House that the Senate has adopted H.C.R. No. 22, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE USE OF TEMPORARY, EMERGENCY, AND EXEMPT HIRES BY THE STATE," on April 18, 1990, was read by the Clerk and placed on file.

Sen. Com. No. 696-A, informing the House that S.B. Nos. 32, 33 and 89 had passed Final Reading in the Senate on April 18, 1990.

At this time, the following introductions were made to the members of the House:

Representative M. Ige, on behalf of Representative Tom and himself, introduced Greg Lum, Henry Antedansuga, Jensen Pakele, Ben Vamilaro, David Nichols, Michael Stegwald, Eddie Kalima, George Swain, Bryan Gowans and Penny Oki, students at Castle High School, accompanied by their teachers, Cindy Gibson and Gloria Shimoko.

Representative Lee introduced his legislative interns from Wheeler Intermediate School: Karen Arikawa, Student Body President, and Colin Taniguchi, a member of the Symphonic Band and is "a great percussionist."

Representative Bybee introduced his administrative aide, Donna Webb, and her mother, Mrs. Andrea Casey, and sister-in-law, Suzy Casey, from Chico, California.

At 11:51 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

S.C.R. Nos. Referred to:

- |    |  |
|----|--|
| 1  | Committee on Planning, Energy and Environmental Protection   |
| 6  | Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs                            |
| 8  | Jointly to the Committees on Judiciary and Intergovernmental Relations and International Affairs                                 |
| 18 | Committee on Legislative Management  |
| 30 | Committee on Health  |
| 31 | Committee on Health  |
| 36 | Committee on Intergovernmental Relations and International Affairs   |
| 44 | Jointly to the Committees on Water and Land Use; Health; and Intergovernmental Relations and International Affairs               |
| 45 | Committee on Intergovernmental Relations and International Affairs   |
| 47 | Committee on Intergovernmental Relations and International Affairs   |
| 57 | Committee on Finance   |
| 61 | Committee on Housing   |
| 64 | Jointly to the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs |
| 65 | Committee on Health  |

66	Committee on Judiciary	123	Committee on Ocean and Marine Resources
67	Committee on Housing	124	Committee on Education
69	Jointly to the Committees on Education and Higher Education and the Arts	126	Committee on Health
71	Jointly to the Committees on Water and Land Use and Intergovernmental Relations and International Affairs	127	Committee on Health
73	Jointly to the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs	128	Jointly to the Committees on Human Services and Intergovernmental Relations and International Affairs
75	Committee on Human Services	130	Jointly to the Committees on Human Services and Health
77	Committee on Human Services, then to the Committee on Legislative Management	131	Jointly to the Committees on Labor and Public Employment and Health
78	Committee on Finance	132	Committee on Planning, Energy and Environmental Protection, then to the Committee on Legislative Management
79	Committee on Finance	134	Committee on Transportation, then to the Committee on Legislative Management
81	Jointly to the Committees on Housing and Intergovernmental Relations and International Affairs	136	Committee on Judiciary
88	Jointly to the Committees on Judiciary and Human Services	137	Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Legislative Management
94	Committee on Intergovernmental Relations and International Affairs	138	Jointly to the Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs
96	Committee on Ocean and Marine Resources	139	Committee on Intergovernmental Relations and International Affairs
97	Committee on Planning, Energy and Environmental Protection	140	Committee on Education, then to the Committee on Legislative Management
99	Jointly to the Committees on Higher Education and the Arts and Economic Development and Hawaiian Affairs	141	Committee on Tourism
100	Committee on Consumer Protection and Commerce	142	Committee on Intergovernmental Relations and International Affairs
101	Committee on Transportation, then to the Committee on Legislative Management	145	Committee on Judiciary, then to the Committee on Legislative Management
102	Committee on Transportation	146	Committee on Planning, Energy and Environmental Protection
104	Committee on Health	147	Committee on Water and Land Use
108	Committee on Education	150	Committee on Water and Land Use, then to the Committee on Legislative Management
109	Committee on Tourism	153	Committee on Education, then to the Committee on Legislative Management
112	Jointly to the Committees on Transportation; Intergovernmental Relations and International Affairs; and Tourism	155	Committee on Health, then to the Committee on Legislative Management
113	Committee on Intergovernmental Relations and International Affairs	158	Committee on Intergovernmental Relations and International Affairs
116	Committee on Economic Development and Hawaiian Affairs	159	Jointly to the Committees on Higher Education and the Arts and Ocean and Marine Resources
120	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Legislative Management	164	Jointly to the Committees on Water and Land Use and Health
121	Committee on Water and Land Use	165	Jointly to the Committees on Planning, Energy and Environmental Protection and Ocean and Marine Resources
122	Committee on Water and Land Use		



- 167 Jointly to the Committees on Transportation; Tourism; and Intergovernmental Relations and International Affairs
- 168 Committee on Ocean and Marine Resources
- 169 Committee on Judiciary, then to the Committee on Legislative Management
- 172 Committee on Health
- 174 Committee on Education, then to the Committee on Legislative Management
- 176 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 177 Committee on Finance
- 179 Committee on Housing
- 180 Committee on Health, then to the Committee on Legislative Management
- 181 Committee on Judiciary
- 183 Committee on Human Services
- 188 Committee on Education, then to the Committee on Legislative Management
- 189 Committee on Education, then to the Committee on Legislative Management
- 190 Committee on Ocean and Marine Resources
- 191 Committee on Water and Land Use
- 192 Committee on Health
- 194 Committee on Human Services
- 195 Committee on Health
- 196 Committee on Human Services
- 197 Committee on Health
- 206 Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Legislative Management
- 207 Committee on Education
- 208 Committee on Judiciary
- 209 Committee on Judiciary
- 210 Jointly to the Committees on Human Services and Economic Development and Hawaiian Affairs
- 212 Committee on Transportation
- 213 Committee on Intergovernmental Relations and International Affairs
- 214 Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs
- 216 Committee on Water and Land Use
- 218 Committee on Intergovernmental Relations and International Affairs
- 224 Committee on Labor and Public Employment, then to the Committee on Legislative Management
- 225 Committee on Housing
- 226 Committee on Education
- 227 Committee on Judiciary, then to the Committee on Legislative Management
- 228 Committee on Water and Land Use
- 231 Jointly to the Committees on Health and Human Services
- 234 Committee on Economic Development and Hawaiian Affairs
- 236 Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs
- 237 Jointly to the Committees on Ocean and Marine Resources; Higher Education and the Arts; and Education
- 240 Committee on Judiciary, then to the Committee on Legislative Management
- 241 Committee on Judiciary, then to the Committee on Legislative Management
- 242 Committee on Health, then to the Committee on Legislative Management
- 243 Committee on Judiciary
- 245 Committee on Water and Land Use
- 254 Committee on Finance
- 258 Jointly to the Committees on Judiciary and Intergovernmental Relations and International Affairs
- 259 Committee on Consumer Protection and Commerce
- 261 Committee on Health
- 262 Committee on Health
- 267 Committee on Health
- 269 Committee on Planning, Energy and Environmental Protection
- 272 Committee on Intergovernmental Relations and International Affairs

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 393 and 394) were read by the Clerk and were disposed of as follows:

H.R. No. 393, entitled: "HOUSE RESOLUTION HONORING THE LATE HERMAN PIIKEA CLARK FOR HIS ACHIEVEMENTS," was jointly offered by Representatives Kihano, Alcon, Okamura, Apo, Amaral, Anderson, Andrews, Arakaki, Baker, Bellinger, Bunda, Bybee, Cachola, Cavasso, Chang, Duldulao, Fukunaga,

Hagino, Hashimoto, Hayes, Hemmings, Hiraki, Hirayama, Hirono, Honda, Horita, D. Ige, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Kihano, Lee, Leong, Liu, Marumoto, Metcalf, Okamura, O'Kieffe, Oshiro, Peters, Say, Shon, Stegmaier, Tajiri, Takamine, Tam, Taniguchi, Tom, Yonamine and Yoshimura.

On motion by Representative Alcon, seconded by Representative Okamura and carried, H.R. No. 393 was adopted.

H.R. No. 394, entitled: "HOUSE RESOLUTION HONORING THE LIFE OF THE LATE NAPUA STEVENS AND EXTENDING DEEPEST SYMPATHY AND CONDOLENCES TO HER FAMILY," was offered by Representative Kihano.

On motion by Representative Alcon, seconded by Representative Okamura and carried, H.R. No. 394 was adopted.

### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 1492, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1492, and H.B. No. 1492, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN GENEALOGY," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. No. 1492 had passed Final Reading at 12:36 o'clock p.m.

**By unanimous consent, H.B. No. 2022, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2022, HD 1, and H.B. No. 2022, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. No. 2022 had passed Final Reading at 12:37 o'clock p.m.

**By unanimous consent, H.B. No. 2044, HD 2, SD 2, was taken from the Clerk's desk.**

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 2044, HD 2, and H.B. No. 2044, HD 2, SD 2, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hemmings then rose to speak against the bill, stating:

"Mr. Speaker, this is a bill concerning giving out needles and distribution of free needles to drug users, and I must qualify my remarks by saying that I believe we all want to fight the deadly disease of AIDS. I want to especially pay tribute to the medical community whose intentions concerning this bill, I believe, are good.

"Nevertheless I cannot, with good conscience, vote in favor of giving needles to drug addicts. I hope my reasons are logical.

"I am opposed to needle distribution because:

"First, free needles give a contradictory signal to our society, especially to our young children. That contradictory message simply is 'drugs are illegal, but here is your needle.'

"Second, throughout the hearings on this issue, it's been my understanding that there's been no convincing evidence one way or the other that this program has worked in other jurisdictions. It is interesting to note that there are other jurisdictions that are discontinuing this program.

"Third, free needles subsidize drug-related social problems and crime. If drug users are getting free needles, where do they get their drugs?

"Fourth, and most important, I think free needles encourage child abuse. Prenatal children can be seriously handicapped or even die in birth or prematurely because of the mother's drug abuse. It is a terrible form of drug abuse and child abuse because when a child is abused physically, even with a broken arm, that arm will heal but the damage to the brain to a young fetuses' mental capabilities oftentimes is something that they carry their whole life, and many of them turn into street people and wards of the State. Drug abuse by needles or otherwise is child abuse, and we certainly may be hurting more children than we are helping by giving out needles in an effort to help prevent the spread of AIDS.

"There are alternatives. An alternative is better education regarding drug use, enforcement of existing laws, but really, the message from this Legislature should be to stop drug abuse and stop needle use.

"Thank you, Mr. Speaker."

Representative Liu then rose to speak against the bill, stating:

"Mr. Speaker, besides those reasons enunciated by the Minority Floor Leader, let me indicate some things that the bill does not do.

"This bill does not guarantee that there will be a thorough kind of drug abuse treatment or counseling that perhaps this bill purports to put forward. You notice the program which shall be available to participants includes a choice of drug abuse treatment, counseling, or education services. That's a very broad type of program.

"We heard from testimony provided by proponents of the measure that education initially may only entail handing out of brochures and that, at least in their eyes, for such a program to be successful it will take perhaps many visits by this drug abuser before they gain confidence of that individual to provide them treatment. Now, in real life, who knows whether or not that person will stay with the program long enough to receive any kind of treatment and yet, under the language of this bill, although it would seem to require some sort of stringent counseling services be provided for the drug abuser, in

fact, a type of program that I just described would meet that requirement.

"Secondly, Mr. Speaker, this bill only extends immunity to those involved in the program -- doctors and health care providers -- I suppose only to the area in which the needles will be handed out. The immunity does not extend to the redistribution of needles. That statement in itself indicates a lack of confidence that there will be knowledge or understanding of what happens to these needles once given out to the users.

"Finally, Mr. Speaker, again to echo what I had said before on first and second crossovers, my vote of 'no' is not an opposition to those who do want to help to those many fine health professionals who did provide support for this bill. My 'no' vote is in support of those members of our law enforcement community that have opposed this measure.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2044, HD 2, and H.B. No. 2044, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROGRAM TO REDUCE THE TRANSMISSION OF INFECTIOUS AND COMMUNICABLE DISEASES," having been read throughout, passed Final Reading by a vote of 37 ayes to 11 noes, with Representatives Bunda, Bybee, Cavasso, Duldulao, Hashimoto, Hemmings, Hirayama, M. Ige, Liu, Stegmaier and Yoshimura voting no, and Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. No. 2044 had passed Final Reading at 12:43 o'clock p.m.

**By unanimous consent, H.B. No. 2169, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2169, HD 1, and H.B. No. 2169, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2174, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2174, and H.B. No. 2174, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATEWIDE TRAIL AND ACCESS SYSTEM," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2231, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2231, HD 1, and H.B. No. 2231, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COST AND FEES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2169, 2174 and 2231 had passed Final Reading at 12:44 o'clock p.m.

**By unanimous consent, H.B. No. 2312, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2312, and H.B. No. 2312, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2338, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2338, HD 1, and H.B. No. 2338, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF ANNUAL SUPPLEMENTS TO COMPREHENSIVE ORDINANCE CODES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2358, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2358, HD 1, and H.B. No. 2358, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2362, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2362, HD 1, and H.B. No. 2362, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2312, 2338, 2358 and 2362 had passed Final Reading at 12:45 o'clock p.m.

**By unanimous consent, H.B. No. 2400, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2400, and H.B. No. 2400, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2413, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2413, HD 1, and H.B. No. 2413, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2418, HD 2, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2418, HD 1, and H.B. No. 2418, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2527, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2527, HD 1, and H.B. No. 2527, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST PROVISIONS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2400, 2413, 2418 and 2527 had passed Final Reading at 12:46 o'clock p.m.

**By unanimous consent, H.B. No. 2532, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2532, and H.B. No. 2532, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2536, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2536, and H.B. No. 2536, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN-MONEY CLAIMS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2585, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2585, HD 1, and H.B. No. 2585, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DONATIONS OF FOOD," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2532, 2536 and 2585 had passed Final Reading at 12:47 o'clock p.m.

**By unanimous consent, H.B. No. 2637, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2637, HD 1, and H.B. No. 2637, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPERSAL REVIEW COUNCIL," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2793, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2793, HD 1, and H.B. No. 2793, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2637 and 2793 had passed Final Reading at 12:48 o'clock p.m.

**By unanimous consent, H.B. No. 2868, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2868, and H.B. No. 2868, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTING," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2879, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2879, and H.B. No. 2879, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF THE AGRICULTURAL PARK PROGRAM," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 2888, HD 2, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2888, HD 2, and H.B. No. 2888, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY HOUSING," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2868, 2879 and 2888 had passed Final Reading at 12:49 o'clock p.m.

**By unanimous consent, H.B. No. 2909, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2909, HD 1, and H.B. No. 2909, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 3212, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3212, HD 1, and H.B. No. 3212, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 3282, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3282, HD 1, and H.B. No. 3282, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

**By unanimous consent, H.B. No. 3440, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3440, HD 1, and H.B. No. 3440, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Peters, Shon and Takamine being excused.

The Chair directed the Clerk to note that H.B. Nos. 2909, 3212, 3282 and 3440 had passed Final Reading at 12:50 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2069, HD 1 (SD 1); 2901 (SD 1); and 3110, HD 2 (SD 1), seconded by Representative Hemmings and carried.

At 12:52 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:53 o'clock p.m.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2069, HD 1 (SD 1); 2901 (SD 1); and 3110, HD 2 (SD 1).

#### ANNOUNCEMENTS

Representative Oshiro: "There will be a Conference Committee meeting today, 2:00 p.m., Conference Room 416, on the following measures which were deliberated upon on Tuesday and deferred till today: Senate Bill 1721; HB 3081; HB 2002; SB 3399; HB 2011; SB 2213; HB 2425; HB 2950; SB 3129; SB 46; HB 2006; SB 3454; SB 2115; HB 2368; HB 2957; and SB 3168, and the notice has been posted."

Representative D. Ige: "We will be having a Conference Committee meeting on two Senate Bills -- Senate Bill 973 and Senate Bill 2699 -- tomorrow morning at 10:00 a.m. That notice has also been posted."

#### ADJOURNMENT

At 12:56 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 20, 1990.

## FIFTY-FOURTH DAY

Friday, April 20, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Sister Davilyn Ah Chick of Our Lady of Good Counsel Convent, after which the Roll was called showing all members present with the exception of Representatives Hagino and Ihara, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Third Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Third Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 697 and 698) were read by the Clerk and were placed on file:

Sen. Com. No. 697, informing the House that the President has, on April 19, 1990, appointed Senators Menor, Chairman; Aki, Blair and Reed, as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to H.B. No. 1660, HD 1 (SD 2).

Sen. Com. No. 698, informing the House that the Senate reconsidered its action taken on April 17, 1990, and that the amendments proposed by the House to the following Senate Bills were agreed to by the Senate on April 19, 1990: S.B. No. 2894, SD 1 (HD 1); S.B. No. 3154, SD 1 (HD 2); and S.B. No. 3156 (HD 1).

At this time, the following introductions were made to the members of the House:

Representative Hiraki introduced a group of fifty Royal Elementary School students, "members of the first 'Just Say No Club' organized on an elementary school campus." They were accompanied by their teachers, Ms. Karen Ginoza and Ms. Donna Higashi.

Representative Honda, on behalf of Representatives Andrews, Baker, O'Kieffe, Souki and himself, introduced the Red Sox Baseball Team from Kahului, Maui. They were accompanied by Joseph Apollo, coach; Don Kalehuawehe and Lou Awai, assistant coaches; and parents.

Representative Bybee introduced a group of ninth and tenth grade students from Redemption Academy in Kailua. They were accompanied by their teacher, Mr. Charles Scruggs.

Representative Bybee then introduced a special group of students from the Windward Vocational Training Center, led by their educational specialist, Larke Golaski; and vocational trainers, Tiffany Hurst, Jeff Hurst and Renee Mokiao.

Representative Hirayama introduced Jennifer Kramer, Angela Ellis and Charis Himeda, students at Niu Valley Intermediate School and participants in the Legislative

Awareness Program. They were accompanied by Mrs. Kramer, Jennifer's mother.

Representative Stegmaier, on behalf of Representatives Hirayama, Marumoto and himself, introduced Grace Wong, Kristi Nakada and Shanon Henderson, eighth grade students at Niu Valley Intermediate School and participants in the Legislative Awareness Program.

Representative Stegmaier then introduced Mr. George Arteberry, "an active parent of Kaiser High School, fellow member of the Board of the Friends of Kaiser, a fellow Hawaii Kai Lions Club member, a United Airlines pilot, and a substitute teacher at Kaiser and Niu Valley Intermediate School in the field of science and math," and his son, Steve, a student at Kapiolani Community College.

Representative Lee introduced Davin Kubota, a student at Wheeler Intermediate School.

## ORDER OF THE DAY

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 395 to 398) were read by the Clerk and were disposed of as follows:

H.R. No. 395, entitled: "HOUSE RESOLUTION CONGRATULATING THE UNIVERSITY HIGH SCHOOL GIRLS' VARSITY VOLLEYBALL TEAM ON THEIR FIFTH CONSECUTIVE STATE CHAMPIONSHIP," was jointly offered by Representatives Horita, Shon, Alcon, Anderson, Andrews, Baker, Cavasso, Duldulao, Hagino, Hashimoto, Hirayama, Kawakami, Kihano, Lee, Marumoto, O'Kieffe, Say, Souki, Tajiri and Yonamine.

On motion by Representative Horita, seconded by Representative Shon and carried, H.R. No. 395 was adopted.

Representative Horita then rose and proceeded to introduce the honored guests, stating:

"Mr. Speaker, it is with great pleasure that I welcome the University High School Girls' Volleyball Team here today. Under the outstanding leadership of Head Coach Glennie Adams, Assistant Coach Charlene Christenson, this team has captured its fifth consecutive State title by compiling an unprecedented eighty-five match winning streaks since October 1985.

"We have on the floor today Dr. Loretta Krause, the Principal of the school; Glennie Adams, Coach; Co-captains, Darcy Hayashikawa and Daniel Robins."

The honorees then rose to be recognized and certified copies of the resolution were presented to them by Representative Horita and Representatives Chang, Hirayama, Shon and Taniguchi presented them with floral leis.

Representative Horita then asked the following guests who were seated in the gallery to stand to be recognized: Jim Bukes, Athletic Director; and team members, Nancy Anetipa, Tanya Fuomata, Suzanne Hunt, Grace Iose, Junko Peterson, Rosalyn Ripple, Iris Tamagasuka, Rena Yadao, Kelly Baker and Carol Hoomanawanui.

Representative Horita then said:

"I would like to pass a message to the young women by saying to please utilize your years at the Lab School by not only playing hard, but studying even harder. May the memories your experience there yield for you be as fond for you in the years to come as mine have been for me."

H.R. No. 396, entitled: "HOUSE RESOLUTION HONORING REYNOLDS NAKOOKA KAMAKAWIWOOLE, JR. AS THE YEAR'S OUTSTANDING HAWAIIAN, PETER L.S. CHING, JR. AS THE OUTSTANDING HAWAIIAN CIVIC CLUB MEMBER AND BEATRICE HILMER KRAUSS AS THE OUTSTANDING NON-HAWAIIAN," was jointly offered by Representatives Anderson, Leong, Kawakami, Peters, Amaral, Kanoho, Apo and Hirayama.

On motion by Representative Anderson, seconded by Representative Leong and carried, H.R. No. 396 was adopted.

Representative Anderson rose and stated:

"As immediate past President, I would be proud to say some words on this resolution, but I would like to defer to our older member of the House and also a past President from Waiialua, affectionately called 'Uncle Joe'."

Representative Leong then rose and stated:

"I wish to yield to the youngest Hawaiian member of this House, Representative Amaral."

Representative Amaral rose and stated:

"Mr. Speaker, as the youngest member of the Hawaiian Civic Club movement, it is an honor today to introduce to you, four very outstanding people in the Hawaiian Civic Club movement, and I certainly am grateful to the Civic Club members, Representative Anderson whom, as he did say, is the immediate past President of the Association and a member of the Kailua Hawaiian Civic Club, and Representative Joe Leong who is a member of the Waiialua Hawaiian Civic Club. I should also acknowledge Representative Peter Apo who is a member of the Waianae Hawaiian Civic Club.

"As you have heard, the Hawaiian Civic Club movement was started in 1918 by Prince Jonah Kuhio Kalaniana'ole and its intention was to repair the poor condition that were confronting the Hawaiian people. It has continued to serve as a catalyst and an advocacy organization on behalf of the Hawaiian people.

"The Hawaiian Civic Club meets in an annual convention and representatives from all of the clubs come together to highlight outstanding issues of great importance and argue and debate them on the floor for three days. It is at that time that the membership chooses to recognize the outstanding Hawaiian, the outstanding non-Hawaiian, the outstanding Hawaiian Civic Club member, as well as the outstanding Hawaiian Civic Club. The basic criteria of the awards is service on behalf of the Hawaiian people. Past recipients have included Gladys Aiona Brandt, Congressman Daniel Akaka, Dr. George Kanahale, the late Violet Hansen of Volcano, and U.S. Senator Daniel Inouye, as well as Ruth Ono and Dr. George Mills.

"Today, we have the most recent recipients of this award. If I may say just a few words about them.

"Mr. Beatrice Krauss who was named the Outstanding Non-Hawaiian by the Civic Clubs in November of 1989 is much loved by the Hawaiian people, and in fact, has characterized herself as being white on the outside and

brown on the inside. From the time that she began playing in the taro fields of Manoa as a child, to her work as a scientist at the Pineapple Research Institute, and her second career as an ethno-botanist at the University of Hawaii, Beatrice Krauss has always loved and taken care of the aina. She has encouraged hundreds of students to appreciate that which is Hawaiian, and she continues to be an inspiration through her third career as a research affiliate at the Lyon Arboretum."

Representative Amaral then asked Beatrice Krauss to stand to be recognized.

"Named as Outstanding Hawaiian, Reynolds Kamakawiwoole of Honokaa, Hawaii, is an example of kinetic energy personified. A police officer with Hawaii County, Reynolds has been an active Jaycee member and his family has been named the Jaycee Family of the Year. He has served to provide leadership in Alu Like, as well as in related Hawaiian issues in the Hamakua area and is currently involved in issues concerning Waipio Valley. I am proud to introduce to you our Outstanding Hawaiian, Reynolds Kamakawiwoole."

Representative Amaral then asked Mr. Reynolds Kamakawiwoole to stand to be recognized.

"The recipient of the award for Outstanding Hawaiian Civic Club member is my dear and treasured friend, Peter Ching. This is the kind of man who volunteers with a smile and a kind word and has served, as was read in the resolution, many, many capacities, both at the Council level and the Association level. He is a gourmet cook, he loves to share his talent, and we love holding meetings at Peter's house because he always has a wonderful meal ready and prepared for us. He is a respected and dedicated member of the Civic Clubs and the award that Peter is receiving is well-deserved."

Representative Amaral then asked Mr. Peter Ching to stand to be recognized.

"And accompanying the award winners today is my dear friend, Mrs. Jalna Keala, the President of the Association of Hawaiian Civic Clubs. She is the first woman to hold that office even though we all know that Hawaiian women are actually the leaders in the Hawaiian community, and is a member of my own Alii Pauahi Hawaiian Civic Club."

Representative Amaral then asked Mrs. Keala to stand to be recognized.

"With us today also in the audience, Mr. Speaker and members, if they would rise as I call their names, we have Anna Wahinehookae who is the President of the Pearl Harbor Hawaiian Civic Club with her husband, Charles; Mr. and Mrs. Charles Ogata of the Queen Emma Hawaiian Civic Club; and Anne Ferguson of the Pearl Harbor Hawaiian Civic Club; Laverne Paulos who is a member of the Alii Pauahi Hawaiian Civic Club; and Samuel and Agnes Akau."

The honored guests in the gallery all rose to be recognized.

Representatives Anderson and Leong presented the honorees with certified copies of the resolution and Representatives Hirayama, Kanoho, Kawakami and Amaral presented them with floral leis.

At 12:09 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:26 o'clock p.m.

H.R. No. 397, entitled: "HOUSE RESOLUTION HONORING AND CONGRATULATING MR. THOMAS P. WHITTEMORE UPON HIS SELECTION AS THE STATE'S FINANCIAL SERVICES ADVOCATE BY THE SMALL BUSINESS ADMINISTRATION," was jointly offered by Representatives Kanohe, Kawakami and Apo.

On motion by Representative Kanohe, seconded by Representative Kawakami and carried, H.R. No. 397 was adopted.

Representative Kanohe then rose and proceeded to introduce the honoree, stating:

"The quality of life which we enjoy throughout the various communities and the State of Hawaii can be attributed to a large degree to the caring efforts of such persons as our honoree, Tom Whittemore, who was described in the resolution just read, not only excels and exhibits the highest degree of professionalism in the performance of his official duties, but also extends himself so willingly in non-work connected activities to help others.

"Tom is Senior Vice President and Regional Supervisor of all First Hawaiian Banks on Kauai. Prior to becoming the Manager of the Lihue Branch in 1981, Tom managed the Bank's branches in Kailua, Kona, and in Kahului, Maui.

"In addition to all the groups named in the resolution, Tom has taken active leadership roles in countless other organizations on Kauai. He has been president or an officer of every worthy activity on Kauai. It is no small wonder that he has deservedly given the First Lady's standing Volunteer of the Year award for Kauai last year.

"Faithful husband, good father, and a very close friend, I am very pleased to introduce to you, Mr. Speaker and to the members of this body, Mr. Thomas Whittemore, the 1990 recipient of the coveted statewide business award."

Mr. Whittemore then rose to be recognized.

Representative Kanohe continued:

"By the way, and I deliberated mentioning this, but Tom is my golf partner on Kauai and has served as my campaign treasurer for the past 3-1/2 years, from the time that I have been in the State Legislature.

"The reason that I have debated mentioning that is that that may subject his judgment to question and may be considered the only blemish on his otherwise very proud record of accomplishments.

"Incidentally, while Tom is responsible for all five First Hawaiian Banks on Kauai, his wife Cindy manages all six of the Liberty House outlets in the Kailua, Kona; South Kohala area.

"With Tom is his dad, Fred Whittemore, who served for thirty-five years with First Hawaiian Bank, retiring as an officer and Senior Vice President of its Trust Division. Fred is in his eighth and final year as a member of the State's Land Use Commission where he also serves as Vice Chairman."

Representative Kanohe then asked Fred Whittemore to stand to be recognized.

Representative Kanohe continued, saying:

"I am also very pleased to introduce Tom's boss, Senior Vice President Tony Guerrero, and before I ask him to stand, it would be most appropriate to recognize good corporate citizens such as First Hawaiian Bank for not only allowing, but encouraging their employees to participate in meaningful community activities. It was only three days ago that First Hawaiian Bank was recognized by this body for its innovative employee dependent SHARECARE program.

"It is significant to note, Mr. Speaker, that First Hawaiian is one of the one hundred largest banks in the country. It is rated in the April 2, 1990 edition of **Business Week** as the most solid bank in the entire nation and the fifth most profitable. Additionally, its CEO Walter Dods, along with the CEO of Bank of Hawaii, were named earlier this week as co-chairmen of a newly formed non-profit mortgage banking corporation aimed at financing affordable housing in Hawaii that would offer, through the resources of all banks in Hawaii, loans to developers below the market rate."

Representative Kanohe then asked Mr. Tony Guerrero to stand to be recognized.

Representative Kanohe presented Mr. Thomas Whittemore with a certified copy of the resolution and Representatives Kawakami, Hirono and Baker presented the honorees with floral leis.

H.R. No. 398, entitled: "HOUSE RESOLUTION HONORING AND CONGRATULATING MICHAEL DUKAKIS, GOVERNOR OF MASSACHUSETTS," was jointly offered by Representatives Amaral, Shon, Hirono, Hagino, Arakaki, Anderson, Andrews, Apo, Baker, Bellinger, Bunda, Bybee, Cachola, Chang, Duldulao, Fukunaga, Hashimoto, Hayes, Hiraki, Hirayama, Honda, Horita, M. Ige, Ihara, Isbell, Kanohe, Kawakami, Kihano, Lee, Leong, Marumoto, Oshiro, Say, Souki, Stegmaier, Tajiri, Tam, Yonamine and Yoshimura.

On motion by Representative Amaral, seconded by Representative Shon and carried, H.R. No. 398 was adopted.

Representative Amaral rose and proceeded to introduce the honorees, stating:

"We are proud to welcome Governor Michael and Kitty Dukakis to our Aloha State. They have come to work a bit as well as to, hopefully, enjoy our islands for a while. Their visit is being arranged by the ACLU of Hawaii, in conjunction with the affiliate's 25th anniversary dinner. Governor Dukakis is the keynote speaker at the dinner.

"ACLU has invited the Governor because of his commitment to the principles of the Bill of Rights -- that document of liberty that makes us and our free society so unique in this world. Dukakis has become a household name throughout this nation when he was nominated for the Presidency of the United States on the Democratic ticket in 1988. Further, in the nationally televised debate when George Bush tried to make political hay out of Governor Dukakis' membership in the ACLU to his great credit, Dukakis stood firm and in an unapologetic stand, helped to build the rosters of ACLU nationwide as no membership campaign before or since has ever been able to do.

"Courage has always been a hallmark of Michael Dukakis' political life. He is known for his courageous stands against McCarthyism and later as a legislator, and then as Governor of Massachusetts, for the important changes, having a reputation as a pioneer in many important areas, as has already been articulated in the resolution.



"He has distinguished himself in academic circles as well, serving for four years as lecturer and Director of Intergovernmental Studies at Harvard University's John F. Kennedy School of Government.

"Michael Dukakis' record illustrates a continuity and a consistency of action. It is clearly a record of courageous and impressive deeds. Governor Dukakis has the determination, the decency, and the design for bringing about a kind of world which honors all people, which respects individual liberty, and provides for individual choice. He is an example to each one of us with a candor and a commitment we would all be proud to call our own.

"I am pleased that he has come to visit. It is truly my hope that Hawaii is, for he and for Kitty, a place to rest and to be nourished before they must return to the madness of Massachusetts.

"Thank you, Governor Dukakis, for all that you have done for us. Thank you, Kitty Dukakis, for being there to support him and thus as well.

"Thank you, Mr. Speaker."

Representative Shon then rose and stated:

"Mr. Speaker, it is with great appreciation that we honor those who have participated in really the ultimate Democratic experience which is to run for the Presidency of the United States of America. We, in this chamber, are often preoccupied with our smaller districts, perhaps our islands, perhaps our state, but we can only imagine the excitement and the opportunity to interact with millions and millions of our citizens, and to articulate a philosophy and a vision of America for a national and an international audience.

"How many of us, Mr. Speaker, would relish being a Presidential candidate even for just one day? But, Mr. Speaker, you cannot be a candidate just for one day, or for a week, or several months. To be a serious candidate, it takes a commitment of self and family and friends for a period of years -- on the road constantly, always the captive of someone else's schedule, new faces, new hands, old questions, new questions, demands and more demands. Such an opportunity brings with it constant challenge, a test of endurance of one's faith in self and others, a willingness to be criticized, sometimes unfairly and unjustly, all in the name of a political process which we so cherish.

"To emerge from it with integrity and dignity is a marvelous tribute to the character in the sense of public service of our guest today.

"Mr. Speaker, it is with a sense of privilege that I introduce to this honorable body one of the select few among leaders in the business of Democratic participatory democracy, the man the people of Hawaii chose as their preference in 1988, the Governor of the Commonwealth of Massachusetts, Governor Michael Dukakis. Would you please stand to be recognized."

Governor Michael Dukakis then rose to be recognized.

Representative Shon continued, saying:

"Joining the Governor today is an old friend of Hawaii who has been here before during the campaign, I would like to welcome back Kitty Dukakis," and asked Mrs. Kitty Dukakis to stand to be recognized.

Representative Shon then asked Vanessa Chong, Executive Director of the ACLU; Paula Meyers, the

annual dinner Chair; and Julie Hugo Symonds, President of the ACLU, who were also seated on the House floor, to stand to be recognized.

Representative Amaral presented Governor Dukakis with a certified copy of the resolution and Representatives Hirono, Shon, Okamura, Hiraki and Arakaki presented the honored guests with floral leis.

At 12:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:50 o'clock p.m., Representative Cavasso was granted permission to make a late introduction and he introduced Mr. John Truesdale and his son, Kawika, from Hilo.

Representative Okamura introduced Mrs. Joan Apo, wife of Representative Apo, who was seated in the gallery.

### CONFERENCE COMMITTEE REPORTS

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 103, HD 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 103, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 1 and S.B. No. 103, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 103, HD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2053, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 2053, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 2 and H.B. No. 2053, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2053, HD 1, SD 1, CD 1, were made available to the members of the House at 11:30 o'clock a.m.

### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to House Bill No. 2051 (SD 1), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill No. 2051 (SD 1).

### ANNOUNCEMENTS

Representative Stegmaier then rose and remarked:

"In talking to the three student 'shadows' today, I realized that none of them were here on earth twenty years ago. However, all had demonstrated a sincere and committed interest in the upcoming events surrounding Hawaii Earth Day 1990. The Niu Valley students helped me to prepare this announcement this morning and I'd like to make it as follows:

"On April 22nd, twenty years ago, twenty million people organized and participated in a wide variety of events to express their concern about the environment. Among other results, we can probably attribute the events of that day in 1970 to the ultimate creation of the U.S. Environmental Protection Agency. Congress even adjourned that day and while I am not advocating this Legislature be suspended for Earth Day 1990, Mr. Speaker, I'd like to urge all of my colleagues to consider attending some of the events planned for this weekend and during the next week surrounding Earth Day. This event, Earth Day 1990, will be recognized in over 130 countries.

"On Sunday, at 9:00 a.m., the Earth Day Parade will begin at Fort DeRussy and end at Kapiolani Park. The Parade will feature numerous alternatives to powering vehicles, electric solar, human power, and from 10:00 a.m. till 5:00 p.m., the Hawaii Earth Day Fair will be held at Kapiolani Park. In addition, the University has an array of exhibits that will be of interest throughout the week, and I just want everybody to attend and I know that there will be some difficulty but it is of considerable interest.

"Thank you."

#### ADJOURNMENT

At 1:55 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 23, 1990.

## FIFTY-FIFTH DAY

Monday, April 23, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Lt. Dorothy King, after which the Roll was called showing all members present with the exception of Representative Chang, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fourth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fourth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 699 to 701) were read by the Clerk and were placed on file:

Sen. Com. No. 699, informing the House that the Senate has adopted H.C.R. No. 21, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO UTILIZE PIN TECHNOLOGY IN MOORINGS," on April 20, 1990.

Sen. Com. No. 700, returning H.C.R. No. 9, which was adopted by the Senate on April 20, 1990.

Sen. Com. No. 701, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 2475, SD 2 (HD 1) and 3109, SD 1, (HD 1), were agreed to by the Senate on April 20, 1990.

Sen. Com. No. 701A, informing the House that S.B. Nos. 2894, SD 1, HD 1; 3154, SD 1, HD 2; and 3156, HD 1, passed Final Reading in the Senate on April 20, 1990.

At this time, the following introductions were made to the members of the House:

Representative Arakaki, on behalf of Representatives D. Ige, M. Ige, Oshiro, Takamine, Yonamine and himself, introduced a group of tile setters from Okinawa, stating:

"This year, the Okinawan community is celebrating the 90th year anniversary of immigration to Hawaii and one of the highlights for the celebration will be the opening of the Okinawan Cultural Center in Waipio. Through the efforts and the response of many people here in Hawaii, the project will be completed on time, and besides the local community, we've had a lot of support from the people in Okinawa and, in fact, we have a group here from Okinawa who is working on the Cultural Center, putting on the finishing touches and doing a project of installing Kawata tile for the Center, and this represents a gift from the people of Okinawa. There are 75,000 pieces of tile and these are ceramic tile for the roof at a cost of \$133,000 which also represents about a thousand yen per tile as a gift from the prefectural government and the people of Okinawa.

"I would like to introduce the people who are here to provide their expertise and to help with the installation of these tiles for the roofing for the new Center."

Representative Arakaki then asked the following guests to stand to be recognized: Mr. Takehiro Ishikawa, Vice President of the Association; Mr. Moriyoshi Murayama, group leader; Mr. Jiro Kakazu, Mr. Tasuki Kawabata, Mr. Shigeru Miyasato, Mr. Yasumori Uechi, Mr. Yeiho Arakaki and Mr. Seian Yamashiro, technicians who are doing the actual labor and installation; Mr. Wayne Miyahira, President of the United Okinawan Association of Hawaii; Dorothy Shiroma Ho; Bob Nakasone, Executive Director for the Cultural Center; Miss Keiko Ura from KZOO Radio; and Mr. Fred Yogi, photographer and tour guide.

Representative Tom, on behalf of Representative M. Ige and himself, introduced 50 seventh grade students from St. Ann's School in Kaneohe. They were accompanied by their teachers, Mrs. Sanchez and Mrs. Hasan.

At 11:51 o'clock a.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:07 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following Senate Concurrent Resolutions were re-referred as follows:

S.C.R. Nos.     Re-referred to:

18                     Committee on Human Services, then to the Committee on Legislative Management

30                     Jointly to the Committees on Health and Human Services

77                     Jointly to the Committees on Human Services and Legislative Management

96                     Jointly to the Committees on Ocean and Marine Resources and Water and Land Use

113                    Jointly to the Committees on Water and Land Use and Intergovernmental Relations and International Affairs

126                    Jointly to the Committees on Health and Human Services

142                    Jointly to the Committees on Intergovernmental Relations and International Affairs and Human Services

241                    Jointly to the Committees on Judiciary and Legislative Management

## SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

**UNFINISHED BUSINESS****Conf. Com. Rep. No. 1 on S.B. No. 103, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 103, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Chang being excused.

The Chair directed the Clerk to note that S.B. No. 103 had passed Final Reading at 1:08 o'clock p.m.

**Conf. Com. Rep. No. 2 on H.B. No. 2053, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2053, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Liu rose to speak in favor of the bill, stating:

"Mr. Speaker, I support this bill and would also like to read into the Journal that in supporting this measure, I believe that the intent of the language on page 2 of the Conference Committee Report which states, 'providing that the process meets with federal constitutional requirements,' also intends to include the desire by this body that the resulting adjusted population base also will meet with federal constitutional requirements.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2053, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTIONS 4, 5, AND 6, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REVISE THE LAWS REGARDING APPORTIONMENT," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Chang being excused.

The Chair directed the Clerk to note that H.B. No. 2053 had passed Final Reading at 1:09 o'clock p.m.

At 1:10 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:11 o'clock p.m.

**DISPOSITION OF MATTERS  
PLACED ON THE CLERK'S DESK**

**By unanimous consent, H.B. No. 2051, SD 1, was taken from the Clerk's desk.**

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 2051, and H.B. No. 2051, SD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"Essentially for reasons that I mentioned once before when this bill came before us: One, I believe that we

really haven't had a chance to examine the data as to whether or not by increasing or even giving the option to the Reapportionment Commission to increase the size of the Legislature, whether or not we will provide for better sized areas for representation, either from the standpoint of remaining within basic island units or from the standpoint of doing a better job of creating evenly matched numbered districts, in regard to the number of voters as well as the adjusted population base.

"This is not an area we should tread lightly on. I believe with the various factors of increased population and changes which we probably will see in the census information that the current size of our Legislature is sufficient, and perhaps if the language here had been more specific as to under what conditions the Legislature might be expanded, I would have been able to support it, but under its current form, I will register a 'no' vote.

"Thank you, Mr. Speaker."

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, briefly and to the point, the government is too big already. This bill simply makes government bigger. It's not necessarily required.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2051, and H.B. No. 2051, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTIONS 2 AND 3, AND ARTICLE IV, SECTION 4, OF THE HAWAII CONSTITUTION, TO MAKE VARIABLE THE NUMBER OF SENATORS AND REPRESENTATIVES TO BE ELECTED FROM RESPECTIVE SENATORIAL AND REPRESENTATIVE DISTRICTS," having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Cavasso, Hemmings, Liu and O'Kieffe voting no, and Representative Chang being excused.

The Chair directed the Clerk to note that H.B. No. 2051 had passed Final Reading at 1:14 o'clock p.m.

**By unanimous consent, H.B. No. 2069, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2069, HD 1, and H.B. No. 2069, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Chang being excused.

**By unanimous consent, H.B. No. 2901, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2901, and H.B. No. 2901, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Chang being excused.

The Chair directed the Clerk to note that H.B. Nos. 2069 and 2901 had passed Final Reading at 1:15 o'clock p.m.

**By unanimous consent, H.B. No. 3110, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3110, HD 2, and H.B. No. 3110, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Bunda voting no, and Representative Chang being excused.

The Chair directed the Clerk to note that H.B. No. 3110 had passed Final Reading at 1:16 o'clock p.m.

#### **SUSPENSION OF RULES**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### **RECONSIDERATION OF ACTION TAKEN**

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to H.B. No. 2737, HD 1 (SD 1), and to H.B. No. 2908 (SD 1), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to H.B. No. 2737, HD 1 (SD 1), and to H.B. No. 2908 (SD 1).

At 1:17 o'clock p.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:18 o'clock p.m.

#### **ADJOURNMENT**

At 1:19 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 24, 1990.

## FIFTY-SIXTH DAY

**Tuesday, April 24, 1990**

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor Stephen King of the Honolulu Central Seventh-Day Adventist Church, after which the Roll was called showing all members present with the exception of Representatives Hashimoto, Ihara, Souki and Yoshimura, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Fifth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Fifth Day was approved.

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 190) was read by the Clerk and placed on file:

Gov. Msg. No. 190, informing the House that he signed the following bills into law on the dates indicated:

April 20, 1990

Senate Bill No. 3151 as Act 30, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY".

April 23, 1990

House Bill No. 2820 as Act 31, entitled: "RELATING TO UNCLAIMED PROPERTY";

House Bill No. 2953 as Act 32, entitled: "RELATING TO VEHICLE WEIGHT";

Senate Bill No. 2434 as Act 33, entitled: "RELATING TO PUBLIC CONTRACTS";

House Bill No. 2088 as Act 34, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2206 as Act 35, entitled: "RELATING TO ELECTIONS";

House Bill No. 2394 as Act 36, entitled: "RELATING TO HEALTH CARE PROFESSIONALS";

House Bill No. 2430 as Act 37, entitled: "RELATING TO SPECIAL NUMBER PLATES";

House Bill No. 2516 as Act 38, entitled: "RELATING TO INSURANCE";

House Bill No. 2571 as Act 39, entitled: "RELATING TO PROOF OF FINANCIAL RESPONSIBILITY";

House Bill No. 3121 as Act 40, entitled: "RELATING TO MORTGAGE BROKERS"; and

Senate Bill No. 2312 as Act 41, entitled: "RELATING TO CONDOMINIUM HOTEL OPERATORS".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 702 to 705A) were read by the Clerk and were placed on file:

Sen. Com. No. 702, informing the House that the President has, on April 23, 1990, appointed Senators Yamasaki, Chairman; A. Kobayashi and Koki, as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to House Bill No. 2895, HD 1, SD 1.

Sen. Com. No. 703, returning H.C.R. No. 109, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A COMPREHENSIVE REPAIR AND MAINTENANCE PROGRAM FOR THE HAWAII STATE LIBRARY FACILITIES," which was adopted by the Senate on April 23, 1990.

Sen. Com. No. 704, returning H.C.R. No. 162, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO UNDERTAKE A STUDY OF THE FEASIBILITY OF ESTABLISHING A PUBLIC HIGH SCHOOL IN KEAAU," which was adopted by the Senate on April 23, 1990.

Sen. Com. No. 705, informing the House that the Senate has adopted H.C.R. No. 154, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN EXCHANGE PROGRAM WITH OKINAWA, HAWAII'S SISTER STATE," on April 23, 1990.

Sen. Com. No. 705A, informing the House that S.B. No. 2475, SD 2, HD 1, passed Final Reading in the Senate on April 23, 1990.

At this time, the following introductions were made to the members of the House:

Representative Tom, on behalf of Representative M. Ige and himself, introduced 50 eighth grade students from St. Ann's School in Kaneohe. They were accompanied by their teachers, Mrs. Olaso and Mrs. Linsky.

Representative Apo introduced Gloria Shindler and Joyce Henrickson, ex-colleagues of Joe Tassel, visiting from Washington State. "Gloria sat with Joe on the Community Clients' Council which is an arm of the Legal Aid Society and part of the National Clients' Council."

Representative Alcon introduced Mr. John Ching.

At 11:56 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:59 o'clock a.m.

**ORDER OF THE DAY**  
**COMMITTEE REASSIGNMENTS**

The following Senate Concurrent Resolutions were re-referred as follows:

**S.C.R. Nos.      Re-referred to:**

- 109              Jointly to the Committees on Water and Land Use and Tourism
- 127              Jointly to the Committees on Health and Human Services
- 141              Jointly to the Committees on Water and Land Use and Tourism

**STANDING COMMITTEE REPORTS**

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1521-90) recommending that H.R. No. 277 be adopted.

On motion by Representative Hagino, seconded by Representative Isbell and carried, the report of the Committee was adopted and H.R. No. 277, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF PURCHASING LANDS IN WAIPIO VALLEY CURRENTLY OWNED BY BISHOP MUSEUM," was adopted.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1522-90) recommending that H.R. No. 182 be adopted.

On motion by Representative Hagino, seconded by Representative Isbell and carried, the report of the Committee was adopted and H.R. No. 182, entitled: "HOUSE RESOLUTION URGING THE DIRECTOR OF PUBLIC SAFETY TO RECOMMEND THAT THE DIVISION OF CONSERVATION AND RESOURCE ENFORCEMENT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES NOT BE TRANSFERRED TO THE DEPARTMENT OF PUBLIC SAFETY," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1523-90) recommending that S.C.R. No. 91 be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION URGING ALL DOMESTIC CARRIERS TO SHOW A VIDEO THAT EXPLAINS THE RESTRICTIONS OF THE STATE'S PLANT AND ANIMAL QUARANTINE LAWS TO PASSENGERS ON INCOMING FLIGHTS TO HAWAII TO PROTECT THE NATURAL ENVIRONMENT OF THE ISLANDS," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1524-90) recommending that S.C.R. No. 93, SD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 93, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVISE THEIR REQUIREMENTS FOR OBTAINING A PERMIT TO OPERATE A

SATELLITE ANIMAL QUARANTINE FACILITY ON THE NEIGHBOR ISLANDS," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1525-90) recommending that S.C.R. No. 95 be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ASSESS THE FEASIBILITY OF ESTABLISHING A FULL SERVICE VETERINARY CLINIC AT THE ANIMAL QUARANTINE STATION IN HALAWA," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1526-90) recommending that S.C.R. No. 156 be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE POTENTIAL OF PROCESSED PRODUCTS AS A MEANS OF EXPORTING TROPICAL FRUITS WITHOUT THE CONSTRAINTS OF FRUIT FLY QUARANTINE REGULATIONS," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1527-90) recommending that S.C.R. No. 220, SD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 220, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A LEGISLATIVE INTERIM TASK FORCE TO IDENTIFY THE FACTORS RESTRICTING AGRICULTURAL DEVELOPMENT IN HAWAII," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1528-90) recommending that S.C.R. No. 221, SD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 221, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPLY FOR A \$1.3 MILLION APPROPRIATION FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO AID IN JOB RETENTION OF AGRICULTURAL WORKERS," was adopted.

Representative Honda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1529-90) recommending that S.C.R. No. 223, SD 1, be adopted.

On motion by Representative Honda, seconded by Representative Say and carried, the report of the Committee was adopted and S.C.R. No. 223, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF AN AGRICULTURAL RESEARCH INSTITUTION," was adopted.

At 12:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:18 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 2737, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2737, HD 1, and H.B. No. 2737, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INFORMATION," having been read throughout, passed Final Reading by a vote of 47 ayes, with Representatives Hashimoto, Ihara, Souki and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 2737 had passed Final Reading at 12:20 o'clock p.m.

**By unanimous consent, H.B. No. 2908, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2908, and H.B. No. 2908, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read throughout, passed Final Reading by a vote of 47 ayes, with Representatives Hashimoto, Ihara, Souki and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 2908 had passed Final Reading at 12:21 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken previously in disagreeing to the amendments proposed by the Senate to House Bill No. 2164, HD 1 (SD 1), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill No. 2164, HD 1 (SD 1).

At 12:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

#### DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 2164, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2164, HD 1, and H.B. No. 2164, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT FOR PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," having been read throughout, passed Final Reading by a vote of 47 ayes, with Representatives Hashimoto, Ihara, Souki and Yoshimura being excused.

The Chair directed the Clerk to note that H.B. No. 2164 had passed Final Reading at 12:23 o'clock p.m.

#### ANNOUNCEMENTS

Representative Oshiro: "There will be a conference committee meeting tomorrow, April 25th, 1:30, Room 416, on Senate Bill 1721 and House Bill 3081. These two bills were discussed previously, conferenced upon, and deferred from last Thursday's agenda."

#### ADJOURNMENT

At 12:25 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 25, 1990.



## FIFTY-SEVENTH DAY

Wednesday, April 25, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Captain David W. Bennett of the 15th Air Base Squadron, after which the Roll was called showing all members present with the exception of Representative Anderson, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Sixth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Sixth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 706 to 710) were read by the Clerk and placed on file:

Sen. Com. No. 706, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 2617 (HD 1); 2356, SD 1 (HD 2); 3077, SD 2 (HD 1); 3013, SD 1 (HD 1); 2505, SD 2 (HD 2); 2781, SD 2 (HD 1); 3287, SD 1 (HD 2); 2600 (HD 1); and 2811, SD 2 (HD 2), were agreed to by the Senate on April 24, 1990.

Sen. Com. No. 707, informing the House that the President has, on April 24, 1990, appointed Senator Fernandes Salling as a Co-Chairman on the part of the Senate for the consideration of amendments proposed by the Senate to House Bill No. 2950, HD 2 (SD 2).

Sen. Com. No. 708, informing the House that the Senate has adopted H.C.R. No. 8, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF STATE TO GIVE HIGHER PRIORITY TO THE ELIMINATION OF HIGH SEAS DRIFT GILL NETS, AND TO INCREASE INTERNATIONAL COOPERATION AND RESEARCH TO FOSTER A GREATER UNDERSTANDING OF THE OCEAN," on April 24, 1990.

Sen. Com. No. 709, informing the House that the Senate has adopted H.C.R. No. 28, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO REAUTHORIZE THE COASTAL ZONE MANAGEMENT ACT (P.L. 92-583) AND TO ENACT A STRICT OIL SPILL LIABILITY LAW," on April 24, 1990.

Sen. Com. No. 710, returning H.C.R. No. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO EXTEND THE TERRITORIAL LIMITS OF THE UNITED STATES AND COASTAL STATES FROM THREE TO TWELVE MILES OFFSHORE," which was adopted by the Senate on April 24, 1990.

At this time, the following introductions were made to the members of the House:

Representative Hayes introduced the 1990 Jefferson Fellows who are "senior journalists -- six from Asia and six from the United States -- who come for one month of study at the East-West Center and then go for one month of travel -- the Asians in the United States and the U.S. people in Asia," as follows: Sarosh Bana, senior reporter and columnist of the **Indian Express** in Bombay; Criselda Cerdena, news editor of the **Manila Times** in the Philippines; Yoshiaki Ito, staff writer, **The Mainichi Shimbun**, Tokyo; W. Rex Jory, associate editor of **The Advertiser** in Adelaide, South Australia; James Kinsella, national/foreign editor of the **San Jose Mercury News** in California; Lee Choon-Sam, staff writer of the **Chosun Ilbo**, Seoul, Korea; Brian Naylor, news broadcaster, National Public Radio, Washington, D.C.; Pao Wan Lung, controller for news and information services at the Hong Kong Cable Communications, Ltd.; Donn Rogosin, general manager, WSWP-TV, public television station in Charleston, West Virginia; Liz Sly, Washington correspondent for the **Chicago Tribune**; Kirk Spitzer, defense correspondent for **Gannett News Service** in Washington, D.C.; and Tom Walsh, business editor of the **Detroit Free Press**. They were accompanied by John Schidlovsky, journalist in residence and former Bureau Chief for the **Baltimore Sun**, and Robert Hewitt, "my husband, who has conducted the Jefferson Fellowship Program for the past nine years," and also the Interim Director of the Institute of Culture and Communications at the East-West Center.

Representative Hiraki introduced 17 students from the Tokyo/Honolulu International College "which recently opened in downtown Honolulu. This college specializes in teaching communication skills to prepare students for the international business world. Hawaii was selected as a location for the center because its President in Japan felt that our State was ideal for teaching internationalism to bring the East and West together." They were accompanied by their instructors, Chris Yatsushiro and Candace Lee, and Haruo Nishiyama, Secretary General.

Representative Chang introduced Genesis Lee Loy, Ella Miyashiro, Colleen and Ray Furman, "outstanding members of the Big Island Silver Legislature," led by the Honorable Joe Garcia, former councilman and former State representative.

Representative Lee introduced two legislative interns from Wheeler Intermediate School: Meredith Kim, a seventh grader, and "an honor student in the science class and will participate in the statewide Space Conference for Intermediate Schools in Kona," and Nina Asher, an eighth grader and treasurer of the Student Council, "plays bass clarinet and is an executive for mediation which is an activity in mediation between students and the school administration."

At 11:55 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:20 o'clock p.m.

## SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken in passing a certain House Bill on Final Reading.

**RECONSIDERATION OF  
ACTION TAKEN**

Representative Apo moved that the House reconsider its action previously taken in passing House Bill 403, HD 1, SD 1, CD 1, on Final Reading, seconded by Representative Hemmings and carried.

Representative Apo moved to recommit House Bill 403, HD 1, SD 1, CD 1, to the Committee on Conference, seconded by Representative Hemmings and carried, and House Bill 403, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," was recommitted to the Committee on Conference.

**SUSPENSION OF RULES**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

**RECONSIDERATION OF  
ACTION TAKEN**

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to House Bill Nos. 3286, HD 1 (SD 1) and 3302, HD 2 (SD 1), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 3286, HD 1 (SD 1) and 3302, HD 2 (SD 1).

**ADJOURNMENT**

At 1:23 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 26, 1990.

## FIFTY-EIGHTH DAY

**Thursday, April 26, 1990**

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:55 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Daiva Dasa of Iskcon Hawaii, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Seventh Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Seventh Day was approved.

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 711 to 718) were read by the Clerk and placed on file:

Sen. Com. No. 711, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 2235, SD 1 (HD 1); 2347, SD 1 (HD 1); 2599, SD 1 (HD 1); 2835 (HD 1); 2839, SD 1 (HD 1); and 3150, SD 1 (HD 1) were agreed to by the Senate on April 25, 1990.

Sen. Com. No. 712, informing the House that the President has, on April 25, 1990, discharged all Senate members on the Conference of House Bill No. 1718, SD 2.

Sen. Com. No. 713, returning H.C.R. No. 73, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ABOUT TOURISM JOBS," which was adopted by the Senate on April 25, 1990.

Sen. Com. No. 714, returning H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO TAKE ALL REASONABLE STEPS TO ENSURE THAT ALL UNITED STATES ORGANIZATIONS LOCATED IN FOREIGN COUNTRIES USE MAPS WHICH INCLUDE THE STATE OF HAWAII AS PART OF THE UNITED STATES," which was adopted by the Senate on April 25, 1990.

Sen. Com. No. 715, returning H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO IMPROVE AND PERMANENTLY DESIGNATE AN AREA FOR COMPETITION WATER SKIING AT KEEHI LAGOON," which was adopted by the Senate on April 25, 1990.

Sen. Com. No. 716, returning H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK LEGISLATION WHICH WOULD EXEMPT SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME COST OF LIVING ALLOWANCES RECEIVED BY PERSONS ON PUBLIC ASSISTANCE AND OTHER FEDERAL AID PROGRAMS FROM CALCULATION FOR ELIGIBILITY FOR THESE BENEFITS," which was adopted by the Senate on April 25, 1990.

Sen. Com. No. 717, informing the House that H.C.R. No. 91, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO APPROVE HAWAIIAN AIRLINES, INC.'S APPLICATION TO PROVIDE NONSTOP SERVICE BETWEEN HAWAII AND JAPAN," was adopted by the Senate on April 25, 1990.

Sen. Com. No. 718, informing the House that Senate Bill Nos. 3109, SD 1, HD 1; 2505, SD 2, HD 2; 2600, HD 1; 2617, HD 1; 2781, SD 2, HD 1; 2811, SD 2, HD 2; and 3077, SD 2, HD 1, have passed Final Reading in the Senate on April 25, 1990.

At this time, the following introductions were made to the members of the House:

Representative Anderson introduced Mr. and Mrs. Norman Torre, visitors from Seattle, Washington.

Representative Lee introduced Nicki Okasako, a student at Wheeler Intermediate School and a legislative intern in the Senate.

At 11:59 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

At 12:11 o'clock p.m., the House of Representatives stood in recess until 10:00 o'clock p.m. tonight.

### NIGHT SESSION

The House of Representatives reconvened at 10:32 o'clock p.m.

### ORDER OF THE DAY

#### COMMITTEE REASSIGNMENTS

H.B. No. 332 was re-referred to the Committee on Judiciary.

S.C.R. No. 259 was re-referred jointly to the Committees on Health and Consumer Protection and Commerce.

#### STANDING COMMITTEE REPORTS

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1530-90) recommending that S.C.R. No. 174 be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 174, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF WORKING HOURS FOR OLDER STUDENTS," was referred to the Committee on Legislative Management.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1531-90) recommending that S.C.R. No. 226, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 226, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH INVESTIGATE DIFFERENT SUCCESSFUL ABSTINENCE PROGRAMS BEING USED THROUGHOUT THE NATION," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1532-90) recommending that S.C.R. No. 108, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 108, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR THE ESTABLISHMENT OF A CHALLENGER CENTER AFFILIATE SATELLITE SITE IN THE STATE OF HAWAII," was adopted.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1533-90) recommending that S.C.R. No. 26, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 26, HD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FRIENDS OF THE LIBRARY OF HAWAII BOOK SALE," was adopted.

Representatives D. Ige and Tom, for the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1534-90) recommending that S.C.R. No. 41, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 41, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO PROVIDE INFORMATION ON THE REVENUE IMPACT OF EXEMPTING TRACTS OF HAWAIIAN HOME LANDS LEASED BY NATIVE HAWAIIANS FROM REAL PROPERTY TAXES AND THEIR VIEWS ON THE MERITS AND DEMERITS OF THIS PROPOSAL," was adopted.

Representatives D. Ige and Tom, for the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1535-90) recommending that S.C.R. No. 73, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 73, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PACIFIC INTERNATIONAL CENTER FOR HIGH TECHNOLOGY RESEARCH TO PROMOTE AND SUPPORT INTERNATIONAL COOPERATION ON NOVEL COMPUTING TECHNOLOGIES," was adopted.

Representatives Arakaki and Tom, for the Committees on Human Services and Intergovernmental Relations and International Affairs, presented a joint report (Stand.

Com. Rep. No. 1536-90) recommending that S.C.R. No. 128 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 128, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SEEK LEGISLATION WHICH WOULD EXEMPT SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME COST OF LIVING ALLOWANCES RECEIVED BY PERSONS ON PUBLIC ASSISTANCE AND OTHER FEDERAL AID PROGRAMS FROM CALCULATION FOR ELIGIBILITY FOR THESE BENEFITS," was adopted.

Representatives Arakaki and Shon, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 1537-90) recommending that S.C.R. No. 130, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 130, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO COORDINATE EFFORTS TO MAXIMIZE FEDERAL MEDICAID FUNDS," was adopted.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1538-90) recommending that S.C.R. No. 211, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 211, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS THE NEED FOR A PRE-RELEASE CENTER FOR ADULT INMATES," was adopted.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1539-90) recommending that S.C.R. No. 15 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 15, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROFILES FOR ALL ADULTS AND JUVENILES IN STATE CORRECTIONAL FACILITIES," was adopted.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1540-90) recommending that S.C.R. No. 215, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 215, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ASSIGN PERSONNEL TO FORMULATE A PLAN OF ACTION ADDRESSING THE NEEDS OF INMATES WITH DISABILITIES," was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1541-90) recommending that S.C.R. No. 132, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 132, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY TO DETERMINE WHETHER THE LICENSURE OR REGULATION OF INDUSTRIAL HYGIENISTS AND OTHER ENVIRONMENTAL PROTECTION PRACTITIONERS WOULD BE CONSISTENT WITH THE POLICIES SET FORTH IN SECTION 26H-2, HAWAII REVISED STATUTES," was referred to the Committee on Legislative Management.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1542-90) recommending that S.C.R. No. 97 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE GREAT WAIKOLOA SOLAR CHALLENGE," was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1543-90) recommending that S.C.R. No. 1, SD 2, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 1, SD 2, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ADOPTION OF A NATIONWIDE SYSTEM OF LABELING UNIFORMITY IN PLASTIC MATERIAL," was adopted.

Representative Andrews, for the Committee on Planning, Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1544-90) recommending that S.C.R. No. 219, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 219, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES FISH & WILDLIFE SERVICE TO USE RECOVERY TEAMS IN THE DEVELOPMENT AND IMPLEMENTATION OF RECOVERY PLANS FOR ENDANGERED AND THREATENED SPECIES," was adopted.

Representatives Andrews and Bunda, for the Committees on Planning, Energy and Environmental Protection and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1545-90) recommending that S.C.R. No. 165, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 165, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A DEVELOPMENT AUTHORITY TO OVERSEE FUTURE DEVELOPMENT OF CERTAIN LANDS AND USE OF WATERS WITHIN THE WEST HAWAII REGION, INCLUDING NORTH AND SOUTH KOHALA ON THE ISLAND OF HAWAII," was adopted.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1546-90) recommending that S.C.R. No. 149, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 149, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY THE EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICE OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Legislative Management.

Representative Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1547-90) recommending that S.C.R. No. 188, SD 1, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 188, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PLAN TO INCREASE THE EFFECTIVENESS OF SCHOOL ADVISORY COUNCILS," was referred to the Committee on Legislative Management.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1548-90) recommending that S.C.R. No. 242, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 242, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE USE OF GENERIC DRUG PRODUCTS," was referred to the Committee on Legislative Management.

Representatives Taniguchi and Bunda, for the Committees on Higher Education and the Arts and Ocean and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1549-90) recommending that S.C.R. No. 114, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 114, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AT HILO IN COLLABORATION WITH THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY TO PREPARE A PROPOSAL TO ESTABLISH A CENTER FOR UNDERGRADUATE MARINE EDUCATION AT UH-HILO," was adopted.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1550-90) recommending that S.C.R. No. 152, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 152, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND IMPLEMENT AN EFFECTIVE POLICY ON SEXUAL HARASSMENT AND DISCRIMINATION," was adopted.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1551-90) recommending that S.C.R. No. 62, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 62, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS TO SUPPORT THE CONSTRUCTION OF A FACILITY TO HOUSE THE UNIVERSITY OF HAWAII AT HILO HAWAIIAN LANGUAGE CENTER KNOWN AS THE HALE KUAMO'O AND THE AFFILIATED ACADEMIC PROGRAM," was adopted.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1552-90) recommending that S.C.R. No. 148 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 148, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FACULTIES OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, UNIVERSITY OF HAWAII AT MANOA, AND THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII AT HILO, TO DRAW UPON THEIR COMBINED EXPERTISE IN OFFERING COURSES RELATING TO AGRICULTURE ON THE ISLAND OF HAWAII," was adopted.

Representative Taniguchi, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1553-90) recommending that S.C.R. No. 143, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 143, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT BOTH A SHORT-TERM AND LONG-TERM PLAN TO INCREASE RECRUITMENT OF QUALIFIED WOMEN AND MINORITIES FOR FACULTY POSITIONS," was adopted.

Representatives Shon and Arakaki, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1554-90) recommending that S.C.R. No. 127, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 127, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO ESTABLISH A BLUE RIBBON PANEL TO STUDY THE HEALTHCARE DELIVERY SYSTEM IN HAWAII," was adopted.

Representatives Andrews and Tom, for the Committees on Planning, Energy and Environmental Protection and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1555-90) recommending that S.C.R. No. 138, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 138, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE OF THE UNITED STATES TO RATIFY THE ARTICLES OF THE 1976 CONVENTION ON CONSERVATION OF NATURE IN THE SOUTH PACIFIC ('APIA' CONVENTION)," was adopted.

Representatives Oshiro and Tom, for the Committees on Transportation and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1556-90) recommending that S.C.R. No. 236, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 236, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO REMOVE THE HIGHWAY TRUST FUND FROM THE UNIFIED FEDERAL BUDGET, PROTECT IT FROM NON-TRANSPORTATION PROGRAMS, AND SPEND DOWN THE EXCESS FUNDS ACCUMULATED IN THE FUND OVER A FIVE-YEAR PERIOD, BEGINNING IN FISCAL YEAR 1992," was adopted.

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1557-90) recommending that S.C.R. No. 139 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 139, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND THE HAWAIIAN TELEPHONE COMPANY TO ENGAGE IN A CONCERTED EFFORT TO UPGRADE AND ENHANCE THE PRESENT 911 EMERGENCY SYSTEM," was adopted.

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1558-90) recommending that S.C.R. No. 158, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 158, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO TAKE ALL APPROPRIATE STEPS TO ENSURE JOB SECURITY FOR THE CURRENT WORK FORCE AT THE PACIFIC MISSILE RANGE FACILITY ON KAUAI," was adopted.

At 10:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:38 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 3286, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3286, HD 1, and H.B. No. 3286, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED MANAGEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.b. No. 3302, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3302, HD 2, and H.B. No. 3302, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR LITTERING," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3286 and 3302 had passed Final Reading at 10:39 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to H.B. Nos. 726, HD 1 (SD 1); 839 (SD 2); 2388, HD 2 (SD 1); 2424, HD 1 (SD 1); 2429 (SD 1); 2457, HD 2 (SD 1); 2531, HD 1 (SD 1); and 2960, HD 1 (SD 2), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 726, HD 1 (SD 1); 839 (SD 2); 2388, HD 2 (SD 1); 2424, HD 1 (SD 1); 2429 (SD 1); 2457, HD 2 (SD 1); 2531, HD 1 (SD 1); and 2960, HD 1 (SD 2).

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.C.R. No. 8, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 8, HD 1, and H.C.R. No. 8, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF STATE TO GIVE HIGHER PRIORITY TO THE ELIMINATION OF HIGH SEAS DRIFT GILL NETS, AND TO INCREASE INTERNATIONAL COOPERATION AND RESEARCH TO FOSTER A GREATER UNDERSTANDING OF THE OCEAN," was Finally adopted.

**By unanimous consent, H.C.R. No. 28, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 28, HD 1, and H.C.R. No. 28, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO REAUTHORIZE THE COASTAL ZONE MANAGEMENT ACT (P.L. 92-583) AND TO ENACT A STRICT OIL SPILL LIABILITY LAW," was Finally adopted.

At this time, Representative Apo moved that the House disagree with the amendments proposed by the Senate to H.C.R. No. 154, HD 1 (SD 1), seconded by Representative Hemmings and carried.

At 10:43 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:36 o'clock p.m.

Representative Apo moved to keep the Journal open until 12:00 midnight this legislative day for the Clerk to receive Conference Committee Reports in order to comply with the constitutional 48-hour availability requirement before passage of bills on Final Reading, seconded by Representative Liu and carried.

At 11:38 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

#### CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports were received in the Clerk's Office:

Conf. Com. Rep. No. 3 and S.B. No. 3341, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 4 and S.B. No. 973, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 5 and S.B. No. 2699, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 6 and H.B. No. 2233, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MARINE WATERS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 7 and H.B. No. 1023, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 8 and H.B. No. 2368, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 9 and H.B. No. 2014, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 10 and H.B. No. 3125, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 11 and H.B. No. 2131, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO NURSING," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 12 and H.B. No. 3256, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS AND SURGEONS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 13 and H.B. No. 2011, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 14 and H.B. No. 2008, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 15 and H.B. No. 2994, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 16 and H.B. No. 2878, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 17 and H.B. No. 1660, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 18 and H.B. No. 3380, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 19 and H.B. No. 2295, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 20 and H.B. No. 3149, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 21 and H.B. No. 3299, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 22 and H.B. No. 2294, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 23 and H.B. No. 2301, SD 1, CD 1, entitled: "A BILL FOR AN ACT REALTING TO THE PRIMARY AND GENERAL ELECTIONS OF THE BOARD OF EDUCATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 24 and H.B. NO. 2258, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO LEGISLATIVE MANAGEMENT," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 25 and H.B. No. 1693, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEY," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 26 and H.B. No. 2202, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT WORKERS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 27 and H.B. No. 2184, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING ABOARD SHIPS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 28 and H.B. No. 2843, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTERS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 29 and H.B. No. 2844, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER EDUCATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 30 and H.B. No. 2112, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 31 and H.B. No. 3183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SYMBOLS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 32 and H.B. No. 3265, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF ESCAPE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 33 and H.B. No. 3428, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 34 and H.B. No. 2984, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KALAWAHINE LANDS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 35 and H.B. No. 2546, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 36 and H.B. No. 403, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 37 and H.B. No. 2967, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," were placed on the calendar for Final Reading on Monday, April 30, 1990.



Conf. Com. Rep. No. 38 and H.B. No. 2204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER FRAUD," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 39 and H.B. No. 3176, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 40 and H.B. No. 240, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 41 and H.B. No. 2207, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGES TO CANDIDATE NOMINATION PAPERS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 42 and H.B. No. 2052, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 43 and H.B. No. 2183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 44 and H.B. No. 3410, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION LISTS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 45 and H.B. No. 2817, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 46 and H.B. No. 2876, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 47 and H.B. No. 256, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 48 and H.B. No. 332, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 101 and S.B. No. 2252, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 102 and S.B. No. 2482, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 103 and S.B. No. 3094, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 104 and S.B. No. 2223, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALES OF SEAFOOD," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 105 and S.B. No. 46, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 106 and S.B. No. 3399, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 107 and S.B. No. 3454, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ROADWORK," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 108 and S.B. No. 2122, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 109 and S.B. No. 2169, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 110 and S.B. No. 2318, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANABOLIC STEROIDS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 111 and S.B. No. 3111, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RESPITE CARE AT WAIMANO TRAINING SCHOOL AND HOSPITAL," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 112 and S.B. No. 422, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECIOUS METALS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 113 and S.B. No. 2174, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 114 and S.B. No. 2307, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 115 and S.B. No. 2432, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 116 and S.B. No. 3018, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT

OBLIGATIONS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 117 and S.B. No. 1398, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURING MAMMOGRAM SCREENING," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 118 and S.B. No. 2435, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 119 and S.B. No. 3295, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 120 and S.B. No. 2117, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET LAW," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 121 and S.B. No. 2119, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITIES AND COLLEGES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 122 and S.B. No. 2314, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 123 and S.B. No. 2433, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 124 and S.B. No. 2964, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEST OFFICIALS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 125 and S.B. No. 2833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 126 and S.B. No. 2694, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 127 and S.B. No. 2764, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPACE VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 128 and S.B. No. 1630, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 129 and S.B. No. 3019, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 130 and S.B. No. 26, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING

TO GOVERNMENT REGULATION," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 131 and S.B. No. 2549, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 132 and S.B. No. 506, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

Conf. Com. Rep. No. 133 and S.B. No. 2801, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," were placed on the calendar for Final Reading on Monday, April 30, 1990.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 27, 1990.

## FIFTY-NINTH DAY

Friday, April 27, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend David N. Holsinger of St. Luke's Episcopal Church, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Eighth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Eighth Day was approved.

## GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 191) was read by the Clerk and placed on file:

Gov. Msg. No. 191, informing the House that he signed the following bills into law on the dates indicated:

April 24, 1990

Senate Bill No. 3140 as Act 42, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

April 26, 1990

House Bill No. 2160 as Act 43, entitled: "RELATING TO MOPEDS";

House Bill No. 2428 as Act 44, entitled: "RELATING TO PUPIL TRANSPORTATION";

House Bill No. 2842 as Act 45, entitled: "RELATING TO VOTER REGISTRATION";

House Bill No. 2903 as Act 46, entitled: "RELATING TO CONTROLLED SUBSTANCES"; and

Senate Bill No. 2288 as Act 47, entitled: "RELATING TO THE JUDICIARY".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 719 to 726) were read by the Clerk and placed on file:

Sen. Com. No. 719, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 2706 (HD 1); 2275, SD 1 (HD 1); 2604, SD 2 (HD 1); 2730, SD 1 (HD 1); 3039, SD 2 (HD 2); 3101, SD 1 (HD 2); 3115, SD 1 (HD 2); 3117, SD 2 (HD 1); 3162, SD 2 (HD 2); 3165, SD 1 (HD 1); 3246 (HD 2); 1509 (HD 1); 2254, SD 1 (HD 1); 755 (HD 1); 1146 (HD 1); 2279 (HD 1); 2943 (HD 1); and 3237 (HD 1) were agreed to by the Senate on April 26, 1990.

Sen. Com. No. 720, informing the House that Senate Bill Nos. 3013, SD 1, HD 1; 2235, SD 1, HD 1; 2347, SD 1, HD 1; 2599, SD 1, HD 1; 2835, HD 1; 2839, SD 1, HD 1; and 3150, SD 1, HD 1, passed Final Reading in the Senate on April 26, 1990.

Sen. Com. No. 721, returning House Bill No. 2862, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," which passed Third Reading in the Senate on April 26, 1990.

Sen. Com. No. 722, informing the House that the Senate has adopted H.C.R. No. 40, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE TRANSFER OF JURISDICTION OVER CERTAIN PARCELS OF REMNANT LANDS IN THE KEEHI LAGOON AREA FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR THE PURPOSE OF ESTABLISHING AN INDUSTRIAL PARK," on April 26, 1990.

Sen. Com. No. 723, informing the House that the Senate has adopted H.C.R. No. 105, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO SUGGEST WAYS TO URGE THE PACIFIC ASIA TRAVEL ASSOCIATION TO RELOCATE ITS HEADQUARTERS TO HAWAII," on April 26, 1990.

Sen. Com. No. 724, returning H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF CHILDREN AND YOUTH TO EVALUATE THE CONDITION OF CHILDREN AND YOUTH PROGRAMS AND SERVICES IN HAWAII," which was adopted by the Senate on April 26, 1990.

Sen. Com. No. 725, returning H.C.R. No. 136, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPARISON OF REIMBURSEMENT RATES AND REIMBURSABLE PROCEDURES AND SERVICES UNDER MEDICAID AND PRIVATE HEALTH INSURANCE PLANS," which was adopted by the Senate on April 26, 1990.

Sen. Com. No. 726, returning H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO CONDUCT A COMPREHENSIVE REVIEW OF PROGRAMS AND SERVICES FOR RUNAWAY YOUTH AND THEIR PARENTS," which was adopted by the Senate on April 26, 1990.

At this time, the following introductions were made to the members of the House:

Representative Hayes introduced Vivian Wilson, a constituent of hers from the heart of Waikiki, who was seated in the gallery.

Representative Tom introduced several members of the various Neighborhood Boards in Honolulu, as follows: Galen Fox from the Waiatale-Kahala Neighborhood Board; Ray Gaulty from the Salt Lake/Aliamanu/Foster Village Neighborhood Board; Kimo Sutton from the Kuliouou Neighborhood Board; and Ray Sweeney from the Kaneohe Neighborhood Board.

Representative Peters introduced his gracious mother, Mrs. Drake, from Waianae who was seated in the gallery.

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

The House of Representatives reconvened at 11:58 o'clock a.m.

**ORDER OF THE DAY****STANDING COMMITTEE REPORTS**

Representative D. Ige, for the Committee on Economic Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1559-90) recommending that S.C.R. No. 116 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FORMULATION OF PLANS TO DEVELOP AND ESTABLISH HOUSING PROJECTS ON HAWAIIAN HOME LANDS FOR ELDERLY NATIVE HAWAIIANS," was adopted.

Representatives D. Ige and Tom, for the Committees on Economic Development and Hawaiian Affairs and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1560-90) recommending that S.C.R. No. 64 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT CONGRESS ENACT LEGISLATION FOR THE FEDERAL GOVERNMENT TO PARTICIPATE AS EQUAL PARTNERS WITH THE HAWAIIAN HOMES COMMISSION TO BUILD HOMES AND DEVELOP VIABLE NATIVE HAWAIIAN COMMUNITIES THROUGHOUT THE STATE OF HAWAII," was adopted.

Representatives Tom and Arakaki, for the Committees on Intergovernmental Relations and International Affairs and Human Services, presented a joint report (Stand. Com. Rep. No. 1561-90) recommending that S.C.R. No. 142 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 142, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PRESIDENT BUSH TO ATTEND THE WORLD SUMMIT FOR CHILDREN AND TO SET GOALS TO REDUCE POVERTY," was adopted.

Representative Tom, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1562-90) recommending that S.C.R. No. 47, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 47, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE GOVERNMENTS OF THE UNITED STATES TO SEEK WAYS IN WHICH THEY MAY ASSIST THE PEOPLE OF WESTERN SAMOA AND AMERICAN SAMOA IN THEIR TIME OF CRISIS," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1563-90) recommending that S.C.R. No. 78 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO PROVIDE

SPECIFIED INFORMATION RELATING TO THE GENERAL EXCISE TAX," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1564-90) recommending that S.C.R. No. 57, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DETERMINE THE PLACEMENT AND COST OF A MULTIPURPOSE CENTER FOR THE WAIANAE COAST," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1565-90) recommending that S.C.R. No. 79 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION OF WHETHER SERVICES SHOULD BE TREATED SIMILARLY TO GOODS FOR PURPOSES OF THE GENERAL EXCISE AND USE TAXES," was adopted.

At 11:59 o'clock a.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:03 o'clock p.m.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1566-90) recommending that S.C.R. No. 169, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 169, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE ADMINISTRATIVE LAW JUDGE SYSTEM," was referred to the Committee on Legislative Management.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1567-90) recommending that S.C.R. No. 227, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 227, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTIVENESS OF IMPLEMENTING A BAN ON FIREARMS IN HAWAII," was referred to the Committee on Legislative Management.

Representative Metcalf, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1568-90) recommending that S.C.R. No. 240 be referred to the Committee on Legislative Management.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the majority of the Committee was adopted and S.C.R. No. 240, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF DEVELOPING AND PROMOTING PARI-MUTUEL HORSE RACING IN HAWAII," was referred to the

Committee on Legislative Management, with Representative Cavasso voting no.

### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to House Bill Nos. 1275, HD 1 (SD 1); 1490, HD 2 (SD 1); 2191, HD 1 (SD 1); 2611 (SD 1); 2883 (SD 1); and 2947, HD 1 (SD 1), seconded by Representative Hemmings and carried. (Representative Peters voted against reconsidering action on H.B. No. 1275, HD 1, SD 1)

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 1275, HD 1 (SD 1); 1490, HD 2 (SD 1); 2191, HD 1 (SD 1); 2611 (SD 1); 2883 (SD 1); and 2947, HD 1 (SD 1).

At 12:05 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:14 o'clock p.m.

At 12:15 o'clock p.m., the House of Representatives stood in recess until 10:00 o'clock p.m. tonight.

### NIGHT SESSION

The House of Representatives reconvened at 10:15 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1569-90) recommending that S.C.R. No. 150 be referred to the Committee on Legislative Management.

By unanimous consent, action was deferred.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1570-90) recommending that H.R. No. 7, as amended in HD 1, be referred to the Committee on Finance.

By unanimous consent, action was deferred.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1571-90) recommending that H.R. No. 8, as amended in HD 1, be referred to the Committee on Finance.

By unanimous consent, action was deferred.

Representatives Hagino and Cachola, for the Committees on Water and Land Use and Tourism, presented a joint report (Stand. Com. Rep. No. 1572-90) recommending that S.C.R. No. 141, SD 1, as amended in HD 1, be adopted.

By unanimous consent, action was deferred.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1573-90) recommending that S.C.R. No. 245, SD 1, as amended in HD 1, be adopted.

By unanimous consent, action was deferred.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1574-90) recommending that S.C.R. No. 216, as amended in HD 1, be adopted.

By unanimous consent, action was deferred.

Representative Hirono, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1575-90) recommending that S.C.R. No. 100, SD 1, as amended in HD 1, be adopted.

By unanimous consent, action was deferred.

Representative Hayes, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1576-90) recommending that S.C.R. No. 225, SD 1, as amended in HD 1, be adopted.

By unanimous consent, action was deferred.

### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 21 on H.B. No. 3299, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 21 and H.B. No. 3299, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 35 on H.B. No. 2546, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 35 and H.B. No. 2546, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 46 on H.B. No. 2876, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 46 and H.B. No. 2876, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were recommitted to the Committee on Conference.

### CONFERENCE COMMITTEE REPORTS

Representative Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2103, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 2103, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 49 and H.B. No. 2103, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ZIP

CODES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2103, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Tam, Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2299, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 2299, HD 1, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 50 and H.B. No. 2299, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AFTER-SCHOOL PROGRAM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2299, HD 1, SD 2, CD 1, were made available to the members of the House.

Representatives Hagino, Metcalf and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3296, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 3296, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 51 and H.B. No. 3296, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIALS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3296, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Andrews, Taniguchi and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2208, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 2208, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 52 and H.B. No. 2208, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE TRANSPORTATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2208, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Andrews and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3403, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 3403, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 53 and H.B. No. 3403, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3403, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Hayes and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2458, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 2458, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 54 and H.B. No. 2458, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A RENTAL HOUSING TRUST FUND," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2458, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Andrews and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3299, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 3299, HD 2, SD 2, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 55 and H.B. No. 3299, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3299, HD 2, SD 2, CD 2, were made available to the members of the House.

Representatives Hayes and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3111, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 3111, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 56 and H.B. No. 3111, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3111, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Shon, Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2985, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 2985, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 57 and H.B. No. 2985, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2985, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Hirono and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2293, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 2293, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 58 and H.B. No. 2293, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REVIEW THE LAWS RELATING TO FINANCIAL INSTITUTIONS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2293, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Oshiro, Metcalf, Fukunaga and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2950, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 2950, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 59 and H.B. No. 2950, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2950, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Tom, Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2381, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 2381, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 60 and H.B. No. 2381, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, DEVELOPMENT, AND COORDINATION OF A STATEWIDE PROGRAM FOR THE PROVISION OF SERVICES TO CONTROL VIOLENT BEHAVIOR," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2381, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Tom and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2268, SD 1, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 2268, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 61 and H.B. No. 2268, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SATELLITE STATE OFFICE PILOT PROJECT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2268, SD 1, CD 1, were made available to the members of the House.

Representatives Cachola, Souki and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3114, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 3114, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 62 and H.B. No. 3114, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI BEAUTIFICATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3114, HD 2, SD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2895, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 2895, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 63 and H.B. No. 2895, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2895, HD 1, SD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2990, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 64) recommending that H.B. No. 2990, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 64 and H.B. No. 2990, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2990, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Bunda, Bybee and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2265, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 65) recommending that H.B. No. 2265, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 65 and H.B. No. 2265, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN-RELATED ACTIVITIES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2265, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf, Arakaki, Tom and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2308, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 2308, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 66 and H.B. No. 2308, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2308, HD 2, SD 2, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2500, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 67) recommending that H.B. No. 2500, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 67 and H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2500, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives D. Ige and Fukunaga, for the Committee on Conference on the disagreeing vote of the

House to the amendments proposed by the Senate in H.B. No. 1144, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 68) recommending that H.B. No. 1144, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 68 and H.B. No. 1144, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1144, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Takamine, Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1900, SD 1, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 1900, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 69 and H.B. No. 1900, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1900, SD 1, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1251, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 70) recommending that H.B. No. 1251, HD 1, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 70 and H.B. No. 1251, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1251, HD 1, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 69, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 69, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 71 and H.B. No. 69, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 69, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Cachola and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3095, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 72) recommending that H.B. No. 3095, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 72 and H.B. No. 3095, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B.

No. 3095, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Cachola, Fukunaga and Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3098, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 73) recommending that H.B. No. 3098, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 73 and H.B. No. 3098, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM TRAINING," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3098, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf, Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3355, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 74) recommending that H.B. No. 3355, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 74 and H.B. No. 3355, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3355, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3357, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 75) recommending that H.B. No. 3357, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 75 and H.B. No. 3357, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3357, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3385, SD 1, presented a report (Conf. Com. Rep. No. 76) recommending that H.B. No. 3385, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 76 and H.B. No. 3385, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LITERACY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3385, SD 1, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2046, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 77) recommending that H.B. No. 2046, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 77 and H.B. No. 2046, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-



TERM CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2046, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2092, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 78) recommending that H.B. No. 2092, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 78 and H.B. No. 2092, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2092, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives D. Ige and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2229, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 79) recommending that H.B. No. 2229, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 79 and H.B. No. 2229, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2229, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Shon, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2280, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 80) recommending that H.B. No. 2280, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 80 and H.B. No. 2280, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2280, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2281, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 81) recommending that H.B. No. 2281, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 81 and H.B. No. 2281, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SUPPORT CENTERS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2281, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives D. Ige and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2287, HD 2, SD 2, presented a report (Conf. Com.

Rep. No. 82) recommending that H.B. No. 2287, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 82 and H.B. No. 2287, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A FINANCIAL MALL," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2287, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives D. Ige, Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2288, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 83) recommending that H.B. No. 2288, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 83 and H.B. No. 2288, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2288, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives D. Ige, Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2290, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 84) recommending that H.B. No. 2290, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 84 and H.B. No. 2290, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2290, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2582, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 85) recommending that H.B. No. 2582, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 85 and H.B. No. 2582, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2582, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Cachola and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2296, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 86) recommending that H.B. No. 2296, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 86 and H.B. No. 2296, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2296, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2608, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 87) recommending that H.B. No. 2608, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 87 and H.B. No. 2608, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2608, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2645, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 88) recommending that H.B. No. 2645, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 88 and H.B. No. 2645, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAMS FOR FAMILIES OF MENTALLY ILL PERSONS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2645, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Arakaki, Shon and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2649, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 89) recommending that H.B. No. 2649, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 89 and H.B. No. 2649, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMUNITY-BASED TEENAGE HEALTH CLINIC DEMONSTRATION PROJECT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2649, HD 2, SD 2, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference to which was recommitted H.B. No. 2876, HD 1, SD 1, CD 1, presented a report (Conf. Com. Rep. No. 90) recommending that H.B. No. 2876, HD 1, SD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 90 and H.B. No. 2876, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2876, HD 1, SD 1, CD 2, were made available to the members of the House.

Representatives D. Ige and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2896, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 91) recommending that H.B. No. 2896, HD 3, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 91 and H.B. No. 2896, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred for a

period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2896, HD 3, SD 2, CD 1, were made available to the members of the House.

Representatives Tom and Souki, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2919, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 92) recommending that H.B. No. 2919, HD 1, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 92 and H.B. No. 2919, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2919, HD 1, SD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2929, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 93) recommending that H.B. No. 2929, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 93 and H.B. No. 2929, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE SECRETARY, PRIVATE SECRETARY AND SCHOOL ADMINISTRATIVE SERVICES ASSISTANT CLASSES IN THE STATE EXECUTIVE BRANCH," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2929, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2904, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 94) recommending that H.B. No. 2904, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 94 and H.B. No. 2904, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2904, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2932, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 95) recommending that H.B. No. 2932, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 95 and H.B. No. 2932, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE ADULT CORRECTIONS OFFICER, YOUTH CORRECTIONS OFFICER, REGISTERED PROFESSIONAL NURSE AND ANESTHETIST CLASSES IN THE STATE EXECUTIVE BRANCH," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2932, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf, Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2057, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 96) recommending that H.B. No. 2057, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 96 and H.B. No. 2057, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2057, HD 1, SD 1, CD 1, were made available to the members of the House.

Representative Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2089, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 97) recommending that H.B. No. 2089, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 97 and H.B. No. 2089, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2089, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Taniguchi, Tom and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2273, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 98) recommending that H.B. No. 2273, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 98 and H.B. No. 2273, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII PUBLIC TELEVISION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2273, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Metcalf, for the Committee on Conference to which was recommitted H.B. No. 2546, HD 1, SD 1, CD 1, presented a report (Conf. Com. Rep. No. 99) recommending that H.B. No. 2546, HD 1, SD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 99 and H.B. No. 2546, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2546, HD 1, SD 1, CD 2, were made available to the members of the House.

Representatives Andrews and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2751, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 100) recommending that H.B. No. 2751, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 100 and H.B. No. 2751, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," was deferred for

a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2751, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3142, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 134) recommending that S.B. No. 3142, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 134 and S.B. No. 3142, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII MINORITY STUDENTS: HAWAII OPPORTUNITY PROGRAM IN EDUCATION (HOPE)," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3142, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Shon and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3169, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 135) recommending that S.B. No. 3169, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 135 and S.B. No. 3169, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING REGISTERED NURSE STUDENT FINANCIAL SUPPORT AND LOAN PROGRAMS AND MAKING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3169, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Shon and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3170, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 136) recommending that S.B. No. 3170, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 136 and S.B. No. 3170, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES DOMICILIARY HOMES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3170, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Fukunaga and Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1148, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 137) recommending that S.B. No. 1148, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 137 and S.B. No. 1148, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCATION OF DRIVER'S LICENSE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1148, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Souki, for the Committee on Conference on the disagreeing vote of the

Senate to the amendments proposed by the House in S.B. No. 1526, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 138) recommending that S.B. No. 1526, SD 2, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 138 and S.B. No. 1526, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS' CLASSIFICATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1526, SD 2, HD 1, CD 1, were made available to the members of the House.

Representatives Arakaki, Shon and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2794, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 139) recommending that S.B. No. 2794, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 139 and S.B. No. 2794, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2794, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Arakaki and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3146, HD 2, presented a report (Conf. Com. Rep. No. 140) recommending that S.B. No. 3146, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 140 and S.B. No. 3146, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3146, HD 2, CD 1, were made available to the members of the House.

Representatives Tom and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3233, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 141) recommending that S.B. No. 3233, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 141 and S.B. No. 3233, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3233, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives D. Ige, Tom, Hagino and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3247, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 142) recommending that S.B. No. 3247, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 142 and S.B. No. 3247, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDEMNATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of

S.B. No. 3247, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Bunda and Hagino, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3306, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 143) recommending that S.B. No. 3306, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 143 and S.B. No. 3306, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3306, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Tom and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3403, HD 1, presented a report (Conf. Com. Rep. No. 144) recommending that S.B. No. 3403, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 144 and S.B. No. 3403, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY AT STATE BEACH PARKS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3403, HD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2159, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 145) recommending that S.B. No. 2159, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 145 and S.B. No. 2159, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2159, SD 1, HD 1, CD 1, were made available to the members of the House.

Representatives Oshiro and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1214, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 146) recommending that S.B. No. 1214, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 146 and S.B. No. 1214, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AEROSPACE MUSEUM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1214, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Andrews and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1611, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 147) recommending that S.B. No. 1611, SD 2, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 147 and S.B. No. 1611, SD 2, HD 1, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1611, SD 2, HD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2945, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 148) recommending that S.B. No. 2945, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 148 and S.B. No. 2945, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TOTALLY ELECTRONIC VOTING SYSTEM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2945, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives D. Ige and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3088, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 149) recommending that S.B. No. 3088, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 149 and S.B. No. 3088, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ENTERPRISE DEVELOPMENT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3088, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Tam and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2596, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 150) recommending that S.B. No. 2596, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 150 and S.B. No. 2596, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2596, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Hagino, Tom and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3127, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 151) recommending that S.B. No. 3127, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 151 and S.B. No. 3127, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3127, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Taniguchi and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B.

No. 2978, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 152) recommending that S.B. No. 2978, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 152 and S.B. No. 2978, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE 500TH ANNIVERSARY OF CHRISTOPHER COLUMBUS' ARRIVAL IN THE NEW WORLD AND MAKING AN APPROPRIATION THEREFOR," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2978, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Metcalf, Tam and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2881, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 153) recommending that S.B. No. 2881, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 153 and S.B. No. 2881, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SCHOOL PERSONNEL," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2881, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Andrews and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1819, SD 2, HD 4, presented a report (Conf. Com. Rep. No. 154) recommending that S.B. No. 1810, SD 2, HD 4, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 154 and S.B. No. 1810, SD 2, HD 4, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A NATURAL RESOURCE AND ENERGY AUTHORITY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1810, SD 2, HD 4, CD 1, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3176, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 155) recommending that S.B. No. 3176, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 155 and S.B. No. 3176, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3176, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Shon and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2587, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 156) recommending that S.B. No. 2587, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 156 and S.B. No. 2587, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A

NEWBORN HEARING SCREENING PROGRAM FOR THE EARLY IDENTIFICATION OF HEARING LOSS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2587, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Hayes, Shon and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2560, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 157) recommending that S.B. No. 2560, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 157 and S.B. No. 2560, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH PHYSICAL DISABILITIES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2560, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Fukunaga and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2338, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 158) recommending that S.B. No. 2338, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 158 and S.B. No. 2338, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2338, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3334, HD 1, presented a report (Conf. Com. Rep. No. 159) recommending that S.B. No. 3334, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 159 and S.B. No. 3334, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3334, HD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2776, HD 1, presented a report (Conf. Com. Rep. No. 160) recommending that S.B. No. 2776, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 160 and S.B. No. 2776, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR OVERPAYMENT OF TAXES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2776, HD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2377, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 161)

recommending that S.B. No. 2377, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 161 and S.B. No. 2377, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2377, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3119, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 162) recommending that S.B. No. 3119, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 162 and S.B. No. 3119, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOBACCO TAX," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3119, SD 1, HD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Fukunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2864, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 200) recommending that H.B. No. 2864, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 200 and H.B. No. 2864, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION COMMISSION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2864, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2865, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 201) recommending that H.B. No. 2865, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 201 and H.B. No. 2865, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2865, HD 1, SD 1, CD 1, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2871, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 202) recommending that H.B. No. 2871, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 202 and H.B. No. 2871, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B.

No. 2871, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives Takamine and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2884, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 203) recommending that H.B. No. 2884, HD 2, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 203 and H.B. No. 2884, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2884, HD 2, SD 1, CD 1, were made available to the members of the House.

Representatives D. Ige and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2986, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 204) recommending that H.B. No. 2986, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 204 and H.B. No. 2986, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR LINGUATRON (USA) LIMITED," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2986, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2789, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 205) recommending that H.B. No. 2789, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 205 and H.B. No. 2789, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONDS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2789, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Takamine and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2891, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 206) recommending that H.B. No. 2891, HD 2, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 206 and H.B. No. 2891, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2891, HD 2, SD 2, CD 1, were made available to the members of the House.

Representatives Cachola, Souki and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1148, SD 1, presented a report (Conf. Com. Rep. No. 207) recommending that H.B. No. 1148, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 207 and H.B. No. 1148, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1148, SD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1576, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 208) recommending that H.B. No. 1576, HD 1, SD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 208 and H.B. No. 1576, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1576, HD 1, SD 1, CD 1, were made available to the members of the House.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m. on Monday, April 30, 1990.

## SIXTIETH DAY

**Monday, April 30, 1990**

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 9:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Robert S. Owens, Jr. of the First Presbyterian Church, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-Ninth Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Ninth Day was approved.

**GOVERNOR'S MESSAGE**

The following message from the Governor (Gov. Msg. No. 192) was read by the Clerk and placed on file:

Gov. Msg. No. 192, informing the House that on April 27, 1990, he signed the following bill into law:

House Bill No. 2882 as Act 48, entitled: "RELATING TO THE MOLOKAI IRRIGATION AND WATER UTILIZATION PROJECT."

**SENATE COMMUNICATIONS**

The following communications from the Senate (Sen. Com. Nos. 727 to 803) were read by the Clerk and placed on file:

Sen. Com. No. 727, informing the House that the President has, on April 27, 1990, appointed Senators Yamasaki and A. Kobayashi, Co-Chairmen; and Koki, as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to H.B. No. 1718 (SD 2).

Sen. Com. No. 728, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 2569, SD 2 (HD 1); 2838, SD 1 (HD 1); and 3168 (HD 1) were agreed to by the Senate on April 27, 1990.

Sen. Com. No. 729, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to Senate Bill Nos. 3093, SD 2 (HD 2) and 3079 (HD 2) were agreed to by the Senate on April 27, 1990.

Sen. Com. No. 730, informing the House that Senate Bill Nos. 755, HD 1; 1146, HD 1; 1509, HD 1; 2254, SD 1, HD 1; 2279, HD 1; 2730, SD 1, HD 1; 2943, HD 1; 3039, SD 2, HD 2; 3101, SD 1, HD 2; 3115, SD 1, HD 2; 3117, SD 2, HD 1; and 3237, HD 1, passed Final Reading in the Senate on April 27, 1990.

Sen. Com. No. 731, informing the House that H.C.R. No. 13, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HOUSING LOANS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 732, informing the House that H.C.R. No. 60, HD 1, SD 1, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO DEVELOP A FAIR AND EQUITABLE POLICY FOR STATE ASSISTANCE FOR LANDSLIDE REMEDIAL MEASURES," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 733, informing the House that H.C.R. No. 75, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CLASSROOM DIVIDERS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 734, informing the House that H.C.R. No. 76, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO EXPLORE METHODS OF CONTROLLING RAPID INCREASES IN GROUND LEASE RENTS AFFECTING COMMERCIAL PROPERTIES," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 735, informing the House that H.C.R. No. 82, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR OF THE STATE OF HAWAII TO APPOINT WOMEN TO AT LEAST ONE-HALF OF ALL STATE BOARDS, AUTHORITIES, COMMITTEES, AND COMMISSIONS THIS YEAR," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 736, informing the House that H.C.R. No. 110, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A COMPREHENSIVE OVERVIEW OF THE STRUCTURE OF COMPONENTS AND PERSONNEL OF THE STATE'S SPECIAL EDUCATION PROGRAM," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 737, informing the House that H.C.R. No. 133, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO EXAMINE THE FEASIBILITY OF CONSTRUCTING AFFORDABLE HOUSING ON PARCELS OF STATE LAND WITHIN HONOLULU'S PRIMARY URBAN CENTER," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 738, informing the House that H.C.R. No. 140, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO COORDINATE EFFORTS TO MAXIMIZE FEDERAL MEDICAID FUNDS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 739, informing the House that H.C.R. No. 192, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO UTILIZE REVENUE GENERATED BY THE PETROLEUM OVERCHARGE DISTRIBUTION AND RESTITUTION ACT TO FACILITATE THE IMPLEMENTATION OF DEMAND-SIDE MANAGEMENT PROGRAMS THROUGH INTEGRATED RESOURCE PLANNING IN ORDER TO FOSTER ENERGY INDEPENDENCE AND REDUCE THE ADVERSE ENVIRONMENTAL EFFECTS OF FOSSIL FUEL," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 740, informing the House that H.C.R. No. 197, HD 1, SD 1, entitled: "HOUSE



CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN OFFICE AT THE UNIVERSITY OF HAWAII TO ADVOCATE FOR VICTIMS OF DISCRIMINATION," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 741, informing the House that H.C.R. No. 223, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING AN INTERNATIONAL SERVICE TRAINING PROGRAM FOR HAWAII RESIDENTS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 742, informing the House that H.C.R. No. 224, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING AN INTERNATIONAL SERVICE TRAINING PROGRAM FOR STUDENTS FROM PACIFIC COUNTRIES," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 743, informing the House that H.C.R. No. 230, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY OF THE UNIVERSITY OF HAWAII, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, TO PREPARE A CURRICULUM OUTLINE FOR AN EXPANDED MARINE SCIENCE PROGRAM FOR ELEMENTARY AND SECONDARY SCHOOLS IN HAWAII," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 744, informing the House that H.C.R. No. 239, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF A STATEWIDE COMPUTER SYSTEM FOR THE COLLECTION AND DISSEMINATION OF AUTOMOBILE OWNER AND OPERATOR INFORMATION," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 745, informing the House that H.C.R. No. 241, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO ESTABLISH A TASK FORCE TO INVESTIGATE METHODS OF STREAMLINING THE LAND USE PERMIT PROCESS AT THE STATE AND COUNTY LEVELS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 746, informing the House that H.C.R. No. 250, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF PERSONNEL SERVICES AND THE HAWAII GOVERNMENT EMPLOYEES' ASSOCIATION, TO WORK WITH THE EDUCATIONAL ASSISTANTS ASSOCIATION TO UPDATE AND RECLASSIFY THE JOB DESCRIPTIONS FOR EDUCATIONAL ASSISTANTS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 747, informing the House that H.C.R. No. 261, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STRATEGIC PLAN TO PROVIDE OUTREACH HEALTH SERVICES TO THE RURAL AREAS IN THE STATE OF HAWAII," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 748, informing the House that H.C.R. No. 292, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING INTERIM HEARINGS ON

THE LEGISLATIVE ACCESS COMMITTEE'S FINAL ACTION PLAN," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 749, informing the House that H.C.R. No. 301, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT A STATUTE AUTHORIZING A RIGHT OF ACTION TO ENFORCE THE HAWAIIAN HOMES COMMISSION ACT IN FEDERAL COURTS," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 750, informing the House that H.C.R. No. 317, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE PROBLEMS AND NEEDS OF GAY AND LESBIAN YOUTH OF HAWAII BY THE GAY AND LESBIAN TEEN TASK FORCE," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 751, informing the House that H.C.R. No. 320, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON RECENT PROGRAMS TO INCREASE PARENTAL PARTICIPATION IN SCHOOL ACTIVITIES AND URGING INCREASED EFFORTS TO IMPROVE PARTICIPATION OF PARENTS AND SCHOOL PERSONNEL AT SCHOOL ACTIVITIES," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 752, informing the House that H.C.R. No. 330, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPLETE REVIEW OF GEOTHERMAL ENERGY PRODUCTION AND THE UNDERWATER CABLE PROJECT INTENDED FOR THE EXPORTATION OF ELECTRIC POWER FROM THE ISLAND OF HAWAII TO OAHU," was adopted by the Senate on April 27, 1990.

Sen. Com. No. 753, returning H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE HAWAII STATE LEGISLATURE IN THE DEVELOPMENT OF A SILVER LEGISLATURE IN HAWAII," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 754, returning H.C.R. No. 12, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO LAND EXCHANGES WITH KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO CREATE AN AGRICULTURAL PARK," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 755, returning H.C.R. No. 19, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION AND REVIEW OF SYSTEMATIC PLANNING FOR HOOKENA SCHOOL," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 756, returning H.C.R. No. 32, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A SYSTEMATIC PROGRAM OF REPAIR AND MAINTENANCE FOR ALL STATE FACILITIES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 757, returning H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES POSTAL SERVICE ISSUE A COMMEMORATIVE STAMP HONORING DUKE KAHANAMOKU," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 758, returning H.C.R. No. 55, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO DETERMINE THE IMPACT OF INEXPENSIVE MORTGAGES ON SELF-HELP HOUSING," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 759, returning H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO HONOR THE STATE'S WATER RIGHTS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 760, returning H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF PROTECTING HEALTH CARE ORGANIZATIONS FROM LIABILITY WHEN THEY PERFORM CHARITABLE MEDICAL SERVICES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 761, returning H.C.R. No. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS TO ENACT LEGISLATION TO DETERMINE WHEN INSPECTION OF FIRST CLASS PARCELS IS AUTHORIZED," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 762, returning H.C.R. No. 117, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE A LONG-RANGE PLAN TO REDUCE CLASS SIZE IN GRADES K-12," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 763, returning H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF MANDATORY ERRORS AND OMISSIONS INSURANCE COVERAGE FOR REAL ESTATE BROKERS AND SALESPERSONS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 764, returning H.C.R. No. 121, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP SCHOOL-BASED PROCEDURES TO ALLOW OPEN ENROLLMENT," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 765, returning H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING A MISSION STATEMENT FOR THE WAIKIKI AQUARIUM," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 766, returning H.C.R. No. 148, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO SHORTEN THE FORM FOR MEDICAID APPLICATIONS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 767, returning H.C.R. No. 151, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO ADDRESS CONCERNS RELATING TO THE SOCIAL WORKER SHORTAGE IN HAWAII," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 768, returning H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DEVELOP EXCHANGE PROGRAMS WITH

UNIVERSITIES IN THE PHILIPPINES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 769, returning H.C.R. No. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE DISPOSITION BY LEASE OF CERTAIN SUBMERGED LANDS AND LANDS BENEATH TIDAL WATERS OF THE STATE," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 770, returning H.C.R. No. 163, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE REALTORS TO GIVE EACH CLIENT A COPY OF A LEASEHOLD INFORMATION BROCHURE," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 771, returning H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO RATIFY INTERNATIONAL LEGISLATION RELATING TO THE ENFORCEMENT OF COURT-ORDERED FAMILY MAINTENANCE AND SUPPORT," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 772, returning H.C.R. No. 181, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A MULTI-AGENCY TASK FORCE TO CONDUCT AN ASSESSMENT OF ADOLESCENT HEALTH AND THE NEED FOR PRIMARY ADOLESCENT HEALTH CARE SERVICES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 773, returning H.C.R. No. 182, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MENTAL HEALTH DIVISION OF THE DEPARTMENT OF HEALTH, THE HAWAII HOUSING AUTHORITY, AND THE EXECUTIVE OFFICE ON AGING WORK COOPERATIVELY TO PREVENT INAPPROPRIATE PLACEMENT OF ADULTS WHO ARE NOT ELDERLY IN ELDERLY HOUSING PROJECTS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 774, returning H.C.R. No. 200, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO MOTOR VEHICLES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 775, returning H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO RECOMMEND METHODS TO STRENGTHEN THE LEGISLATURE'S CAPACITY TO DETERMINE THE APPROPRIATENESS AND PRODUCTIVITY OF STATE PROGRAMS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 776, returning H.C.R. No. 208, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION OBJECTING TO THE PROPOSAL TO TRANSPORT AND INCINERATE NERVE GAS WEAPONS AT THE JOHNSTON ATOLL CHEMICAL AGENT DISPOSAL SYSTEM PROJECT," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 777, returning H.C.R. No. 213, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW ITS STANDARD SPECIFICATIONS FOR CONSTRUCTION CONTRACTS AND TO INCORPORATE PRACTICAL NEW TECHNOLOGIES THAT WILL RESULT IN COST SAVINGS OR EXTENDED USEFULNESS OF

FACILITIES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 778, returning H.C.R. No. 222, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING INTERNATIONAL EXCHANGE CENTERS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 779, returning H.C.R. No. 240, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE EFFORTS AND CONTRIBUTIONS OF THE ARMED SERVICES STATIONED IN HAWAII TO STRENGTHEN THE PUBLIC SCHOOL SYSTEM," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 780, returning H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE BERNICE PAUHI BISHOP MUSEUM TO INVENTORY CURRENT COOPERATIVE EDUCATIONAL PROGRAMS AND RESOURCES AVAILABLE TO HAWAII'S STUDENTS AND PROPOSE MEANS TO EXPAND AND ADD NEW PROGRAMS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 781, returning H.C.R. No. 253, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPROVE THE OVERALL SANITATION OF THE ANIMAL QUARANTINE STATION," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 782, returning H.C.R. No. 254, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUPPORT THE REACTIVATION OF THE QUARANTINE STATION'S ADVISORY COMMITTEE," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 783, returning H.C.R. No. 255, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVISE A SYSTEM TO PROVIDE FOR THE TIMELY NOTIFICATION OF PET OWNERS WHOSE QUARANTINED ANIMALS REQUIRE MEDICAL ATTENTION," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 784, returning H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY THE FEASIBILITY OF IMPROVING THE VISITOR AND STAFF FACILITIES AT THE ANIMAL QUARANTINE STATION," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 785, returning H.C.R. No. 257, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO REVISE ITS REQUIREMENTS FOR OBTAINING A PERMIT TO OPERATE A SATELLITE ANIMAL QUARANTINE FACILITY ON THE NEIGHBOR ISLANDS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 786, returning H.C.R. No. 259, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ASSISTANCE FOR THE UNIVERSITY OF HAWAII WOMEN'S FACULTY CAUCUS TO UPDATE A STUDY ON THE DISPARITY OF STATUS

BETWEEN MEN AND WOMEN FACULTY," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 787, returning H.C.R. No. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DECLARE THE AREA INUNDATED BY VOLCANIC ERUPTION ON THE BIG ISLAND A DISASTER AREA," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 788, returning H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM AUGUST 1990 'DUKE KAHANAMOKU MONTH'," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 789, returning H.C.R. No. 279, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMPILATION OF A DIRECTORY OF ALL STATE BOARDS AND COMMISSIONS FOR PUBLIC DISTRIBUTION," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 790, returning H.C.R. No. 280, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES SECRETARY OF VETERANS' AFFAIRS TO HOLD A FORUM IN THE STATE OF HAWAII WHEREIN PUBLIC CONCERNS AND INPUT WILL BE ADDRESSED AND RECEIVED FOR CONSIDERATION IN THE SITE SELECTION PROCESS FOR THE PROPOSED VETERANS' HOSPITAL IN HAWAII," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 791, returning H.C.R. No. 286, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES TO RATIFY THE CONVENTION ON CONSERVATION OF NATURE IN THE SOUTH PACIFIC," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 792, returning H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY REGARDING THE STATE'S RIGHT TO PROTECT DATA GENERATED IN ELECTRONIC FORM," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 793, returning H.C.R. No. 297, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PROMOTE GREATER BENEFICIARY INVOLVEMENT IN ALL PHASES OF THE HOMESTEADING PROGRAM," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 794, returning H.C.R. No. 312, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE DEPARTMENT OF HUMAN SERVICES, AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PROVIDE MORE SPACE AND A MORE PROFESSIONAL WORKING ENVIRONMENT FOR CHILD PROTECTIVE SERVICES WORKERS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 795, returning H.C.R. No. 313, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPROPRIATE AGENCIES TO IMPLEMENT THE RECOMMENDATIONS IN THE REPORT ON THE EVALUATION OF THE QUALITY OF CARE IN HOMES SERVING PEOPLE WITH DEVELOPMENTAL DISABILITIES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 796, returning H.C.R. No. 314, entitled: "HOUSE CONCURRENT RESOLUTION ADOPTING THE MISSION STATEMENT DEVELOPED BY PROJECT PO'OHALA AND REQUESTING A PLAN TO EXPAND FAMILY SUPPORT SERVICES TO FAMILIES OF PERSONS WITH DISABILITIES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 797, returning H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF CHILDREN AND YOUTH, IN COOPERATION WITH THE EXECUTIVE OFFICE ON AGING TO EXAMINE NATIONAL INTERGENERATIONAL PROGRAMS AND DEVELOP A RECOMMENDED LIST OF APPROPRIATE PROGRAMS FOR HAWAII," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 798, returning H.C.R. No. 318, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO INCORPORATE PLANS IN THE CURRENT WAIMANALO HOMESTEAD DEVELOPMENT PROJECT TO MINIMIZE FLOODING DAMAGE SUFFERED BY CERTAIN EXISTING HOMES AND LAND," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 799, returning H.C.R. No. 328, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO INITIATE AND SUPPORT LEGISLATION TO ERADICATE THE BROWN TREE SNAKE IN AREAS WHERE THIS ANIMAL HAS BECOME A PEST AND TO INTENSIFY FEDERAL EFFORTS TO PREVENT THE SPREAD OF THIS PEST TO OTHER PACIFIC ISLAND NATIONS, UNITED STATES TERRITORIES, AND THE STATE OF HAWAII," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 800, returning H.C.R. No. 335, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING AGENCIES PROVIDING OUTREACH AND IN-HOUSE EDUCATION TO ADOLESCENTS TO INCORPORATE HUMAN IMMUNODEFICIENCY VIRUS EDUCATION INTO THEIR PROGRAMS," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 801, returning H.C.R. No. 336, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON PERSONS WITH DISABILITIES TO EXAMINE ISSUES RELATING TO HEAD INJURY," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 802, returning H.C.R. No. 339, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HEALTH INSURANCE PROVIDERS TO INCLUDE COMPLETE COVERAGE OF APPROPRIATE IMMUNIZATION COSTS FOR ALL AGES IN THEIR HEALTH INSURANCE POLICIES," which was adopted by the Senate on April 27, 1990.

Sen. Com. No. 803, returning H.C.R. No. 344, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S COMMITTEE ON AIDS TO DEVELOP A BILL OF RIGHTS FOR HEALTH CARE WORKERS," which was adopted by the Senate on April 27, 1990.

At this time, Representative Liu introduced to the members of the House his mother-in-law, Mrs. Gertrude Peterson, "a very special lady" from Connecticut "who has come a long way to say 'hello' to us all."

At 9:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:55 o'clock a.m.

## ORDER OF THE DAY

### INTRODUCTION OF RESOLUTION

H.R. No. 400, honoring the memory of Alfred Renton 'Harry' Bridges and extending condolences and sympathy to his family was jointly offered by Representatives Kihano, Alcon, Okamura and Apo and was read by the Clerk.

On motion by Representative Alcon, seconded by Representative Okamura and carried, H.R. No. 400 was adopted.

### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering three budget bills out of order.

### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 67 on H.B. No. 2500, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2500, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Souki rose to speak in favor of the bill, stating:

"First of all, I wish to thank the members of the Finance Committee for their hard work and diligence. I wish to thank the Vice Chairman; I wish to thank Mr. Joe Leong who is serving his last day and who has been a staunch member of the Finance Committee since 1982 and has been a whip of the Finance Committee for all his hard work. I wish to thank the staff for their diligence and hard work, which we all know they work 24 hours a day, and it's hardly appreciated.

"Members, this budget provides a five percent increase over the last biennium in dollars. It provides, in general funds, approximately \$71-million in operating funds and \$133-million in capital improvement funds. It provides, in all of the funds, \$101-million, and in CIP, \$817-million. It's a sizeable budget but I think done with some restraint. It just gives it some highlights as we moved along.

"In economic development, we funded approximately \$9.1-million in the Capital Loan Program with certain technology and ag promotion, and in CIP approximately \$10.5-million.

"In employment, we provided \$2.7-million and that includes errors like job and tele-check.

"Transportation. We provided \$1.5-million of all funds and in CIP funding, we provided \$655-million, including \$125-million for the cost of a special bill for the relocation moneys for the expansion of the airport into a mega-international airport, and in highways, \$84.5-million which includes dollars for Kalaniana'ole, Maui and in Kahuku.

"In environmental protection, we provided approximately \$1.3-million. That bill covers oil spills and disasters.

"Health fund. I think the Legislature here provided a real commitment. We provided \$20.5-million -- that's in all funds.

"In the age program, approximately \$2.2-million. Emergency and medical services for the people of the State of Hawaii, \$1.7-million. Substance abuse, \$4.7-million, and \$2,500,000 to bridge the gap between the private service and the providers.

"Also, under the CIP, we provided \$17.9-million, most of which is going to the county hospitals, including upgrading the mental health facilities.

"In human services, it was a very strong year for human services. We provided funding of approximately \$25.6-million which includes for the jobs program new initiative of over \$3-million. Programs for the elderly, foster care, and homeless -- over \$4-million.

"In the capital improvement programs, we provided approximately \$128.7-million which includes service to veterans, \$11.2-million; homeless shelters, \$10.2-million; and housing development, \$206-million.

"Lower education. We provided \$24-million in all funds. We reduced the class size from the second grade to 20 to 1 ratio. We provided \$3.5-million for that. We provided additional dollars for counselors and library assistants -- approximately \$954,000. We provided \$3.1-million for the School Lunch Program; we provided \$1.1-million for the information and technology system; and repair and maintenance, \$3.5-million. And it should be noted that this is all above the base that the DOE had, and we think it's a fair budget.

"Under the CIP program, we provided \$8-million and that's over and beyond the \$90-million that we have in a special fund for the DOE, so that comes to \$98-million in capital improvement programs for the DOE.

"In higher education, we provided \$10.6-million and that includes dollars for repairs and maintenance, accreditation, teacher shortage, foreign language core requirements, and we've also provided under CIP funding, \$72-million which includes dollars for infrastructure, improvement, parking, Hawaiian studies, College of Tropical Ag, Klum Gym and educational facilities.

"Under culture and education, we provided \$5.4-million and under the CIP, \$52-million of which \$8.1-million is for the Aloha Stadium; and recreational facilities, approximately \$7.1-million.

"Under public safety, \$10.5-million. Capital improvement projects amounted to \$12.4-million. Government-wide support, \$28.6-million; capital improvements, \$73-million, and that includes \$15.9-million for the waterfront; \$2.7-million for Keehi Lagoon;

the land acquisition, \$10-million; state civil centers throughout the state, \$17.5-million.

"So, fellow representatives, I believe this represents the culmination of a year in preparing the State's needs. It's the second half of the biennium budget. I think it reflects a fair, balanced budget for the people of the State of Hawaii.

"Thank you very much."

Representative Tam then rose to speak in favor of the bill, stating:

"Mr. Speaker and members of the House, this budget provides for many improvements in our public schools and libraries in this supplemental budget year. Let me give you some of the highlights:

(1) \$3.5-million for class size reduction in the second grade to a ratio of 20 students to one teacher.

(2) An additional \$3.5-million to augment existing repair and maintenance funds.

(3) Twenty-five general aides to provide schools with personnel to deliver campus security, clerical and other support services.

(4) Thirty additional vice principal positions to be placed at schools with 500 or more students that do not now have a vice principal. This will help to make school operations more productive and efficient for the benefit of our students.

(5) Twenty-five library assistants to be allocated to schools with enrollment of a thousand or more so that the librarian in the schools will have more time to teach library and research skills to our students.

(6) Thirty additional counselors, statewide, to address the problems of at-risk students, drugs, gangs and violence, and also to help students plan their academic courses in the future, and many other innovative projects.

"We have also provided for the public libraries in the following highlights:

(1) Thirty-seven temporary library positions will be converted to permanent positions. This will aid in recruiting librarians and retaining experienced employees.

(2) Additional services and equipment for the blind and handicapped.

(3) Additional funds to purchase books for distribution to parents of children from birth to five years of age.

"Mr. Speaker, you and all of the members of the House can take credit for many improvements in your district public schools and libraries. Your vote for this budget will produce the highest percentage increase in education budget in recent history. Many of these appropriations are for innovative programs which will eventually change the very structure of our public school system. But we must do more.

"During the interim, the Committee on Education plans to work with all the different groups and parties involved in our public educational system. By working together, we can develop a biennial budget next legislative session that will speed up our progress towards educational excellence. For example, we plan to encourage the Department of Education to improve the long-range plan for vocational, technical education. If we are to make

school more interesting for the students, we must give them more alternatives in the kinds of courses available.

"We all know that there is still much more that must be done if we are to have a public educational system second to none. Governor John Waihee has set a goal for us which can be reached by the end of this decade, but in order to reach this goal, we must renew our pledge to the people of Hawaii that education is the top priority of the State. We must pay close attention to the fundamentals of education -- the teacher, the classroom, the school, and the student. If educational reform is to be effective, it must occur from the grassroots.

"I wish to thank the Chairman of the Finance Committee for his long hours of dedicated work towards education and the members of the Finance Committee. Mr. Speaker, I also wish to thank the members of the Education Committee and other colleagues for their support in our public educational system and our students. I wish to also thank the staff in every single office within the House of Representatives for their dedication towards our public educational system.

"I ask my colleagues to vote in favor of this budget.

"Thank you."

Representative Hemmings then rose to speak against the budget, stating:

"Mr. Speaker, it comes as no surprise to some since I've done this for the six years I've been in the House.

"Taxes and spending are double-edged swords, and we know that the taxing side has been cutting the people of this State to ribbons with excessively high taxes -- the taxes paid for continued funding of boondoggles and inefficiencies in government. I would concede, Mr. Speaker, that some of the things mentioned by the honorable Chairman of the Finance Committee are things that should be done and done well by government but, unfortunately, in this budget, as with others before it, the amount of duplication, mismanagement, and fiscal malfeasance borders on criminal. I think the people of Hawaii deserve a change in the formula.

"We have spent, for the last thirty or so years, ever increasing amounts of money. In the last four years, our budgets have been record-breaking. This is indeed a ceiling-busting state budget. We are spending more money, but can we go to our constituents and just tell them, yes, we spent more money on education. We spent more money on transportation, economic development and diversity, we have spent more money on health and hospitals and social services and crime. Can we tell them that they've gotten something for their money? Can we tell them that there has been a dramatic increase in the quality of education in spite of spending \$4,700 approximately on each public school student? Can we explain to them why it's taking so long to build our highways, our airports, and our harbors, and they still are not completed? My children think that Honolulu International Airport is a construction site. I understand that they think the same on Maui. By comparison, I'll have you compare Kapalua Airport to Maui Airport or to Honolulu International and see how much faster things can be done with efficient spending.

"We've talked every year about putting more money into economic diversity and development. I would submit to the people of Hawaii and to this body that we're more dependent on tourism and military spending than we ever were because nothing has been done to ease the pain and the burden of doing business in the State of Hawaii. It has become worse, and what do we ask the taxpayers for?

Pay more so we can make government bigger because Big Brother Government is going to take care of you. Well, I say it has not worked.

"In the area of social services, it's wonderful to stand up every year with our hearts full of compassion and brag about all the money we spent on these programs. But go down to Iwilei and see the homeless. They are living on the pavement. Go to our mental institution where we are deemed the worst in the nation where doors are being closed for our mentally needy. Go to our State hospitals which have been audited as being amongst the worst. In spite of spending more money, these services have grown worse.

"In our criminal justice system, we have the ACLU still have a heavy hand in running our prisons, an organization that quite interestingly is more interested in protecting the rights of criminals than the rights of victims.

"So the list goes on. We spend more and more and more. But besides spending more, Mr. Speaker, I would like to submit that this budget is a deception and though this budget goes according to figures published, 16.3 percent over the spending limit that the Constitution and laws put into place, it goes much more because many funds don't even show up in the budget -- special funds that are diverted before they even go into the general fund.

"Mr. Speaker, the people of this State, at the Constitutional Convention, wanted government to exercise a financial restraint that they are forced to because they don't have enough money. They work two, sometimes three, jobs per household--one of the worst in the nation the State is for dual wage earner households because of the high cost of living, the high cost of taxes. They are forced to live frugally and cut their spending because most of their income, the single biggest item they pay for, is government spending, and the tax at the State level, we rank amongst the highest. The people recognized this and put into the Constitution reasonable spending limits -- a formula -- which this Legislature in the last four years has exceeded by gross amounts. So I would submit to you that we have a spend more, tax more, government, and I would submit to you even more sadly that the people of Hawaii are not getting what they are paying for. When are we going to reverse the change, the trend? When are we going to allow the working people -- the laborers of this State -- to keep the resources they pay so handsomely for and I know when I am finished, great white knights with 'biblical' or whatever else will stand up and defend it, but you're not going to fool the people, you're not going to continue to fool the people as you've fooled them for the last thirty years -- they're paying more and getting less. And all the figures and facts aside, they know the realities they're facing on the street, so my symbolic 'no' vote is more a plea to bring economic sanity to state government because the people of Hawaii can no longer afford to pay.

"Thank you, Mr. Speaker."

Representative Lee then rose and stated:

"Mr. Speaker, the previous speaker has made numerous statements which I think should not go unanswered. He has stated that the budget is a tax and spend. It is indeed a budget, a program, for expenditures to meet very necessary services which are required throughout the State. I support the Chairman of the Finance Committee and the Chairman of the Education Committee in their explanations of what we are planning to do with the budget.

"The point about any budget, or any system of taxation and expenditures, as was stated in the Tax Review Commission which is a non-partisan commission made up of basically certified public accountants, it states on page one: 'The tax system in Hawaii is an expression of the willingness of its citizens to pay for government services and promote responsible behavior.'

"That willingness, I will submit to you, Mr. Speaker, is best exemplified by the actions of the House of Representatives. We do not expect everyone to agree with the budget. I have my differences and so does the previous speaker. But in sum total, it expresses the willingness of all the representatives representing their people, their constituents, for what we think is necessary.

"The previous speaker has also made statements about the problems. Indeed, there are problems, and indeed we are trying to rectify them. One of the highest points of expenditures is for the Kaneohe State Hospital. This is to rectify the dismal record we have had in mental health. We can do so when we have resources and when we have resources, we should have the courage to make the decision, to spend the money to improve the facility. We can cite all these problems and what we are doing about them.

"Now, about the high level of expenditures, again I refer to the Tax Review Commission report. 'Hawaii is above average in government expenditures.' In 1987, total state and county government expenditures in Hawaii were \$3,191 per capita. We rank nineteenth. The national average for all fifty states was \$3,185 which is slightly above the national average but we are not as high or as exorbitant as the previous speaker has stated.

"Why do we have such a high level of expenditures? Again, I refer to the Tax Review Commission and I must apologize that I'm not very original because I don't have a staff and I'm not an expert in these matters and I would defer it to the CPAs and the bankers and the financiers who make up the Tax Review Commission. By the way, this is a very good innovation on the part of the Democratic Party which, in 1978, established the Tax Review Commission to review our system and come up with recommendations and suggestions as to how we can improve and make the system more equitable and broadly based.

"Here I cite why we have a high level of per capita expenditures: 'The presence of many tourists in the islands require government services. On an average day in 1987, there were 134,270 tourists in the islands. To accommodate them, Hawaii state and local governments have to provide airports and police protection and other tourist-related services beyond the needs of their own residents.' This is basically a matter of investment in the economic infrastructure because out of investment, we increase productivity and economic returns. The previous speaker has lamented the continued construction of the Honolulu Airport. He is absolutely right. We are now going beyond six million arrivals -- 20 million arrivals in Honolulu Airport. It contrasts with Kapalua. Of course, if you build a small little airport like Kapalua, you can do it very quickly. The airport expansion at Honolulu is a major, multi, several hundred millions of dollars of construction which, by the way, is paid for out of the Airport Fund and not by the taxpayers of the State of Hawaii.

"The second reason, according to the Tax Review Commission, is the high cost of living. Only Alaska pay higher prices for goods and services and this is an economic fact dictated by the isolation of both of these states from the mainland economies.

"The third major reason which I think is very important is that Hawaii's centralized government contributes to above-average spending. Most states have higher standards for public services in their cities and suburbs than in the rural areas. In Hawaii, where the major programs are administered by the State, there is more or less a single higher urban standard for all areas. We do not have poverty-stricken counties such as those in Kentucky and Tennessee and other areas. What we do is that we have one urban standard for all of the counties and this means that there are high expenditures for rural counties and rural areas of the Big Island, Kauai, and even Molokai.

"Another substantial difference is that Hawaii's centralized government provides for education throughout the State. This is a major difference. In no other state does this situation exist and the real advantage of this is that the student in Kau or other areas should have the same educational opportunity as those in urban Honolulu. This is not the case in most of the states in the union, and indeed in Kentucky, the Kentucky Supreme Court has found that the educational system in Kentucky is unconstitutional because it does not provide equal opportunity.

"Mr. Speaker, I apologize for the length of my statement, but I think it is important that we approach any discussion or debate dispassionately with a clear view as to the objectives of what the citizens of the State would like us to do and whether we have the means to do it, and if we do have the means, whether we have the courage to put our convictions to test.

"Thank you, Mr. Speaker."

Representative Souki, in rebuttal, stated:

"I just want to make mention on a couple of points. The Minority Floor Leader made mention that we're a high-spending state and this is a very expensive budget with an 'an,' not an 'en'.

"I would just like to make mention that for the members and for the Minority Floor Leader that this budget here, in relation to this biennium to the previous biennium in the general funds, there is only a one percent increase -- one percent increase! Now, I wonder if other states can claim this same thing or if the federal government can claim the same thing.

"In relation to all funds -- special funds, federal funds, et cetera -- there is a five percent increase. That's right in line with the cost of living for the State of Hawaii -- between four and five. So I believe that this budget is a very modest budget and I think the State of Hawaii is the envy of many states because we have a surplus and we are ending this budget year with an \$80-million surplus. There is not too many states that can say the same thing. There is not too many states that can take care of their human services, their health programs, their educational programs, and still come out with a balanced budget, and we are not in deficit spending. We have never been and we're looking toward the future. I believe there is some jurisdictions, including the national jurisdiction, that could take a lesson from this body here and this is, Mr. Speaker and members, this budget is something that you can be proud of.

"Thank you very much."

Representative Hemmings, in rebuttal, stated:

"I appreciate the exercise in democracy here. I don't apologize for standing up in rebuttal because I'm not speaking for myself and I'm not speaking for the political

machine that runs the State. Hopefully, I'm speaking for the average citizen out there, especially the laborer who is working so hard and keeping so little of his money. This is a tax and spend budget.

"Mr. Speaker, I did not belabor some of the points that I could bring up and which I brought up last year on where some of the peoples' money is being spent. I didn't want to bring up something like spending \$9,000 a month on a sports promoter to continue to promote a sports event that does not exist.

"I did not want to bring up what a wonderful job the Majority Party has done in building a stadium that's rusting to the point that it's unsafe and we have to spend \$10-million just to make it safe for our people to be in and maybe \$75-million to fix the rust. Are you proud of it, Majority Party? Terrific!

"I didn't want to bring up what national publications have said about the state of mental health, or the fact that our State hospitals are on the verge of non-accreditation and have \$53-million in outstanding debt because of the inability to collect the debt properly.

I didn't want to bring up that the Governor entered into a sweetheart deal without bids in a secrecy clause to have bill collections collected and rather than our Attorney General pursuing it, it just simply disappeared into the woodwork.

"We say that tourists pay the taxes around here. Nothing could be further from the truth, Mr. Speaker. The taxpayers pay the bills around here. We say we pass the tax on to businesses in the tourist business. We say at the airport, the businesses out there pay for all the wonderful jobs.

"I illustrated Kapalua Airport to show that an airport can be built efficiently with good planning. We should have built it twenty years ago. Los Angeles International Airport has the same traffic we do. They went from a single-tiered airport to a massive double-decker airport three years before the Olympics and they got the job done. You don't see them jack-hammering down on-ramps and other aspects of the airport that they just built five or six years ago because they had efficient planning and good management when they built it.

"One of the speakers that stood to rebut my comments said, 'we have a centralized government.' Precisely the problem, and that's where we need perestroika.

"We need home rule so the counties can start having more control over their destiny, and so we don't have boondoggles like Kakaako where taxpayers have subsidized to the tune of millions of dollars in improvements that will only serve the rich while your Party claims to be the compassionate Party of the working men. Where's the working men going to be able to afford a place in Kakaako, Mr. Speaker? Please tell me, all righteous, compassionate Majority Party.

"We talk about having a centralized education system. Precisely the problem. When are we going to reach out in the communities and have decentralized public education and locally elected Board of Education so the people can get hands-on control of the future of their children's education? I submit to you that you can measure the quality of education by the quality of the product. We have an extra office now -- the Governor's Office on Illiteracy -- because that's the way he solves problems -- create new studies and new programs and new offices and spend the money. One in five adults in this State, or approximately 19 percent, are judged to be

functionally illiterate. That's the quality of centralized education that you so righteously defend.

"We're a high-spending state. You're right. But let's not be deceptive and stand up and say that this budget only increases spending from last year by one percent when in the previous year, the increase was 19 percent. Let's not tell the people of Hawaii that we're so generous in tax rebates. When we recodified the tax laws, the people of this State, on the average, stand to the 28th percent jerk in the increases of their State taxes because we took away their deductions but we did not reduce their taxes accordingly. And then, self-righteously, the executive branch and the Majority Party who supports whatever they do upstairs comes here and says, we're giving you back \$50-million this year, \$63-million last year. Well, that pales in the face of hundreds of millions of dollars worth of excess taxes collected.

"This is a modest budget -- far from it! But I am glad the Chairman of the Finance Committee admitted that we have, in spite of all the spending and, incidentally, once again spending to the 16.3 percent just in what we were able to find and identify over the constitutionally requested spending limit, that we still have a surplus. But what is this administration and this Legislature want to do? They want to extend the Legislature so that they can figure out a way to raise taxes to pay for something that should have been paid for a long time ago -- mass transit. The City and County and Mayor of this county have been held hostage, and now twenty years later when we face gridlocks on the streets, the Governor steps forward in a campaign year and says, I'm going to help you with mass transit. I'm going to let you raise taxes to pay for something that should have been done a long time ago.

"Mr. Speaker, the numbers, the facts, but more importantly, the burden on the people of Hawaii is going to break their backs and we'll let them judge ultimately how they like it."

Representative Metcalf then rose and stated:

"First, I would like to have the comments of Representative Souki inserted in the Journal as my own, and then note that what everyone feels about perestroika, there's certainly no lack of glasnost in these chambers."

"The Chair "so ordered." (By reference only)

Representative Shon then rose and stated:

"Mr. Speaker, in speaking in favor of the budget, I would just like to note for the record that those who advised us nationally on how to improve some of our services such as in mental health said, first, that we needed a new hospital. The Minority Floor Leader voted against it.

"He said, second, that we needed case managers for mental health. The Minority Floor Leader voted against it.

"He said, third, that we needed housing for mental health. The Minority Floor Leader voted against it.

"They said that we needed community-based services and in the past few years, we tried to provide that. The previous speaker voted against it.

"He said this year we needed to take a very serious look at the relationship of mental health to substance abuse. Once again, we find a no vote.



"Mr. Speaker, for all the things that are in the budget that I agree with and disagree with, I must say that I recognize Reaganomics when I hear it, I recognize criticism of attempts to solve problems with no solutions put forward, I recognize the dilemma of wanting to be seen as an alternative when there is no alternative put forward, and I recognize the pathway to deficits.

"Mr. Speaker, I am not thrilled with everything in the budget, but I must say that I do object to using the tragedy of an area like mental health when the context of that debate is to say 'no' to virtually every piece of advice that has been given us, to say 'no' to a new facility, to say 'no' to case management, to say 'no' this year to substance abuse. This, to me, is not a responsible alternative; this, to me, is using the tragedy of a few to score points without putting forth an alternative.

"The reports cited have again and again said to us, again and again said to us, that we have been stingy in mental health. And what is the response? Oh, we should not spend that money. Again and again, that is thrown up in our face. This is an area of controversy because we want to spend some more money on mental health. Mr. Speaker, there's no one in this chamber that has felt as much frustration over what has happened in this area as I have. And indeed, in the context of electoral debates, those using mainland consultants in the best tradition of the Willy Horton approach have sent messages to my constituents and I don't care about mental health because there are problems in mental health. This is the same, ridiculous argument we're hearing today.

"Mr. Speaker, when there is tragedy you don't exploit it -- you try to help it, you try to solve it. In this particular area, again and again, we have heard criticism accompanied by a 'no' vote -- no, let's not build a new hospital (when was the last time you were out there, in that pit?); no, let's not have any case management; no, let's not have any new positions. It's about time that someone stopped trying to use that, stop trying to exploit it. We're all frustrated with the tragedies that happened among the most frail among us. And in the legislative arena, there is very little that we can do about these, other than to analyze. Have we given the people the resources, or have we been too stingy? Have we been so insistent upon our monotone, single phrase -- cut, cut, cut, cut, cut? We went through that in the 1980s, and what happened, Mr. Speaker? The revenues coming to the states from the federal government decreased dramatically, and what did the State do in its great irresponsible response? We tried to make up for the revenues.

"Mr. Speaker, as I recall, that's what the President of the United States told us to do. The President of the United States told us that should be funded at the state level. And then members of his own party told us, oh, no, no, we didn't really mean that. We meant, don't fund the State Hospital. We meant no case management.

"Come on, Mr. Speaker, I think it's incumbent upon us to make a few distinctions here. When resources are called for, it is responsible to provide them. It is irresponsible to lump that kind of a tragedy together with other areas you may disagree with in the budget. I have never been one to refrain from adding my voice when I disagreed with something in the budget, Mr. Speaker. But I am not going to sit here, year after year, allowing the tragedy of mental health to be used as some kind of a foil. We have tried to provide resources and that is the primary thing that we can do, and that is the primary deficiency over the last few years.

"Mr. Speaker, I urge all of you to make distinctions. I urge all of us to refrain from the cheap shot, and I urge

all of us to come up with productive, positive, creative, constructive alternatives. But, Mr. Speaker, you know, as Chairman of the Health Committee, some of those with the constant refraining criticism have never walked through my door with a suggestion, hey, Jim, let's do this. Let's try something else. I have an idea; incorporate it into your bill; incorporate it into this.

"I didn't intend to speak on this matter, Mr. Speaker, but I think it's about time that the issue of the growth of government were separated from the tragedy of individuals for whom resources are essential. I have no problem with a thorough debate as to the size of government, but what I have a problem with is when someone criticizes an area that needs resources and then votes 'no' on the resources again and again and again and again. Stockman did that to us once. We're not going to let Hemmings do it to us another time.

"Thank you, Mr. Speaker."

Representative Okamura then rose to speak in favor of the bill, stating:

"Mr. Speaker, I believe that this budget is a very responsible one. I concur with the Chairman of the Committee on Health that the major reason why all states budgets have increased in the past eight or nine years is because of the Reagan-Bush Administration's mandating programs to states that the states fund these programs with little or no dollars from the federal government. Many of these programs, Mr. Speaker, have been very positive, preventive types of programs.

"The Minority Floor Leader has indicated that our human services programs, although they have increased, that they have contributed more problems and we have not rectified the problems. In this Sunday's paper, Mr. Speaker, the **Honolulu Advertiser** indicated that Hawaii's welfare rolls, despite the increase in population, the welfare rolls have actually decreased in Hawaii. Hawaii is, in fact, one of the top seven states with the greatest decrease of people on welfare.

"The Minority Floor Leader also indicated that we have done very little regarding helping the business community in Hawaii. A number of years ago, Mr. Speaker, **Forbes** magazine indicated that Hawaii was at the bottom in terms of a healthy business climate. We were rated forty-something. Mr. Speaker, currently, we are rated number seventeen, primarily, I believe, because of the kinds of programs and laws that we have enacted to assist our businesses in Hawaii.

"Also, the budget in past years as well as the current year, we have funded programs to diversify our economy so that we do not have to be so dependent on tourism that the Minority Floor Leader has indicated. Many programs in high technology and telecommunications and other industries have been funded and are currently generating new jobs in Hawaii.

"For these reasons, Mr. Speaker, I believe that we do have a very responsible budget, unlike the thirty-six other states in the union that are currently going through a deficit and where most of the states in the past few years have all raised some form of taxes, Hawaii has the distinction of not having raised any taxes in the past decade.

"Thank you, Mr. Speaker."

Representative Tam then rose and stated:

"Mr. Speaker, I wish to add additional words in favor of the budget, in particular, to education.

"I wish to state that our job as legislators, in regards to education as according to the Constitution of the State of Hawaii, is to properly fund Hawaii's educational programs and educational needs. The educational quality will continue to be heightened only if all work together -- all parties pertaining to education which means legislators, educators, parents, students, and the community as a whole.

"Mr. Speaker, I was raised on the concept by my father that rather than criticize, let us all work together.

"Thank you."

Representative Hemmings then rose on a point of personal privilege, stating:

"Mr. Speaker, I have been personally aggrieved by a falsehood uttered on this floor.

"The previous speaker has said that I have never been in his office with constructive suggestions. I'm tired of being shut out of peoples' offices and shut out of open and fair debate. I've been in that office suggesting get rid of the certificate of need process. I've been in that office suggesting that the State hospitals could be better built and operated by community-based, non-profit organizations. I've been in that office supporting getting rid of smoking in this State and not giving tax breaks to smoke. So, I have been in that office and I have offered constructive suggestions, but they fall on deaf ears."

Representative Arakaki then rose to speak in favor of the bill, stating:

"Mr. Speaker, it never ceases to amaze me when the Minority discusses the budget and criticizes the budget. They never mention the budget of our federal administration, and the real truth is that we are paying, as the Majority Leader has said, we are paying for the shortcomings of our federal government and the administration and while they continue to pay millions of dollars in federal aid to puppet governments elsewhere and billions of dollars in expenditures for high-tech weapons, the needs of the people are wanting. And I don't think it should be overlooked that the Reagan Administration has managed to cut over 75 percent of the budget for housing and urban development and also managed to mismanage the balance of that. They've managed to put budget cuts in our refugee programs which our State moneys will now have to make up for. They failed to deal with moneys which we will now have to make up for.

"They failed to deal with problems in health care which our budget will also have to care for. And in a report that I read recently, the state of our children, nationwide, has deteriorated to a point where we are no better than many of the developing countries. And, Mr. Speaker, we are going to be paying for that neglect in the future and this is from a President who calls himself the 'Education President' and the 'Environmental President.' He asked us to read his lips. I see nothing coming from his lips. I see nothing coming from his budget, in terms of a commitment towards these human issues, and so I think that if the Minority Floor Leader is going to criticize our State budget, he should also be looking at the President's budget.

"Thank you, Mr. Speaker."

Representative Hirayama then rose to speak in favor of the bill, stating:

"I have one great comment to make to our Finance Chairman and his committee and his staff for a tremendous job that they did on this budget, and I think a message to the Minority is how you work together. I mean, as an observation as a freshman this first term, you sit back and you watch, you try to learn and you try to work with people. And I found it to be very, very successful in this first term, and I think if we continue to do this, we have a working relationship, communication is open, and I comment to all of my fellow colleagues that I worked with as my first time, with all the chairmen that I worked with, I learned a heck of a lot.

"And also, this budget that we are talking about, I think the chairmen, both sides, are very sensitive to the issues of our community and the State because when I had a problem, I had to talk it out with them, they listened, and we worked things out together. It wasn't easy, but we worked two times before we worked things out, and I would like to congratulate him and his staff, because at this particular time, we can recall the problem that we have in Aina Haina right now -- the land sliding -- and they were very sensitive and they were able to cooperate and say, okay, let's work things out. So, let me thank you again, Mr. Chairman for the Finance.

"Thank you, Mr. Speaker."

Representative Liu then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, the purpose of this body is to have debate, to put forward our different philosophical approaches and quite frankly, I commend the Chairman on Finance for the approach he has taken in the budget, given the rules of the game that have been set up by this body and his colleagues on the Majority side. Yes, he has to contend with many competing interests, clamors for assistance here and clamors for assistance there, and if you approach the fiscal situation of the State with the concept that the spending ceiling will be busted, that the spending ceiling is not very important if you have the money during good times, then fine, Mr. Speaker. A very credible and decent job has been done by the Chairman on Finance. I know he has worked long hours. He has had to look at me for a long time.

"But, Mr. Speaker, what the Minority Floor Leader was speaking about wasn't about how you play the game under the rules as set up currently. He was talking about the need perhaps to change those rules of the game, to respect the spending ceiling as approved by the voters in the State.

"Mr. Speaker, the Minority Floor Leader and myself consistently talked about the need to better manage our resources, not to deny those resources in the areas that need them -- in the area of health, human services. I have served on those committees for many years. I understand what the needs are. I represent an area where there are many needs in the human service areas. I have no quarrel with the overall priorities, but still there needs to be a concept of close management and better management -- something that I would concur that this body cannot do. We shouldn't be in the business of micro-managing. But to call the questions when they need to be asked and ask the administration where things are going and to do so on this floor or in any form which is appropriate, I think that is something that we can and we need to do.

"Mr. Speaker, I can cite some of the areas where I have some concerns in this bill here, some things which perhaps might temper the overall enthusiasm for this measure shown by certain members on this floor. We are going to spend \$25,000 for a planning on a conference on

tourism that's being called a 'force for peace.' I have no problem with that. Do we need another global conference on tourism as a force for peace? Do we really need to have the State subsidize the planning for an international wine conference, \$25,000?

"If we are going to help the papaya industry, maybe we should have given them more than the \$50,000 or \$60,000 in this budget which is going to be matched because if you think about it, how can we affect a market in Japan which is what the money is earmarked for of 120,000,000 million people, a country that is one of the most sophisticated in the world -- how are we going to affect that market with \$120,000? We either should give more or perhaps we should have considered whether or not that appropriation should have been included in the budget to begin with. Now, the House position was responsible. Fortunately, that was one of those that we 'gave into' on the other side.

"Flight simulators. Oh, yes, albeit, special fund revenues from the airport fund but, my God, Mr. Speaker, we all travel, we go inter-island, we fly to the mainland. Local people put in money into the airport fund, too. Well, we're going to be spending \$300,000 to create a study as to whether or not it's feasible to set up flight simulators for training of pilots. It might be a useful idea, but I would suspect that if that is such a great need on the part of airlines, that one or a number of them might fund their own study. I don't know why we gave in on that one, too, to the Senate.

"Human resources, Mr. Speaker, at the University of Hawaii. I asked in committee, what does the human resources management system do? What is it? No answer. I called the UH. I couldn't get a clear answer, but we're spending \$75,000 to enhance that system.

"We will be moving to the new State Capitol Office Tower. We all know it cost a lot of money -- it cost a lot of money to move, it cost a lot of money to buy furniture, but just as an example, we say that we have another appropriation of \$190,000 for furniture in the executive offices there. Maybe it's unnecessary, I have my doubts.

"We are going to fund our Japan Economic Office with \$104,850. Yet the very report put out on our State offices in foreign countries gave some very interesting statistics, that our Hong Kong Office with only half the amount of the appropriation gets us more business, more economic development for half the cost. The Japan office, albeit it new, has yet to really come up with anything solid and concrete for us. We had comments made in our own committee by our own committee members who has some knowledge of that office, that there are perhaps grave concerns as to where the money is going.

"Those are some highlights, Mr. Speaker, and some concerns that I have.

"The questioning came up of alternatives. Mr. Speaker, we do our best with our limited resources to provide those in our Republican package every year, but I would suspect, Mr. Speaker, that we and many other interest groups in the State could help what goes on in Finance or Ways and Means if we considered some improvements from the process, if we considered some improvements in the area of access. We've done a lot in the areas of computers, finding out the status of bills, but when we talk about access, we should also be talking about the ability to really influence and effect decision making. And one of the key areas here is in the area of finances -- this budget. We still do not allow committee members to take their worksheets out of our committee rooms. We have our staff assist us to go over them. We can have staff go in with us and they can sit there but

quite frankly, Mr. Speaker, we know that that's an arduous requirement, given that we have other kinds of responsibilities. It seems arcane and unbelievable to me that the most important document in this House cannot be thoroughly analyzed, whether it be Majority Party member that's not a member of the Finance group or a Minority member. We do not have the ability yet, for some odd reason, after agreements have been made on the various disputes between the House and Senate to take a look at a master reconciliation sheet or sheets. . .

Representative Apo then rose and interrupted, saying:

"Mr. Speaker, I would refrain from rising to a point of order but I would like to caution respectfully the Minority Leader that he is treading on substance that is not germane to the motion.

"Thank you."

The Chair then asked Representative Liu to "stick to the budget itself."

Representative Liu thanked the Chair and continued, saying:

"I will tread very carefully and the Majority Floor Leader knows I can do it.

"Mr. Speaker, the point's been made. Suffice to say that I would hope that in future sessions, the media and public interest groups take a look at this area more closely. But that is where alternatives can come because information is power. Without that information, you don't have that power.

"Mr. Speaker, the question of how we approach the fiscal integrity of the State is one which should be debated. It's one which I respectfully thank you for permitting over the years. It should continue and I don't think that personal attacks on individual legislators is warranted when it comes to basic and honest philosophical differences on this very important issue for us all.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hemmings voting no.

The Chair directed the Clerk to note that H.B. No. 2500 had passed Final Reading at 11:02 o'clock a.m.

At 11:03 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:12 o'clock a.m.

**Conf. Com. Rep. No. 79 on H.B. No. 2229, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2229, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 87 on H.B. No. 2608, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2608, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2229 and 2608 had passed Final Reading at 11:13 o'clock a.m.

At 11:14 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:17 o'clock a.m.

### INTRODUCTION OF RESOLUTION

H.R. No. 399, entitled: "HOUSE RESOLUTION HONORING REPRESENTATIVE JOSEPH 'UNCLE JOE' PAUL LEONG ON HIS RETIREMENT FROM THE HOUSE OF REPRESENTATIVES," was jointly offered by Representatives Kihano, Alcon, Okamura, Apo, Amaral, Anderson, Andrews, Arakaki, Baker, Bellinger, Bunda, Bybee, Cachola, Cavasso, Chang, Duldulao, Fukunaga, Hagino, Hashimoto, Hayes, Hemmings, Hiraki, Hirayama, Hirono, Honda, Horita, D. Ige, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Lee, Leong, Liu, Marumoto, Metcalf, Okamura, O'Kieffe, Oshiro, Peters, Say, Shon, Souki, Stegmaier, Tajiri, Takamine, Tam, Taniguchi, Tom, Yonamine and Yoshimura and was read by the Clerk.

On motion by Representative Alcon, seconded by Representative Okamura and carried, H.R. No. 399 was adopted.

Representative Isbell then rose and stated:

"Mr. Speaker, I really feel moved to say a few words on behalf of our retiree, Uncle Joe Leong. Some of you may not know that for the past eight years, he has driven in early in the morning from his home and I meet him and we walk for four miles and have done so, and I can tell you he's very youthful. You ought to try to keep up with him. He has a certain amount of zest as well in his steps as in his mind because we discussed all of the things of the day and what we had seen on the news the night before and discussed bills that were coming before us. My only concern is that if I am coming back next year, I want to know who is going to take his place. Maybe I should tell you the time we walk. It's from 5:00 a.m. to 6:00 a.m., after which we get ready and go our separate ways, but if anybody would like to fill those 'big' shoes that he has now ready to empty, I would like very much to know who you are and, Uncle Joe, I want to congratulate you. Thank you for these wonderful eight years."

Representative Shon then rose and stated:

"Mr. Speaker, for the last four years I've really had the privilege of serving with Joe as my vice chairman and I can say that I've always been really impressed with his compassion, with his diligence. He's there for everything -- for every hearing, for every task that we have -- and it's just been wonderful, Joe, having you as vice chairman. We're really going to miss you in the Health Committee and all the other committees, and on those interim trips. The only thing I won't miss, Joe, is when you get up at 4:30 to watch the news in the morning but other than that, Mr. Speaker, I really feel very saddened that this may be the last session that we can share with

Joe on this floor. He's a great inspiration to many of us and I hope that once in a while you'll make that trip in in future years and give us your advice, Joe, because we really need your input and your community needs you, too.

"Thank you, Mr. Speaker."

Representative Bellinger rose and stated:

"Mr. Speaker, I don't think we ought to let this man retire. You know, four years ago when I first became a member of the House and was assigned a seat next to him, you know when you're first in, there's a lot of things that you don't know so this fellow -- just look at that face. I mean, here's a fellow that looks like he would never lead anyone astray. So what he did was he just leaned over and he said, 'Hey, haole boy, don't worry about this stuff. You just stick with me and I'll take care of you.'"

"How could I not believe that face? It wasn't until just the other day that Representative Souki informed me that for the last four years, all my CIP have been transferred to his district, and I don't think that would be fair if we let him retire because I don't have an opportunity to turn around and to get back at him. So perhaps we could, with the indulgence of the Finance Chairman, reach into the budget, take out all the stuff for the Haleiwa By-Pass Road, and then force him to come back and reflight for that so that we don't lose his presence among us.

"In all seriousness, it has been a great pleasure for me to be seated next to Joe these last four years and our districts border each others -- his district comes down to Laie and mine starts there -- so it's with a great sense of personal loss that we do say 'Aloha' to him from here, but I am sure we'll see a lot of him.

"Thank you."

Representative Cavasso then rose and stated:

"Mr. Speaker, I'd also like to say a special thanks to Representative Leong and a pleasure it's been these years here with Representative Leong and speak for the justice and the fairness of this gentleman that crossed partisan voters. And it didn't matter whether you were a Republican or Democrat, you could always go to Joe Leong's office and talk about the problems and the needs in this Legislature, and he helped us work to come to a solution that was good for Hawaii, for the families, and for the community. I look forward to visiting the North Shore with my kids and maybe just dropping in on you, Joe, and introduce my children to you."

Representative Okamura then rose and stated:

"Mr. Speaker, when the session began in January, a lot of us noted that it was the beginning of the final decade of this century, and shortly thereafter we also learned with great sadness that for Uncle Joe, this is also going to be his last session. We were really saddened by that and we wish him well.

"Representative Bellinger noted, however, I don't know if the members know, but this is really going to be Uncle Joe's third retirement, that we don't expect that he'll really be retired for long and that he will be very active in the community, working hard on their behalf.

"The thing that I think that we will always remember Uncle Joe is for his skill in the art of living -- the warmth, your easy, down-to-earth nature, your open and friendly attitude, and always putting those around you at ease. I think you've served as a role model as well as a kupuna to all of us, Uncle Joe. I believe that you can

best be described as a calm and dignified man with the greatest of humility and aloha, and there is no one among us, Uncle Joe, that can be better described as a true gentleman.

"Aloha."

Representative Alcon then rose and stated:

"Mr. Speaker, sometime ago we had gone over to Waimea Bay to help with the retirement of Uncle Joe and, of course, all this time, Mr. Speaker, I have travelled with Uncle Joe to the neighbor islands on inspection tours and he kept on telling me, 'Mr. Vice Speaker, as soon as I get my by-pass road, I am going to retire.' So I was just thinking about it. One day, he came up to me, Mr. Speaker, and said, 'I got my by-pass road so I can retire.'

"I had asked the Chairman of the Finance Committee to delete the by-pass road so that Uncle Joe can remain with us. After all, he is one of our assets. But one day, the Chairman of the Finance Committee went out to use the lua and Uncle Joe was appointed as the Chairman of the Committee and within that five minutes that the Chairman was away, Uncle Joe put back the by-pass road.

"It has been a pleasure to be with Uncle Joe. I have enjoyed every minute of it. His retirement, Mr. Speaker, promotes me to number two. Representative Joan Hayes is senior over me and I become number two and I believe Representative Honda is number three. So we all get promoted in age. However, I had invited Representative Leong to come back and visit us and I keep on reminding him that I am also part of his constituency. So then, I would like to wish Uncle Joe best wishes and if there's anything you need in this House, please see the Chairman of the Finance Committee.

"Thank you."

Representative Apo then rose and stated:

"Mr. Speaker, it was suggested recently by a potential candidate for Congress that when serving in elected office, that blending in to the legislative body was not the way to go and that, in fact, what Hawaii needed was more flash and fire from people serving in that capacity. And I would suggest that Uncle Joe is one of those who proves that theory totally wrong. His blending in has brought a lot of money into his district and services his district so well, quietly and effectively walking the halls, and serving for the last few years as a member of the Finance Committee.

"But more than that, Mr. Speaker, you know, this is the day and age when being an elected official is sometimes a matter of dubious distinction. These are remarks that I made when thinking about our late Senator Sparky Matsunaga. Joe Leong brought great honor to our profession, Mr. Speaker, because he carried himself with such class and such dignity, and we are proud to serve with him and especially that he did us the honor of serving with us.

"Thank you."

Representative Souki then rose and stated:

"Mr. Speaker and members of the House, on behalf of the Finance Committee, I wish to say that we are going to miss you. You've been a great help, great aide. I'm going to miss seeing you early in the morning -- always the first one just before we meet and Joe is always there. We can always depend on Joe. Joe has graduated in the

Finance Committee to be the whip, and he is a silent person but he is very strong. Everybody looks up to Joe. They know by a wink of an eye and nod of a head that Joe is for or against, and he has done a wonderful job. We are going to miss you. However, Joe, until this is all over, we can still recommit that Haleiwa yet so you had better behave.

"Joe, God bless you and your family in your well-earned retirement.

"Aloha."

Representative Hayes then rose and remarked:

"Mr. Speaker, I gave Uncle Joe my senior power pin this morning, but I am hoping now that I'm number one, that all of you will vote favorably on my bills."

At this time, the Chair requested the Sergeant-at-Arms to escort Representative Leong to the front of the rostrum to be seated with his family.

Representative Okamura introduced the Honorable Joseph P. Leong to the members of the House and audience whereupon he received a standing ovation.

Representative Okamura then asked Mrs. Beatrice Leong, wife of Representative Leong, and Mrs. Janice Eldridge, his daughter, who were seated on the chamber floor, to stand to be recognized.

Also asked to rise to be recognized were Mrs. Flora Fu, sister; Mrs. Mary Carter, sister; Mr. Joseph Alina, brother; Mrs. Betty Alina, sister-in-law; Mr. Albert Alina, brother; Mrs. Ida Alina, sister-in-law; and Mr. Stewart Langsi, grandson-in-law, who were seated in the gallery.

Floral leis were presented to the honorees by Representatives Kawakami, Alcon, Kanoho, Amaral, Duldulao, Baker, Isbell and Apo, and a certified copy of the resolution was presented to Representative Leong by the Speaker.

Representative Leong then addressed the members of the House, saying:

"Thank you, Mr. Speaker and members of this honorable body. I am indeed overwhelmed by this reception. I was sitting in the back there, just relaxing, thinking nothing was going to happen except for some of those bills that were brought up.

"I will be leaving this institution which I have treasured so much in giving me the opportunity to serve my community and my state for the past eight years. I will be leaving with mixed emotions. In fact, I am just about bursting at the seams, I mean, with tears. However, I feel that this great body will carry on the work for our State, and I am sure that all of you who are here today will attest to that fact.

"I am also overwhelmed to see my brothers, my sisters, in the gallery. You people did a great job in keeping this a secret.

"Thank you very much, and God bless all of you."

At 11:40 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:05 o'clock p.m., Representative Oshiro made the following announcement:

"There will be a Conference Committee meeting on Senate Bill No. 1719, House Bill No. 2949 and Senate Bill No. 3128 at 3:00 p.m., Room 310, today."

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 3 on S.B. No. 3341, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3341, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 4 on S.B. No. 973, SD 2, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 973, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3341 and 973 had passed Final Reading at 1:10 o'clock p.m.

**Conf. Com. Rep. No. 5 on S.B. No. 2699, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2699, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 6 on H.B. No. 2233, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2233, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MARINE WATERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 7 on H.B. No. 1023, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1023, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 2699 and H.B. Nos. 2233 and 1023 had passed Final Reading at 1:11 o'clock p.m.

**Conf. Com. Rep. No. 8 on H.B. No. 2368, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2368, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been

read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 9 on H.B. No. 2014, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2014, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2368 and 2014 had passed Final Reading at 1:12 o'clock p.m.

**Conf. Com. Rep. No. 10 on H.B. No. 3125, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3125, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 11 on H.B. No. 2131, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2131, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 12 on H.B. No. 3256, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3256, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS AND SURGEONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3125, 2131 and 3256 had passed Final Reading at 1:13 o'clock p.m.

**Conf. Com. Rep. No. 13 on H.B. No. 2011, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2011, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. No. 2011 had passed Final Reading at 1:14 o'clock p.m.

**Conf. Com. Rep. No. 14 on H.B. No. 2008, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2008, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative D. Ige then rose and requested that his remarks, in favor of the bill, be inserted into the Journal

and the Chair, noting that there were no objections, "so ordered."

Representative D. Ige's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. No. 2008, HD 1, SD 1, CD 1.

"This bill was created to remedy a defect in the current law that not only is troublesome to school administrators and our school children, but is also wasting tax dollars.

"As written now, the law requires that students be shuttled to and from off-campus, school-sponsored activities using only school buses. This requirement has meant that a handful of students must be transported to their destination in a school bus. It has meant that school activities need to be planned around the availability of these buses.

"The existing law, rather than serve the schools, has put them into a bureaucratic straightjacket.

"Mr. Speaker, this bill was designed to remedy this situation by simply allowing administrators the choice to use other vehicles besides school buses to shuttle pupils. With the passage of this bill, school officials will have the option of using vans instead of buses to transport a few students, and save tax dollars.

"Tour buses could be used by school bands, allowing the musicians to store their equipment in the luggage compartments of these buses instead of the cabin.

"This bill will also allow an exemption from the bus only requirement for special and handicapped students when the circumstances are warranted.

"Thank you, Mr. Speaker. I am certain that all of my colleagues will support this simple and sensible amendment to our law."

Representative Oshiro then rose to speak in favor of the bill, stating:

"This bill, Mr. Speaker, which would provide much needed flexibility to our schools in the transportation of students to extracurricular activities addresses a concern which has been with this Legislature since last session. At that time, with rules in force limiting the transportation of students only by school buses, Pearl City High School began experiencing tremendous difficulty in finding an adequate number of school buses to accommodate the travel needs of the large school band. This problem was brought to the attention of one of our colleagues, Representative Roland Kotani, who in turn introduced a bill along with Representatives David Ige and Clarice Hashimoto to address this dilemma.

"Representative Kotani, Mr. Speaker, along with his fellow representatives, lobbied long and hard on this bill last session, strongly advocating for its passage.

"The interest that this bill generated, Mr. Speaker, was phenomenal. While parents and students from the school were strongly supporting the bill, the Department of Transportation and the school bus companies raised concerns against the bill, citing federal school bus safety guidelines. After hearing and thoroughly reviewing this issue, Mr. Speaker, it was decided that it will be best to hold this bill in committee last session until a more thorough assessment could be done during the interim.

"When told of the intent to hold this bill, Representative Kotani, while somewhat disappointed, was very understanding. I pledged to him at that time that all

that could be done would be done to address this concern in the 1990 legislative session and the result is what we have before us today.

"I would like to extend the very warm and heartfelt mahalo to Representative Kotani for his understanding, his patience, and for all the time and effort that he contributed towards bringing forth the resolution to this dilemma. Roland, I know you are with us today, and this one's for you.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2008, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2008 had passed Final Reading at 1:16 o'clock p.m.

**Conf. Com. Rep. No. 15 on H.B. No. 2994, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2994, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Stegmaier rose to speak in favor of the bill, stating:

"To emphasize the social policy that's established in the findings that 'in managing and regulating ocean use, priority should be given to those seeking non-commercial recreational opportunities as opposed to those seeking commercial recreational opportunities. To be a commercial operator is a privilege and not an exclusive right.'

"I hope that we have reached the proper balance between on the one hand, the needs of entrepreneurs to do business and make an adequate return on their investment and hard work, and on the other, the rights of recreational users to safety and residents to quiet enjoyment of their property.

"I want to thank Chairman Bunda for patiently working through this legislation with those of us who have been most impacted by thrill craft and other commercial recreational activities.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2994, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. No. 2994 had passed Final Reading at 1:18 o'clock p.m.

**Conf. Com. Rep. No. 16 on H.B. No. 2878, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2878, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 17 on H.B. No. 1660, HD 1, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1660, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 18 on H.B. No. 3380, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3380, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 19 on H.B. No. 2295, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2295, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2878, 1660, 3380 and 2295 had passed Final Reading at 1:19 o'clock p.m.

**Conf. Com. Rep. No. 20 on H.B. No. 3149, HD 1, SD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 22 on H.B. No. 2294, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2294, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2294 had passed Final Reading at 1:20 o'clock p.m.

**Conf. Com. Rep. No. 23 on H.B. No. 2301, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2301, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Tam rose to speak in favor of the bill, stating:

"Mr. Speaker, the purpose of this bill is to provide for the election of the Board of Education members through a system of primary and general elections while retaining the non-partisan character of these elections.

"Mr. Speaker, last year your Committee on Education tried to address Hawaii's voter concern on having knowledgeable and dedicated Board of Education members. Our Governor proposed legislation to have an appointed Board of Education appointed by the Governor.

Public hearings were held and the legislation did not pass. Polls overwhelmingly showed that Hawaii's voters wanted to retain the election of the Board of Education members.

"House Bill 2301 addresses Hawaii voters' desire to choose their representatives in regards to the Board of Education members. In addition, the primary and general elections will address the voters' concerns that the Board of Education elections are too crowded with candidates and voters have a hard time getting to know how the candidates stand on educational issues.

"Mr. Speaker, through a primary and general election, we will be able to maintain the basis of Democratic representation through election.

"Thank you."

Representative Lee rose to speak in favor of the bill, stating:

"When I first came back to Hawaii and saw the ballot for the School Board, I was quite confused. There were so many names, I didn't know what to do. But, I wanted to be fair so I chose a member of each ethnic group that was represented. But, you know, there were too many for the number of seats available so I had to make a hard choice. I considered all the Far Easterners in one group and all the Europeans in one group, and finally I was able to come to a choice.

"The next time I voted, I decided to make it easier. I chose all the incumbents and that was very easy. Then the third time, I finally recognized a name that I knew. He was my good friend, Francis McMillen -- a neighbor, a friend, fellow member of the Democratic Party, and we had served in Vietnam together so I happily voted for him.

"But then, I couldn't decide among the others. Well, I decided that maybe I should do something about this and I brought this idea of a primary for the Majority caucus.

"I simply want to thank the Majority caucus and my colleagues for adopting this bill as part of the Majority package and that today, we are going to pass House Bill 2301 and thus help us to make a more meaningful choice at the next election.

"Thank you."

Representative Hemmings then rose to speak in favor of the bill, stating:

"Mr. Speaker, in order to relieve the previous speaker's consternation on this issue, he can go back to voting for all the Portuguese.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2301, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE BOARD OF EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2301 had passed Final Reading at 1:23 o'clock p.m.

**Conf. Com. Rep. No. 24 on H.B. No. 2258, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the



Committee was adopted and H.B. No. 2258, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 25 on H.B. No. 1693, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1693, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. rep. No. 26 on H.B. No. 2202, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2202, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT WORKERS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 2258, 1693 and 2202 had passed Final Reading at 1:24 o'clock p.m.

**Conf. Com. Rep. No. 27 on H.B. No. 2184, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2184, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING ABOARD SHIPS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 28 on H.B. No. 2843, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2843, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTERS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 2184 and 2843 had passed Final Reading at 1:25 o'clock p.m.

**Conf. Com. Rep. No. 29 on H.B. No. 2844, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2844, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, to basically go over the major points made on prior versions of this bill, I just feel that the Lieutenant Governor, Chief Elections Officer, could be given many other duties besides handling voter education. It is a partisanly elected office and I do not believe it should be involved in this area of voting.

"For that reason, I will be voting in opposition to the measure.

"Thank you."

Representative Metcalf rose to speak in favor of the bill, stating:

"I think all of us who have served with the Lieutenant Governor in the Legislature, in one capacity or another, recall his penchant for an ability to educate others. So we feel that he is a prime candidate for this job.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2844, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER EDUCATION," having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Anderson, Cavasso, Hemmings and Liu voting no.

**Conf. Com. Rep. No. 30 on H.B. No. 2112, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2112, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 31 on H.B. No. 3183, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SYMBOLS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2844, 2112 and 3183 had passed Final Reading at 1:26 o'clock p.m.

**Conf. Com. Rep. No. 32 on H.B. No. 3265, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3265, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF ESCAPE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 33 on H.B. No. 3428, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3428, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 34 on H.B. No. 2984, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2984, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KALAWAHINE LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3265, 3428 and 2984 had passed Final Reading at 1:27 o'clock p.m.

At 1:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:28 o'clock p.m.

**Conf. Com. Rep. No. 36 on H.B. No. 403, HD 1, SD 1, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 403, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

**Conf. Com. Rep. No. 37 on H.B. No. 2967, HD 1, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2967, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 38 on H.B. No. 2204, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER FRAUD," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 39 on H.B. No. 3176, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3176, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 403, 2967, 2204 and 3176 had passed Final Reading at 1:29 o'clock p.m.

**Conf. Com. Rep. No. 40 on H.B. No. 240, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 240, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS," having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Cavasso, Hemmings, Liu and Marumoto voting no.

**Conf. Com. Rep. No. 41 on H.B. No. 2207, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and H.B. No. 2207, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGES TO CANDIDATE NOMINATION PAPERS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

**Conf. Com. Rep. No. 42 on H.B. No. 2052, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2052, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 43 on H.B. No. 2183, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 240, 2207, 2052 and 2183 had passed Final Reading at 1:30 o'clock p.m.

**Conf. Com. Rep. No. 44 on H.B. No. 3410, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3410, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION LISTS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

**Conf. Com. Rep. No. 45 on H.B. No. 2817, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2817, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

**Conf. Com. Rep. No. 47 on H.B. No. 256, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 256, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3410, 2817 and 256 had passed Final Reading at 1:31 o'clock p.m.

**Conf. Com. Rep. No. 48 on H.B. No. 332, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 332, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 49 on H.B. No. 2103, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2103, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ZIP CODES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 332 and 2103 had passed Final Reading at 1:32 o'clock p.m.

**Conf. Com. Rep. No. 50 on H.B. No. 2299, HD 1, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2299, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Bybee rose to speak against the bill, stating:

"Mr. Speaker, this bill authorizes a new program for our State known as the A+ Program and it seeks to achieve the commendable goal of securing affordable after-school child care for our families. Because it is a new program, I think we should not let it pass by today without some comment and perhaps criticism, and I speak against the bill.

"This bill started out with a loud bang, Mr. Speaker, at the start of the session but it seems to have mellowed to a whimper or a pleasing humming here at the end of the session. The issue of whether the administration had the power to proceed with this bill has apparently been resolved as we are now going to go ahead it appears with the program. So the empowerment or jurisdictional issue really is not before us today as such, but I think the forecast on that issue has tended to take our attention away from a more important issue that's involved in this bill, and that issue is the method we are using to achieve the goal of affordable after-school care.

"Specifically, in this bill we have chosen to pay for a basic family obligation; that is, the responsibility to care for children by a method which has no relationship or limitation based on financial need of the family. Specifically, this bill supplies \$15.5-million to pay for child care for our children after school is over and does so with the definition for latchkey children that is unrelated to need at all. The definition of latchkey children in this bill is only that both parents be working. It doesn't matter how much money these parents make -- they only need to be working.

"Now, this is a major new direction for government in the State of Hawaii, Mr. Speaker, and we've had some debate this morning about need and about the cost of government and the cost of our programs, and I think most of us agreed with Representative Shon when we talked about need, and when our citizens need something, we need to step up and bite the bullet and pay. But when we adopt a major new program at this expense, that doesn't base itself on need, I think we have to seriously evaluate whether we should proceed with the program.

"This is an expansion, I think, of government to provide a basic service to our citizens without reference to need. And I think we can solve this and we were in the process of solving this by adoption of the sliding scale and the subject matter committee, as we were proceeding along, we came up with several formulas for a sliding

scale which worked. The Board of Education, I think, agreed with us in that regard. Somewhere, somehow, the concept of helping people because they need help has fallen by the wayside and we are now adopting a new program, regardless of need.

"This is a new, unique direction for our government, Mr. Speaker. I think the expense of this at \$15.5-million, we are going to look back two years from now and wish that it had only cost \$15.5-million. It's going to be a lot more expensive in the future. I think a lot of the private providers and people that are being hurt by this new program, they are being driven out of business -- won't be there when and if we decide we want to go back in that direction.

"One other criticism of the bill, Mr. Speaker, and that is in Section 3 of the bill, there is a reference to the fact that this is a pilot program. I haven't been around too long but it seems like an awfully big pilot program. But it references the fact that the pilot program is supplemental to the regular school program. And as I stand here today, I still do not know the answer as to whether or not this is an educational program or whether this is a child care program that should be within the Department of Human Services, and I think that's an issue that has to be resolved that isn't resolved.

"For those two reasons alone, Mr. Speaker, I think we should vote 'no' on this bill.

"Thank you."

Representative Tam then rose to speak in favor of the bill, stating:

"This bill asks that during the academic school year of 1990-91, the after-school program will be a pilot program. In other words, an experimental program.

"The purpose of this bill is to establish a statewide pilot after-school program in the public schools to provide affordable and quality after-school educational supervision for students enrolled in kindergarten through the sixth grade.

"Mr. Speaker, before I give the highlights of the final product of this bill, I wish to thank Representative Dennis Arakaki, the Chairman of the Human Services Committee and members of the Education Committee and Human Services Committee for their involvement in the communications process and developing a positive bill. I wish to also thank you, Mr. Speaker, for supporting the establishment of a task force made up of the parties involved in the after-school program. This task force produced a report and recommendations which have been included in this conference draft of this bill.

"The A+ program will be given the opportunity to the following students who:

- (1) come from households headed by a single working parent or guardian, or two working parents or guardians;
- (2) are children of persons who work in the pilot A+ program;
- (3) are children of parents who attend school or job training for career development; and
- (4) are recommended by the school on the basis of educational need, subject to available resources.

"This bill encourages the A+ program to make optimum use of the educational facilities and resources that are

available at the sites and are not in conflict with the goals and objectives of the Department of Education's regular programs. However, we have also prohibited the transfer of any general funds from the regular educational programs to this pilot A+ program.

"On page 3, line 14 of the bill, language has been added to state that the pilot program 'shall be budgeted separately from the regular education program,' and in Section 11 of the bill, we have prohibited any budget restrictions of this appropriation except after public informational meetings are conducted by the Board of Education.

"The task force also recommended that schools be allowed to subcontract after-school child care programs if the services provided are equivalent to or better in quality than those which are provided by other A+ programs, thus implementing the practice of school/community-based management which we enacted last year.

"I commend Governor John Waihee, the Lieutenant Governor, the Board of Education, and the Superintendent of Education for accomplishing the difficult task of planning and implementing this pilot program. I visited several of the A+ sites during the session and the program seems to be working well.

"As Chairman of the Education Committee, I have stated that I believe that this program must have a strong educational content, and may I also add that the Superintendent has also stated this in strong terms also. Otherwise, he would not want this program within the Department of Education. I believe that our students can benefit from more time in school and that the idea of an extended school day is worthy of consideration.

"After we have evaluated this pilot program, we have calculated the cost of opening it up for all students. We will have to decide if educational and social benefits justify a large amount of money that such a program will need in the future, and if so, the improvements needed in the program.

"I wish to also state, in regards to Representative Bybee's comments, that there should be a sliding fee schedule. May I also remind him that in regards to our students in the public schools, we don't teach them on the basis in terms of whether they are wealthy or not. We give everybody equal opportunity in education here in the State of Hawaii.

"Remember, colleagues, this is a pilot program and I ask all of you to vote up on this bill.

"Thank you."

Representative Taniguchi then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, while I will be voting for this bill, I would like to make it clear that I share some of the concerns raised by Representative Bybee, and I am hopeful that we will continue to monitor this pilot program.

"Thank you."

Representative Arakaki then rose and stated:

"Mr. Speaker, I think, in your wisdom, you did allow Human Services to be a joint with the Education Committee, and I know there are a lot of concerns about whether this program is a child care program, and in my mind there is no doubt that this is a child care program. It was established first and foremost to meet crises, so to

speak, and need for child care and after-school child care. I am also convinced that the Department of Education, as it currently exists, is probably the only agency that could respond in such an appropriate manner to meet this crisis. And so I think it is appropriate to have it as a DOE program.

"I also think that Representative Bybee has some very legitimate concerns because I shared some of those concerns that as long as it remains a voluntary program, we need to look at how the cost is to be shared by those who will benefit from the program. And I think one of the most important decisions we made regarding this bill is that we decided it should remain a pilot program and not be a permanently instituted program. And I think the reason we did that was we wanted to look at different issues that were involved and let the program progress so that we can observe the workings of the program. I think we need to look at issues such as how the private providers will fit into helping to provide some of the services and also who is eligible. But I think in the long run, it is the people and children who will benefit from this innovative program.

"Thank you, Mr. Speaker."

Representative Cavasso then rose and stated:

"Mr. Speaker, I am speaking in favor of child care but in opposition to the A+ program before us.

"There are actually two child care programs before us today. One is also on page 19 -- 3176 -- which I believe is a good child care bill. The A+ is not good because it fails all the tests of a good pro-family solution to the cost of the child care in our State. In supporting child care, we need to assure, Mr. Speaker, that there is complete choice -- parental freedom of choice in where they go. This bill fails that test.

"First, in that it discounts public or State child care and forces people out of private child care. It takes families who cannot afford child care and the high cost of living and worsens their situation by taxation -- overtaxation -- to pay for a State program that is subsidized.

"Number two, it discriminates against mothers who take care of their own children in taxing them again like we are taxing everybody in the State to provide government support. What we need to be doing is putting together a program that puts tax credits to the family as President Bush has done and as our later bill today seems to be moving in that direction. It discriminates against grandmothers or relatives with an extended family. It discriminates against families who enroll their children in private schools and it discriminates against private day care providers.

"It's important to point out that the A+ program is not just complementing the private child care providers -- it's eliminating them. And this State program is not able to replace the child care providers in the private sector in the way they are meeting the needs. For example, the before school, the weekend, or holiday needs being met by the private sector right now. At least thirteen private care programs have closed because of A+, maybe more. Everytime a private program closes, it not only eliminates the choice for after-school care, it reduces the availability of before-school care. It reduces the availability of vacation care, it reduces the availability of pre-school care.

"This A+ program fails the test of helping low-income families proportionately more than higher-income families as one speaker alluded to earlier. And it fails the test of

moving towards tax reduction instead of tax increases and costly bureaucratic growth. It's more programs. And it fails the test of not interfering with religious day care programs and it may well raise the cost of neighborhood day care, family day care, because those who are left in the effort to provide day care within the neighborhood are now caught in the position of having to subsidize their program with fewer paying customers than they would otherwise have, being able to spread the cost out over many.

"In short, Mr. Speaker, I think the other than the A+ program is designed to meet an important need in our community, a need that we do need to address and I support meeting that need. This program is, I believe, anti-family, destructive to the stability of our families in our community, and it will result in higher cost of government and ends up putting families with more dependents on government rather than the extended family."

Representative Hemmings then rose to speak in favor of the bill, with reservations, stating:

"Earlier today I was personally attacked and aggrieved with never offering positive solutions. We have offered many positive solutions and I am very proud that our caucus, as small as it has been, has offered, for many years, many ways to help alleviate the latchkey problem that we all are concerned about -- credits and incentives for both families and businesses to reach out and meet the child care needs of our workers. So we have been on record with many solutions.

"Just this session, I would like to thank my staff and the Minority research staff for all the work they did on parents' choice which are positive solutions and alternatives to way things are being done today with this bill.

"We should be concerned with the welfare of latchkey children, not with the protection of a government institution. There are many latchkey children in private, parochial and church schools whose parents make tremendous sacrifices to send them to those schools, who will not have care because we don't have a voucher system that will allow private providers to take care of those children. This was a positive suggestion that fell on deaf ears.

"We have many private businesses that could easily have incorporated assistance to child care needs of their workers with incentives but they are struggling to do so. Private businesses are being put out of the child care business and this is going to hurt the latchkey children on holidays and days off when there will be no alternatives since government has replaced community-based child care organizations.

"The sliding scale which was discussed this session was our initiative in parents' choice. It's ironic that working parents making \$100,000 a year will get the same benefit from this program that the working poor will get. We believe that is unfair. But our positive alternatives to address these problems fell on deaf ears.

"Mr. Speaker, we do need child care for our children but we need fair, accessible, and even-handed child care that's accessible and cost-effective. I am in favor of child care and will vote in favor of this bill, but I want the record to reflect there is a better way to do it and it has been ignored.

"Thank you, Mr. Speaker."

Representative Liu then rose to speak in favor of the bill, with reservations, stating:

"My reservations have been stated to some degree by others before me. Let me also point out though that I am somewhat concerned about the explanation given by the Chairman of the Education Committee about the protection of the education budget from the A+ program. I think, in fact, when you look at the language within the bill, yes, there are firewalls built around A+ but it protects A+ much more than it protects the education budget. Although budgeting is to be separate from the regular education program, the term 'budgeting' does not necessarily mean, as far as I can tell from the measure, that the potential transfers should expenditures go up while we are out of session from other portions of the education budget might not, might not be able to actually occur. So I think the possibilities do still exist that there could be some shifting during the interim, and I am concerned about that.

"I am also concerned, Mr. Speaker, with the language in the bill that indicates that essentially A+, it will be very difficult to cut any funding in A+ as pointed out by the Chairman on Education. It indicates that no budget restriction shall be made to the pilot A+ program except after public informational meetings are conducted by the Board of Education. This is unusual language which maybe we would like to see in our regular budget, but it isn't there. So, yes, there are protections for A+ here, but I don't see the same protections perhaps from the other portion of the education budget, so that my concern gets down to the normal, regular school education budget, and I sincerely hope that as this program is watched that we maintain the fiscal solidity and the potential growth for our lower education regular programs.

"Thank you, Mr. Speaker."

Representative Apo rose to speak in favor of the bill, stating:

"Mr. Speaker, clearly what we are doing here goes way beyond probably what the authors of this bill and the original people involved in its formulation probably had in mind, but I support it. What we are saying here is we are willing to shift, in the case of affordable child care, from a market driven model, which has been an institution since the Industrial Revolution, to a government-dependent model. That is basically the statement we are making with this bill.

"Yes, probably every concern that has been raised today, for those who spoke with reservations, are valid. Yes, we have created a plethora of problems that need to be sorted out, particularly the one where we have affected, and in some cases dramatically the ability of the private sector to compete with this government-dependent model. But I would suggest to you, Mr. Speaker, that this is one of the few times that I feel that the Hawaii State government is finally beginning to anticipate the coming of a new paradigm in which we will find ourselves in a painful transition -- new social and economic paradigm that has totally restructured the lifestyles with both parents working.

"We're not only talking about the latchkey children, Mr. Speaker, as being in need in terms of our future, of our State, and of our country -- we're talking about all children. We're talking about freeing women who may not choose to engage in jobs for money; housewives who may choose to make other contributions in the community through private, non-profit organizations, to be free and to have a choice to do that, and to also feel comfortable that they can afford to have their children taken care of as they bring the skills that they have to full blossom in

our community. So I think that, probably more than any of us here on this floor realize, we are making a major statement where government is anticipating, as you must do, in order to keep up with the changing roles and needs of society and making a major statement in the right direction. Making the statement early and putting it into motion, this program, no doubt, is going to cause some problems, is causing some problems, but I believe we are going to work those things out over the next two years.

"We may end up with a suggestion forwarded by the Minority Floor Leader and the Republican Party where we may be looking at voucher systems or a combination of voucher systems and DOE. The program may not be housed eventually in the Department of Education, but this bold step I support. I think it's necessary. I think it's exciting, and I think it's time that government finally stopped doing all these studies that we have a penchant to do, sticking them on the shelves, and taking action.

"And certainly, I don't disagree with any of the reservations that have been stated today, but I really believe that the risks versus benefits, and the direction and setting ourselves on the right course in the case of affordable child care smack-dab into the new paradigm is the right thing for us to do, and for that reason I support this bill without reservations.

"Thank you, Mr. Speaker."

Representative Alcon rose to speak in favor of the bill, stating:

"Mr. Speaker, the poor thank you, the working parents thank you, and I thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2299, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AFTER-SCHOOL PROGRAM," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Bybee and Cavasso voting no.

The Chair directed the Clerk to note that H.B. No. 2299 had passed Final Reading at 1:58 o'clock p.m.

**Conf. Com. Rep. No. 51 on H.B. No. 3296, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3296, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 52 on H.B. No. 2208, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2208, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 53 on H.B. No. 3403, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3403, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H./b. Nos. 3296, 2208 and 3403 had passed Final Reading at 1:59 o'clock p.m.

**Conf. Com. Rep. No. 54 on H.B. No. 2458, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2458, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hayes rose to speak in favor of the bill, stating:

"The Legislature has found that the supply of rental housing is progressing too slowly. This bill provides \$100,000 for a study of rental housing trust funds in other states to see if there is something more that could be done here to make more rental housing available for low-income families.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2458, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A RENTAL HOUSING TRUST FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 55 on H.B. No. 3299, HD 2, SD 2, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3299, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 56 on H.B. No. 3111, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3111, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2458, 3299 and 3111 had passed Final Reading at 2:00 o'clock p.m.

**Conf. Com. Rep. No. 57 on H.B. No. 2985, HD 2, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2985, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Duldulao then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Duldulao's remarks are as follows:

"This bill addresses the needs of the seriously disabled and chronically mentally ill serviced by the community mental health center. I am happy that one day soon fulfillment of these needs will become a reality."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2985, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 58 on H.B. No. 2293, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2293, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REVIEW THE LAWS RELATING TO FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 59 on H.B. No. 2950, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2950, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 60 on H.B. No. 2381, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2381, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, DEVELOPMENT, AND COORDINATION OF A STATEWIDE PROGRAM FOR THE PROVISION OF SERVICES TO CONTROL VIOLENT BEHAVIOR," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Liu voting no.

The Chair directed the Clerk to note that H.B. Nos. 2985, 2293, 2950 and 2381 had passed Final Reading at 2:01 o'clock p.m.

**Conf. Com. Rep. No. 61 on H.B. No. 2268, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2268, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SATELLITE STATE OFFICE PILOT PROJECT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 62 on H.B. No. 3114, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3114, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI BEAUTIFICATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 63 on H.B. No. 2895, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2895, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2268, 3114 and 2895 had passed Final Reading at 2:02 o'clock p.m.

**Conf. Com. Rep. No. 64 on H.B. No. 2990, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2990, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 65 on H.B. No. 2265, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2265, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN-RELATED ACTIVITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 66 on H.B. No. 2308, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2308, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2990, 2265 and 2308 had passed Final Reading at 2:03 o'clock p.m.

**Conf. Com. Rep. No. 68 on H.B. No. 1144, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1144, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 69 on H.B. No. 1900, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1900, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 70 on H.B. No. 1251, HD 1, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 1251, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 1144, 1900 and 1251 had passed Final Reading at 2:04 o'clock p.m.

**Conf. Com. Rep. No. 71 on H.B. No. 69, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 69, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Liu rose to speak in favor of the bill, stating:

"Mr. Speaker, I think overall this is a good bill. It does a lot of good things toward child care. I think a word of caution, and this is more of a generic discussion on where we go with the special appropriation bills and the languages which don't end up in HRS but which do end up in our session laws.

"Now, I would hope that we'd be somewhat more careful in the future when we stop and think in terms of how we use certain terms and define them, because one of these days we are going to need to look back, we're going to have to try and figure out what family center diagnostic services mean, what child fine means, what all these other terms that we place into these bills mean -- zero to three, ten to twelve, eight to six, for the good job program -- and this goes to all areas where there be law enforcement or human services. I think we perhaps have to do a little better job in drafting and in definitions, even in these kinds of bills, because we may think we know what we're talking about, the supporters of the programs probably have a good idea of what we're talking about, and even during committee hearings I think we all may think we know what we are talking about, but sometimes things end up that we didn't intend, and it might be better to at least attempt to do a better job of definitions when we deal with these kinds of measures.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 69, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 69 had passed Final Reading at 2:05 o'clock p.m.

**Conf. Com. Rep. No. 72 on H.B. No. 3095, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 72 and H.B. No. 3095, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 73 on H.B. No. 3098, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3098, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM TRAINING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 74 on H.B. No. 3355, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3355, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3098 and 3355 had passed Final Reading at 2:06 o'clock p.m.

**Conf. Com. Rep. No. 75 on H.B. No. 3357, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 75 and H.B. No. 3357, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 76 on H.B. No. 3385, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3385, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LITERACY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 77 on H.B. No. 2046, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2046, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 78 on H.B. No. 2092, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2092, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3385, 2046 and 2092 had passed Final Reading at 2:07 o'clock p.m.

**Conf. Com. Rep. No. 80 on H.B. No. 2280, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2280, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Arakaki rose and stated:

"House Bill 2280 was a priority item for both your Human Services and your Health Committees, and I would like to speak in favor of the bill.

"And for you, Mr. Speaker and members, if a 747 jet were to crash at Honolulu International Airport today and the results were the death of over 170 infants under one year of age, we would all be outraged. And almost every single one of you would express the horror and dismay at such an event. The public would demand an



investigation and assurances that it would never happen again. Yet, every year, between 150 to 200 babies die in Hawaii and except for the families of these babies, very little anguish or outrage is expressed. Infant mortality is the death of an infant before one year of age. Many are born too small or too early with birth defects or suffer complications around the time of birth. The sad part about these deaths is that many could be prevented by the assurance of a healthy, preconceptual woman, and by assuring quality health care during her pregnancy.

"Mr. Speaker and fellow members, while we in Hawaii can take a small sense of pride in having one of the lowest infant mortality rates in the country, this is of little consolation when you consider that our country, one of the wealthiest in the world, ranks with South Africa as having the highest rate of infant mortality among industrialized nations of the world. It is shameful that our State's statistics show native Hawaiian women ranking among the worst of all ethnic minorities for infant mortality rates.

"But infant mortality is just one indicator of poor perinatal health. Another indicator, and one with more cost implication, is that for low birth weight babies. And for those of you who have never visited a neo-natal intensive care unit, I invite you to see these babies. Many of them are no larger than the palm of your hands and struggling to survive. It is even more painful to see their parent or parents worrying from day to day if their child will survive. Technology is what allows them to survive, but it is that same technology that drives the cost of maintaining a low birth weight baby in intensive care to over a thousand dollars a day. And the cost does not end with infant discharge from the hospital because long-term studies have shown that low birth weight babies have higher incidences of developmental delays, neurodevelopmental disorders, learning disabilities, and hearing, speech, and vision disorders. There is no doubt in my mind that the State will end up paying for most of the treatment and remediation for these disabilities and disorders. And if you are still not convinced, then add the recent and growing crisis of drug-exposed infants and imagine what the long-term implications of these neurologically damaged babies will be as they grow.

"With House Bill 2280, we, as a Legislature, will show leadership by assuring that Hawaii as a state makes the health and well-being of mothers and infants a state priority. We will assure a universal access to early maternal and pediatric care for all mothers and infants by removing financial, geographic, or administrative barriers to care, and that early care be, not only of high quality and accessible, but whose value is promoted to the greatest extent possible to women of childbearing age.

"Mr. Speaker and members of the House, we will be one of the first in the country to provide a perinatal bill of rights and assure the best outcomes for all newborns of this State and, Mr. Speaker, it is a crying need.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2280, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2280 had passed Final Reading at 2:11 o'clock p.m.

**Conf. Com. Rep. No. 81 on H.B. No. 2281, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2281, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Stegmaier rose to speak in favor of the bill, with reservations, stating:

"Just to mention that the evaluation of this project is to be done by the Department of Human Services, and my concern is that it should be done by an entity which is removed from the implementation of the project so a truly independent evaluation can take place.

"Other than that one concern that I have about the lack of an independent evaluation, I support this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2281, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SUPPORT CENTERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2281 had passed Final Reading at 2:12 o'clock p.m.

**Conf. Com. Rep. No. 82 on H.B. No. 2287, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2287, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A FINANCIAL MALL," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Anderson and Cavasso voting no.

**Conf. Com. Rep. No. 83 on H.B. No. 2288, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2288, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 2287 and 2288 had passed Final Reading at 2:13 o'clock p.m.

**Conf. Com. Rep. No. 84 on H.B. No. 2290, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2290, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

**Conf. Com. Rep. No. 85 on H.B. No. 2582, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2582, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2290 and 2582 had passed Final Reading at 2:14 o'clock p.m.

**Conf. Com. Rep. No. 86 on H.B. No. 2296, HD 2, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2296, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Liu rose to speak against the bill, stating:

"The problem with this measure, Mr. Speaker, is that we already have, as indicated before by the Majority Floor Leader, a multitude of studies that sometimes we look at and other times we put on the shelf, and overall in the end we hope that some good information comes out of them.

"This bill would require another study to be conducted on an on-going basis about the impact of tourism and all the related concerns that are attended with that -- capital improvements, how it affects our normal population growth for our residents and what not -- and we are appropriating a pretty large sum of money for this. I believe it is at least \$200,000, maybe up to, I think, \$500,000 now in this version.

"Mr. Speaker, perhaps the members should know, or perhaps many of us do know, that already in our statutes, under HRS 201-13.6, the Department of Business and Economic Development is supposed to right now report to us through a tourism impact management system, a report on that system through annual reports concerning the general same area -- the impact on the community of our tourism industry. It seems to me, Mr. Speaker, that this bill, in large part, would duplicate what already is required to be done by an agency of the State so I really don't see the need for this measure.

"We have discussed this before on the floor and I would hope that we would send the message, enough of us, by voting 'no' so that this type of duplicative effort is not continued in the future.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2296, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Anderson, Cavasso, Hemmings, Liu and O'Kieffe voting no.

The Chair directed the Clerk to note that H.B. No. 2296 had passed Final Reading at 2:16 o'clock p.m.

**Conf. Com. Rep. No. 88 on H.B. No. 2645, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2645, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAMS FOR FAMILIES OF MENTALLY ILL PERSONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2645 had passed Final Reading at 2:17 o'clock p.m.

**Conf. Com. Rep. No. 89 on H.B. No. 2649, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2649, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Cavasso rose and stated:

"Mr. Speaker, I rise to speak against this bill, terming it an anti-family, anti-parental rights, anti-parental bill. Mr. Speaker, it's better than it was when it started--this teenage health clinic--but the way that it's worded still. . . although it says it's limited to a project target group of street youth, ages 13 to 19 years old, who have no responsible adult supervision. It doesn't define responsible adult supervision. It leaves questions here as to who will make the determination as to whether or not a youth is on his own or responsible to parents. It leaves that entirely up to the good faith effort of a physician or social worker, and it says that the social worker or physician is responsible for determining whether the teenager is capable of giving informed consent, whether the services or pharmaceutical products are necessary, and whether the teenager is a street youth, and then it relieves the social worker of any responsibility for that decision if it turns out the child does have responsible adults and is in a family.

"In short, what this does is it takes away from the family, responsibility. It's another attack on accountability between young people and their parents. It's extending the age of non-accountability down to the age of 13. It's a bad precedent. It's a bad beginning.

"There are ways to deal with the street youth with the existing medical system and I advocate working with those youths and working on a special ID system, having our police and our social workers ID youths that need help, and working them into the existing medical system. But we don't need a new so-called teenage health clinic in this way, and I ask you to cast a no vote for myself, Mr. Speaker."

Representative Duldulao rose to speak in favor of the bill, with some reservations, stating:

"The reservations that I have was mentioned by the previous speaker. However, I am voting 'yes' for this bill, in spite of my concerns, for the sake of our youth that need this service.

"It is with sincere hope that this pilot program will be a success in the future.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2649, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMUNITY-BASED TEENAGE HEALTH CLINIC DEMONSTRATION PROJECT," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Cavasso, Hemmings and Liu voting no.

The Chair directed the Clerk to note that H.B. No. 2649 had passed Final Reading at 2:19 o'clock p.m.

**Conf. Com. Rep. No. 90 on H.B. No. 2876, HD 1, SD 1, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2876, HD 1, SD 1,

CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 91 on H.B. No. 2896, HD 3, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2896, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2876 and 2896 had passed Final Reading at 2:20 o'clock p.m.

**Conf. Com. Rep. No. 92 on H.B. No. 2919, HD 1, SD 2, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 93 on H.B. No. 2929, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2929, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE SECRETARY, PRIVATE SECRETARY AND SCHOOL ADMINISTRATIVE SERVICES ASSISTANT CLASSES IN THE STATE EXECUTIVE BRANCH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2929 had passed Final Reading at 2:21 o'clock p.m.

At 2:22 o'clock p.m., Representative Peters asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:40 o'clock p.m.

#### UNFINISHED BUSINESS

**Stand. Com. Rep. No. 1569-90 on S.C.R. No. 150:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE RULES PERTAINING TO THE CONSTRUCTION OF RESIDENTIAL DWELLINGS WITHIN CONSERVATION DISTRICTS," was referred to the Committee on Legislative Management.

**Stand. Com. Rep. No. 1570-90 on H.R. No. 7, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 7, HD 1, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION ON A LAND EXCHANGE," was referred to the Committee on Finance.

**Stand. Com. Rep. No. 1571-90 on H.R. No. 8, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 8, HD 1, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION ON A LAND EXCHANGE," was referred to the Committee on Finance.

**Stand. Com. Rep. No. 1572-90 on S.C.R. No. 141, SD 1, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 141, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF STOCKING FLORIDA LARGEMOUTH BASS (MICROPTERUS SALMOIDES SALMOIDE) INTO THE WAHIAWA AND NUUANU RESERVOIRS," was adopted.

**Stand. Com. Rep. No. 1573-90 on S.C.R. No. 245, SD 1, HD 1:**

Representative Apo moved that the report of the Committee be adopted and S.C.R. No. 245, SD 1, HD 1, be adopted, seconded by Representative Hemmings.

Representative Taniguchi rose and requested that his remarks, in support of the concurrent resolution, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Taniguchi's remarks are as follows:

"This Legislature has already stressed its faith in the public hearing process as an efficient and preferable means to initiative in land use matters. But in the case of Paradise Park, Manoa residents were never given the opportunity to voice any opinions about locating a commercial enterprise on State conservation land literally in their back yards. No one was able to question the inevitable increase in traffic through their residential neighborhood. No one was able to object to tour bus after tour bus plying up Manoa's narrow and winding roads.

"Now Paradise Park's owner wants to double his customer count by constructing an animated, mechanical dinosaur exhibit. Frankly, while I love dinosaurs, I don't think this belongs in a botanical and zoological park. All this resolution asks for is a much-deserved public hearing, not the closing of Paradise Park.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 245, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE APPROPRIATENESS OF PROPOSED MAJOR RENOVATIONS AT PARADISE PARK, MANOA VALLEY, OAHU," was adopted.

**Stand. Com. Rep. No. 1574-90 on S.C.R. No. 216, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 216, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT THE GOVERNOR REQUEST THE

FEDERAL GOVERNMENT TO RELINQUISH ITS USE OF MAKUA VALLEY," was adopted.

**Stand. Com. Rep. No. 1575-90 on S.C.R. No. 100, SD 1, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 100, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MANDATORY ERRORS AND OMISSIONS INSURANCE COVERAGE FOR REAL ESTATE SALESPERSONS, BROKERS, MANAGERS, AND AGENCIES," was adopted.

**Stand. Com. Rep. No. 1576-90 on S.C.R. No. 225, SD 1, HD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 225, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROCEED WITH STEPS NECESSARY TO ACQUIRE THE QUEEN EMMA GARDENS APARTMENT PROJECT, AND REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONDUCT A FEASIBILITY STUDY ON THE ACQUISITION OF FEDERALLY-SUBSIDIZED RENTAL HOUSING PROJECTS," was adopted.

At 5:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:42 o'clock p.m.

**Conf. Com. Rep. No. 94 on H.B. No. 2904, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2904, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 95 on H.B. No. 2932, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2932, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE ADULT CORRECTIONS OFFICER, YOUTH CORRECTIONS OFFICER, REGISTERED PROFESSIONAL NURSE AND ANESTHETIST CLASSES IN THE STATE EXECUTIVE BRANCH," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 96 on H.B. No. 2057, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2057, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2904, 2932 and 2057 had passed Final Reading at 5:43 o'clock p.m.

**Conf. Com. Rep. No. 97 on H.B. No. 2089, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2089, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative O'Kieffe rose to speak against the bill, stating:

"Mr. Speaker, this bill, at the very least, constitutes a breach of faith. With the passage of this bill, it would be possible for any adoption record to be open upon request unless the State is able to find the birth parents or adoptee within 120 days.

"Those who are most strongly opposed to this bill are also those who were least likely to testify against it -- the birth parents. Often, neither the friends nor the families of these people know that they once gave up a child for adoption. It would be impossible for them to testify against this bill at a public hearing and still retain their treasured anonymity.

"Many of those who will be affected by this bill have moved away or completely unaware of this bill and its significant ramifications. These people have been living their lives with a sense of security because they believed that their anonymity was guaranteed by the State. Now this security is being threatened and they are powerless to do anything about it. Mr. Speaker, I speak to you today on their behalf.

"Our State Constitution specifically guarantees every individual the right to privacy, and this bill seriously threatens that constitutional right. Passage of this bill would legalize the invasion of privacy of both the State and the public. For every child that has been given up for adoption, a parent had to make a very difficult and terribly painful decision. These birth parents believed and trusted that the State would keep their records in strictest confidence. They acted on that belief and trust and they believed that their privacy was assured. These birth parents relied upon the representations made by the State that their anonymity would be preserved. They were assured that all records would remain closed unless the court found a compelling reason such as health that would warrant portions of the records to be open at the discretion of the court.

"In addition to the Herculean task of locating the birth parents within a stipulated time of 120 days, especially those that have moved out of state, there is a financial consideration. It has been estimated that as many as 10,000 adoptees in Hawaii may be looking for their parents. If this estimate proves accurate, it would mean that with a budget of \$100,000, an average of only \$10 can be allocated to each search. Is this enough?

"Another concern I have is where the individual, whose privacy could now be invaded, would be able to hold this State accountable for any damages that may be incurred from this action. If passed, House Bill 2089 would set a dangerous precedent.

"The Adoption Circle of Hawaii has already stated that they will seek to make adoption records even more accessible than this current bill would allow. We, by passing this bill, would be opening the door further for future Legislatures to allow all the adoption records to be open, regardless of the wishes or best interest of the

individual. The message this bill sends is loud and clear -- what we promise you today may not be true tomorrow.

"This is a difficult and complex issue. Thousands of lives will be affected by its outcome. Certainly, we all want to strive to make it as easy as possible for those who do want to be connected with their birth parent or child to do so. However, our first obligation must be to those who seek privacy and who have been living to believe that this State would ensure that privacy.

"Mr. Speaker, for my colleagues who feel in their hearts that they must do something to give additional information to adoptees or birth parents, I applaud that desire. But I must urge them to look for a way to do so without jeopardizing the lives and happiness of those who have put their trust into this system. We are being neither fair nor just if we, regardless of the consequences, change the law, especially if this new law is retroactive. We must not turn our backs on promises made and acted upon in good faith to past generations. This bill could do more harm than good. It creates an environment in which people may just decide to give up their children for a legal, black-market adoption, or even seek abortion. They might do this rather than to live within the system because that system has taken away their right to privacy and anonymity because that system threatens to do so in the future.

"In its present form, this is an unjust and dangerous bill. No record should be open without the permission of both parties. I urge this body to reconsider the passing of this bill.

"Thank you, Mr. Speaker."

At 5:50 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:51 o'clock p.m.

Representative Amaral rose to speak in favor of the bill, stating:

"Mr. Speaker, I believe that this is a significant piece of legislation because it involves all three participants in the adoption process -- the birth parent, the adoptive parent as well as the adoptee.

"Prior to 1945, adoption files in Hawaii were open providing access to birth heritage information. In 1945, the State of Hawaii passed a law which arranged for an adopted individual to have two birth certificates -- the original and the amended form. The original was sealed and replaced with the amended version which states by law that the adopted individual is the natural child of the adopting parents. With the enactment of this law, the social experiment of closed stranger adoptions began.

"In its compassion, our society dismissed the event of an adopted individual's birth, hid the embarrassment of the bastard child, shielded the shame of the unwed pregnancy, and corrected the stigma of infertility. However, compassion without wisdom is dangerous, and a life without truth is a life without honor.

"What the present law in fact does is officially seal the truth of an adopted individual's birth and replace that truth with secrecy. Unfortunately, this secrecy, while compassionately imposed, has hurt the very people we sought to protect. For birth parents to relinquish their child, often their first born, is to experience a profound loss, rarely grieved within society's imposed secrecy. Their loss is carried silently for months, years, for a

lifetime. For most adoptive parents, their loss is realizing they will never know their own biological child -- a powerful, symbolic thread connecting them to humanity. They, too, are rarely resolved in their grief as they encounter the imposed secrecy. Within secrecy, society does not acknowledge that the truth of the adopted child's heritage is as important as for those children raised within their birth families, and the adopted individual who is loved by all is spun into a web of unresolved losses and secrecy -- their own voice echoing the whispered secrecy of wondering what terrible truths must be hidden within those sealed files.

"It is time we lift society's imposed secrecy from the truth of adoption. The truth for adopted individuals is they have both a birth and an adoptive family. Instead of living in fear of that truth, let us honor it. Any of us who have sat before an ancestor's grave and known the thread which connects us to the human continuum will know the truth of our actions here today.

"I ask you to support this significant piece of legislation."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2089, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Bunda, Chang, Marumoto, O'Kieffe and Tajiri voting no.

The Chair directed the Clerk to note that H.B. No. 2089 had passed Final Reading at 5:55 o'clock p.m.

At 5:56 o'clock p.m., Representative Bunda asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:57 o'clock p.m.

**Conf. Com. Rep. No. 98 on H.B. No. 2273, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2273, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Lee rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Lee's remarks are as follows:

"I strongly support this bill which appropriates \$250,000 to the public broadcasting revolving fund for the creation of a weekly news program on issues and events in the Pacific region.

"Hawaii has a good reputation for solid documentary reporting on Asia and the Pacific, thanks to the award-winning shows done by Bob Jones of KGMB.

"Hawaii Public Radio can now focus on current events week by week. It will give concrete meaning to our aspirations to be a bridge, an interpreter, and an actor on the Pacific stage. We thus expand our horizon from the tried and true economic and business exchanges into a more exciting arena -- that of information and knowledge."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2273, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR HAWAII PUBLIC TELEVISION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 99 on H.B. No. 2546, HD 1, SD 1, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2546, HD 1, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 100 on H.B. No. 2751, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2751, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 200 on H.B. No. 2864, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2864, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION COMMISSION," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Hemmings and Liu voting no.

**Conf. Com. Rep. No. 201 on H.B. No. 2865, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2865, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 202 on H.B. No. 2871, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 202 and H.B. No. 2871, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 203 on H.B. No. 2884, HD 2, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2884, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 204 on H.B. No. 2986, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2986, HD 2, SD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Duldulao rose and requested that her remarks, in favor of the bill "with great reservations," be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Duldulao's remarks are as follows:

"My concerns which I have stated in previous floor debates have not been clarified. At any rate, it is with sincere hope that this business venture will be a success and profitable."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2986, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR LINGUATRON (USA) LIMITED," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

**Conf. Com. Rep. No. 205 on H.B. No. 2789, HD 2, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2789, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Honda rose and requested a conflict ruling, saying that he is a retiree, and the Chair ruled, "no conflict."

Representative Alcon then rose and requested a conflict ruling, saying that he is a retiree, and the Chair ruled, "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2789, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2273, 2546, 2751, 2864, 2865, 2884, 2986 and 2789 had passed Final Reading at 5:58 o'clock p.m.

**Conf. Com. Rep. No. 206 on H.B. No. 2891, HD 2, SD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2891, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 207 on H.B. No. 1148, SD 1, CD 1:**

Representative Apo moved that Conf. Com. Rep. No. 207 and H.B. No. 1148, SD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative Hemmings.

Representative Shon rose and stated:

"As this bill is recommitted and reconsidered by the Conference Committee, I hope that they will also reconsider the distribution of the funds to the various counties.

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 207 and H.B. No. 1148, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 208 on H.B. No. 1576, HD 1, SD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 101 on S.B. No. 2252, SD 2, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2252, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 102 on S.B. No. 2482, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2482, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 103 on S.B. No. 3094, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3094, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 104 on S.B. No. 2223, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2223, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALES OF SEAFOOD," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 105 on S.B. No. 46, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 46, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 106 on S.B. No. 3399, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3399, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2891 and S.B. Nos. 2252, 2482, 3094, 2223, 46 and 3399 had passed Final Reading at 6:00 o'clock p.m.

**Conf. Com. Rep. No. 107 on S.B. No. 3454, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3454, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ROADWORK," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 108 on S.B. No. 2122, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2122, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 109 on S.B. No. 2169, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2169, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Bellinger voting no.

**Conf. Com. Rep. No. 110 on S.B. No. 2318, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2318, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANABOLIC STEROIDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 111 on S.B. No. 3111, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3111, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RESPITE CARE AT WAIMANO TRAINING SCHOOL AND HOSPITAL," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 112 on S.B. No. 422, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 422, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECIOUS METALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 113 on S.B. No. 2174, SD 2, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2174, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 114 on S.B. No. 2307, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2307, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Shon rose to speak in favor of the bill, stating:

"This is a very significant bill with respect to substance abuse testing and setting out the rules with which employers may deal with this issue while protecting the rights of employees.

"I'd like to thank the members for all the work that went into this, including those with the ACLU, with the Chamber of Commerce, with the Department of Health, and several others, who contributed to a very solid compromise, and a bill which I think will contribute to all the goals that we have for a drug-free work place.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2307, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 115 on S.B. No. 2432, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2432, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3454, 2122, 2169, 2318, 3111, 422, 2174, 2307 and 2432 had passed Final Reading at 6:02 o'clock p.m.

**Conf. Com. Rep. No. 116 on S.B. No. 3018, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3018, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Bunda voting no.

**Conf. Com. Rep. No. 117 on S.B. No. 1398, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 1398, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURING MAMMOGRAM SCREENING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 118 on S.B. No. 2435, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2435, SD 1, HD 1,

CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 119 on S.B. No. 3295, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3295, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 120 on S.B. No. 2117, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2117, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET LAW," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 121 on S.B. No. 2119, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2119, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITIES AND COLLEGES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 122 on S.B. No. 2314, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2314, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 123 on S.B. No. 2433, SD 1, HD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2433, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Tam rose and requested a conflict ruling, saying that he is an insurance salesman, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2433, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 124 on S.B. No. 2964, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2964, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEST OFFICIALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3018, 1398, 2435, 3295, 2117, 2119, 2314, 2433 and 2964 had passed Final Reading at 6:03 o'clock p.m.



**Conf. Com. Rep. No. 125 on S.B. No. 2833, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 126 on S.B. No. 2694, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2694, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 127 on S.B. No. 2764, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2764, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPACE VEHICLES," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Cavasso voting no.

**Conf. Com. Rep. No. 128 on S.B. No. 1630, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 1630, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 129 on S.B. No. 3019, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3019, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 130 on S.B. No. 26, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 26, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 131 on S.B. No. 2549, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2549, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hayes voting no.

**Conf. Com. Rep. No. 132 on S.B. No. 506, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 506, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 42 ayes to 9 noes, with Representatives Bellinger, Bunda, Cavasso, Hirayama, Honda, Kanoho, Leong, Peters and Tom voting no.

**Conf. Com. Rep. No. 133 on S.B. No. 2801, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2801, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2833, 2694, 2764, 1630, 3019, 26, 2549, 506 and 2801 had passed Final Reading at 6:05 o'clock p.m.

**Conf. Com. Rep. No. 134 on S.B. No. 3142, SD 1, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3142, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Stegmaier rose to speak in favor of the bill, stating:

"In speaking in favor, I wanted to point out a qualification. In the Conference Committee draft, the Department of Education is relegated to a position of a consultant in putting together the plan for HOPE (Hawaii Opportunity Program in Education) for next year. Everyone that we've talked with on the committees that have met with regard to this bill has been in agreement that for this project to work, the Department of Education must be an equal partner with the University.

"Those elementary students from underrepresented groups must be targeted. Each of their teachers must know of their existence in the classroom and they must be nurtured and treated very specially.

"The Department of Education component must be added next year, Mr. Speaker, and I am sure that next year we'll be able to insert the very important role of the DOE in preparing these underrepresented students for a successful University education.

"Thank you very much."

Representative Taniguchi then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Taniguchi's remarks are as follows:

"There is an urgent need to address the higher education needs of the financially disadvantaged, especially those from underrepresented ethnic groups in our state. The Hawaii Opportunity Program in Education (HOPE) would achieve this by motivating youngsters from these groups to further their education by eliminating financial barriers which would otherwise prevent them from attaining a college degree.

"I commend the Governor for proposing this forward-looking concept, and I am hopeful that the University will mold this concept into the successful program it should be."

Representative Duldulao then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Duldulao's remarks are as follows:

"It is about time that we seriously consider legislation that truly benefit the minorities. This bill is to encourage and motivate minority students with great aspirations to further their education but cannot do so because of financial problems. This bill will alleviate that barrier and turn it into reality."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3142, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII MINORITY STUDENTS: HAWAII OPPORTUNITY PROGRAM IN EDUCATION (HOPE)," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 135 on S.B. No. 3169, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3169, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING REGISTERED NURSE STUDENT FINANCIAL SUPPORT AND LOAN PROGRAMS AND MAKING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 136 on S.B. No. 3170, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3170, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES DOMICILIARY HOMES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 137 on S.B. No. 1148, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 1148, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCATION OF DRIVER'S LICENSE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 138 on S.B. No. 1526, SD 2, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 1526, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS' CLASSIFICATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 139 on S.B. No. 2794, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2794, SD 2, HD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Arakaki rose and requested a conflict ruling, saying that he is a part-time employee of Kapiolani Health Care System, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2794, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 140 on S.B. No. 3146, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3146, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Arakaki rose to speak in favor of the bill, stating:

"I just wanted to inform my colleagues they may not be aware that in one of your Human Services Committee priority measures, House Bill 2282, the provisions are now inserted in Senate Bill 3146. I mention this because for many of us, chances are we will all be or be closely associated with someone who will care for a family member who is a frailed elderly, seriously ill, physically, mentally or developmentally disabled, in need of long-term care.

Indeed, with advancing technology and an aging population, more and more individuals will be surviving serious illness and disabilities. Add to this the rising cost of health care and the need for both spouses to work, and there is sudden realization that there are few choices that a family can make, and few families are prepared to meet that situation. Here in Hawaii, we are fortunate because we have the spirit of ohana that encourages the extended family to share the burden of care. We also have the cultural values of many ethnic groups that all but requires a family member to care for other family members, especially the elders.

"These family caregivers probably number in the thousands and have saved the State millions in health care reimbursements. But we can no longer take advantage of these families. They need help now. If they are to continue to care for the family member at home, they will need training for at-home care, emergency services available at their home, and they will definitely need respite from the constant demands of caregiving.

"Senate Bill 3146 is the Legislature's recognition of the dedication and sacrifices of our family caregivers and it represents a start in dealing with the care of our families with dignity and compassion for all. And I especially want to thank all the advocates of the various groups who do care for different types of disabilities for the elderly, and I would like to thank them for their input into this process and for being successful in having this legislation passed.

"Thank you, Mr. Speaker."

Representative Duldulao then rose and asked that Representative Arakaki's comments be inserted in the Journal as her own, and the Chair "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3146,

HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 141 on S.B. No. 3233, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 3233, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak against the bill, stating:

"Although we are no longer directly funding the Sports Authority, we are now doing the next worst thing -- we are spending \$100,000 to study Sports Authority.

"Mr. Speaker, the State's record on sports facilities and sports business speaks for itself. I reference my prior comments on the state of the Aloha Stadium and how much it's costing the taxpayers to keep it safely open.

"I'll also reiterate the fact that several major sports and issues are being funded by the taxpayers and DBED, and despite the many needed activities in human services and health care that Representatives Arakaki and Shon have spoken so eloquently about, we presently have \$350,000 of prior appropriated money going to a sports event that does not exist with the Executive Director being paid \$9,000 a month of taxpayers' money. Our priorities are wrong, Mr. Speaker. The State of Hawaii does not belong in the sports business.

"What the State of Hawaii should be doing is creating a good business environment for all businesses, including sports, to thrive in. The State of Hawaii should be investing the taxpayers' hard-earned money in cost-effective and functional public facilities that will accommodate island-wide the many myriad of activities that need to be conducted rather than creating sports authorities and sports business, and sports development under the arm and aegis of government. Our money could be better spent, and this is just one example of the many times where budget items do not serve the welfare, economy or the people of the many needed items such as the human services programs go underfunded. Therefore, I am voting no."

Representative Hagino then rose and requested that the remarks of Representative Hemmings "be noted in the Journal as those of my own," and the Chair "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3233, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Hagino, Hemmings and Liu voting no.

**Conf. Com. Rep. No. 142 on S.B. No. 3247, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3247, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDEMNATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3142, 3169, 3170, 1148, 1526, 2794, 3146, 3233 and 3247 had passed Final Reading at 6:15 o'clock p.m.

**Conf. Com. Rep. No. 143 on S.B. No. 3306, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3306, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Liu.

Representative Tom rose to speak in favor of the bill, stating:

"Mr. Speaker and members, Kaneohe Bay is not just for the people of Kaneohe but a bay for all the people of this State. It is a bay with many unique and treasured natural resources which need to be properly used and managed so that its richness and serenity can be protected for the continued enjoyment of the general public. The Bay's extensive ecosystem contains a unique estuary system surrounded by barrier reefs that are unequaled in the world.

"Mr. Speaker, this bill recognizes that the Bay is heavily used by the general public, the ocean and marine research programs, and the commercial ocean operators and the recreational users, creating conflict in use problems. A task force prescribed by this legislation would develop a master plan which shall be used as recommended guidelines of rules which will regulate all activities in Kaneohe Bay.

"I envision some day, Mr. Speaker, Kaneohe Bay with the University research group as its focus, with Coconut Island being the world's center for learning and research and aquaculture and marine biology. I am truly excited at the thought of Hawaii's international development as a worldwide center for research and learning.

"This bill is landmark legislation, Mr. Speaker, and it is so because it will result in a master plan for Kaneohe Bay, a legacy which hopefully will result in the preservation of its unique and treasured natural resources for the continued enjoyment of the people of this State.

"Finally, I would like to especially take this opportunity to personally thank Chairmen Bunda and Souki from the House, Senators McCartney, Holt and Yamasaki in the Senate, because with their vision, this landmark legislation today is made a reality.

"I urge all of you to vote in favor of this bill.

"Thank you."

Representative Anderson then rose and requested that Representative Tom's comments be inserted in the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3306, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 144 on S.B. No. 3403, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.B. No. 3403, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY AT STATE BEACH PARKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 145 on S.B. No. 2159, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.B. No. 2159, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 146 on S.B. No. 1214, SD 1, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 1214, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Liu.

Representative Hayes rose to speak in favor of the bill, stating:

"This started as one man's dream. Frank Yuen had a dream, persuaded other people that it was a good dream and that it would be good for the State. He died before it was completed but his widow has been working hard, and this bill provides a loan to the trustees of the Pacific Aerospace Museum to enable them to complete the displays. It will be at the International Airport and will be an educational place for tourists and residents alike.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1214, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AEROSPACE MUSEUM," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 147 on S.B. No. 1611, SD 2, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.B. No. 1611, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 148 on S.B. No. 2945, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2945, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Liu.

Representative Liu rose to speak in favor of the bill, with reservations, stating:

"I am pleased to see that we have not appropriated \$10-million for the purchase as yet of a totally electronic voting system. I urged the members of the temporary advisory committee to request that they have a chance to speak to experts not associated with any particular vendor or state election system prior to making a recommendation on systems for purchase, and I would hope that this body, prior to making a decision on a specific appropriation, adopt into statute whatever standards we feel are necessary to maintain the honesty and the ability to audit whatever new system we may be entering into for the next election cycle or beyond.

"With those words, Mr. Speaker, I do support the bill and hope a cautious and thorough job is done in the next few years on this issue.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2945, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TOTALLY ELECTRONIC VOTING SYSTEM," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

**Conf. Com. Rep. No. 149 on S.B. No. 3088, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Liu and carried, the report of the Committee was adopted and S.B. No. 3088, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ENTERPRISE DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 150 on S.B. No. 2596, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2596, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Liu.

Representative Tam rose to speak in favor of the bill, stating:

"Mr. Speaker and fellow colleagues, our athletic coaches are responsible for the health and safety of our young people in school. They already operate a very large and successful after-school program, but despite their many hours of dedicated service the coaches' pay has not been raised for many years in the past.

"This bill is a first step in providing fair compensation for our coaches. The distribution of these funds will be negotiated by the Department of Education and the Hawaii State Teachers' Association. Although 60 percent of the coaches are not members of HSTA, the union and the DOE have already agreed that all coaches will receive the same compensation whether or not they are members of the union."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2596, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 151 on S.B. No. 3127, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3127, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Liu.

Representative Bybee rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Bybee's remarks are as follows:

"Mr. Speaker, there is an important portion of this bill I wish to emphasize for you and my colleagues today, and

that is Section 2(c) relating to Kawainui Marsh. This measure is a very important one, not only for the residents of Kailua and Windward Oahu, but for the entire State of Hawaii.

"First, I'd like to share a very brief history of the Marsh and its relationship to Kailua and the State of Hawaii to emphasize the importance of this bill and to show why it should be approved today. Before I do that, I want to thank the Chairman of the Water and Land Use Committee, Representative David Hagino, the Chairman of the Intergovernmental Relations and International Affairs Committee, Representative Terrance Tom, and the Chairman of the House Finance Committee, Representative Joe Souki, for placing this measure on their respective agendas and working closely with me to secure its passage through our House Committees. On behalf of the residents of Kailua especially, I thank them for their assistance.

"Kawainui Marsh is a 746-acre wetland area located between the Koolau mountains and Kailua Bay. Between the Marsh and Kailua Bay lies a large portion of the community of Kailua where hundreds of families have made their homes for 30-40 years. History tells us the Hawaiian people lived and prospered in large numbers in and around Kawainui Marsh, and this wetland area served as a place for not only the raising of food, the securing of water, but also as a gathering place for the Hawaiian people. Hawaiians for many years recognized the importance of the Marsh as is evidenced by the Ulupo Heiau and Pahukini Heiau which lie at its edge. This important heritage and tradition will be preserved by the passage of S.B. 3127, SD 2, HD 2.

"Because Kawainui Marsh is located between the mountains and the ocean, it also serves an extremely important and unique role in the ecosystem of Windward Oahu. As Kawainui Marsh is fed by the mauka streams which bring water from the mountain towards the ocean, the Marsh serves as a huge watershed and flood control area for our Kailua community. It also serves as a home for several species of wildlife, four of which are endangered native Hawaiian waterbirds.

"At the makai edge of the Marsh, a levee constructed many years ago by the U.S. Army Corps of Engineers stands as a guard against those occasions when the Marsh fills with water and it is necessary for the water to be held back until it empties to Kailua Bay through the Oneawa channel and Kaelepulu stream. This levee, as well as ownership of the Marsh, was placed in the hands of the City and County of Honolulu in the early 1960s. Since then it has been the City and County's responsibility to maintain and care for the Marsh as a natural resource and as a flood control project.

"Although the State has not had direct ownership or control of the Marsh, it has nevertheless long recognized the importance of the Marsh and through the Department of Land and Natural Resources' leadership has monitored and contributed to the City's care of the Marsh. In 1983, for example, Governor Ariyoshi approved the Kawainui Marsh Resource Management Plan, which contains a very good analysis of the importance of the Marsh and sets forth a bold and good plan for its future management. Last year we sent \$400,000 to the City to help with its Marsh flood control project. The State has also recently embarked upon an acquisition program to secure key parcels of land surrounding the Marsh and has participated as an observer regarding the various flood control projects and proposals being considered by the City and County and the U.S. Army Corps of Engineers. Last session, for example, we in this body authorized over \$825,000 in the biennium budget to be expended for

master planning and for wildlife sanctuary programs for Kawainui Marsh.

"Notwithstanding all of this history, the importance of the Marsh, the adoption of the Kawainui Resource Management Plan, and all of our good intentions and contributions to the Marsh, it's a sad fact that we in Hawaii, and especially government in Hawaii, have not been good stewards of this valuable and important natural resource. We have for many years, for example, allowed sewage wastewater to pass down into Kawainui Marsh from the communities located above the Marsh, and this sewage wastewater has created a nutrient-rich environment for the growth of weeds and grasses foreign to the Marsh which have grown in such great quantities they have choked off the Marsh's waterways and open water areas and greatly changed its nature. This foreign vegetation has caused damage not only to the Marsh's ability to control flood waters, but has a negative impact on the waterfowl and other species living in the Marsh.

"On January 1, 1988, the results of this mismanagement were made known in a terrible and graphic way when Kawainui Marsh was unable to handle the winter rain waters that flowed into it, and the 'New Year's Eve Flood' of January 1, 1988, occurred. As a result, in a tragic set of circumstances, hundreds of Kailua families were flooded out of their homes. This tragic flood reached a height of 5-6 feet in hundreds of Kailua homes damaged by this flood. These homes, their personal contents, cars, trucks and pets and virtually everything that was below the 5 foot level in the Coconut Grove area of Kailua was flooded during this tragedy. To appreciate this tragedy, Mr. Speaker, I ask you and each of my colleagues here today to think of your own homes and vehicles, and visualize 5-6 feet of Marsh water passing through it in the middle of the night. Mr. Speaker, children in my community still have nightmares when it rains hard in Kailua, and irreplaceable family photos and other items which are lost will forever bring tears to the eyes of my constituents.

"Mr. Speaker, as Chairman of the Kailua Neighborhood Board at the time of the flood, I had occasion to be actively involved in the aftermath of this flood, and I can assure you it is something that was so devastating and had such a negative impact on the lives of all the people who were involved in this flood that we must do everything possible never to let this flood happen again.

"It will serve no purpose to analyze the specific technical causes of the January 1, 1988 flood, nor outline the details of the maintenance and care given by the City and County government that was supposed to prevent the flood. Suffice it to say the City and County, due to its limited financial resources, was not and is not able to bear the responsibility of management and maintenance of this important resource. The State of Hawaii does, however, have these resources. The important thing, Mr. Speaker, is that we now take action and move forward to insure the Kawainui Marsh flood does not again occur. This brings me to the specifics of the bill before us today.

"This bill provides for the transfer of Kawainui Marsh from the City and County of Honolulu to the State of Hawaii. This transfer will be accomplished in two stages.

"The first stage transfers management responsibility for the Marsh immediately to the State by way of a management agreement from the City to the State. This transfers power to permit the State to promptly commence management of the economic, cultural and wildlife resources of the Kawainui Marsh. This immediate transfer will enable the State to proceed with its master planning process for the future of the Marsh and

commence implementation of its wildlife sanctuary program. It will also allow the State to secure federal funds from the U.S. Fish and Wildlife Division and to form DLNR's Kawaiui Marsh Advisory Board as provided by the 1983 Kawaiui Marsh Resource Management Plan. In short, it will allow the State of Hawaii to immediately begin practical efforts to protect and develop the Marsh as a resource. I am happy to say, Mr. Speaker, this can be accomplished by the \$825,000 we already allocated for this purpose last year in our biennium budget.

"The second phase of the Marsh transfer to the State of Hawaii will be accomplished by the conveyance of full fee simple ownership title of the entire Marsh from the City to the State upon the completion of the pending flood control improvement projects underway by the City and County of Honolulu in conjunction with the U.S. Army Corps of Engineers. This flood control project is being undertaken in consultation with the engineering firm of M&E Pacific Engineering, a very competent engineering firm well known to our State and which has worked on many of our largest State projects. The City, with our assistance, has already placed in its current budget the necessary funds to complete this flood control project, and it is anticipated this project will be completed within the next two years, in time for the Marsh to transfer by January 1, 1993. Officials from the State's Department of Land and Natural Resources have met with and are coordinating with the Chief Engineer of the City and County of Honolulu in the development of this flood control project. Everyone involved with this flood control project is confident of its timely completion and the City's commitment to complete it properly. Upon completion of the flood control project and delivery of the fee simple title to the State of Hawaii, it will be the State's responsibility to thereafter maintain and care for the flood control aspects of the Marsh. This is an important goal of this bill.

"The net result of this measure, when and if it becomes law, will be to cause a major change in the future care and management of this important natural resource. This Legislature should be recognized for its vision in this regard. I would be remiss, however, if I fail to point out that this new direction is due in large part to recognition by Governor John Waihee and the Department of Land and Natural Resources of the value and benefit of placing this natural resource in the ownership and control of the State of Hawaii. The Governor has gone on record in support of this measure, and has also directed his departments to achieve its passage into law. The Department of Land and Natural Resources' staff has been extremely helpful in bringing this measure before us today. The cooperation of the Mayor of the City and County of Honolulu and the Chief Engineer have also been important and should be recognized.

"In conclusion, Mr. Speaker, I submit the transfer of Kawaiui Marsh from the City to the State as provided by this bill is a proper recognition by the State of Hawaii there are important major resources in our State which our County governments are not able to manage and provide proper stewardship for. In these cases it is the State's responsibility, especially those that are relatively passive in nature as the Kawaiui Marsh, to utilize the State's assets and expertise in land management to care for and develop these resources for our citizens. For the future enhancement of Kawaiui Marsh and proper development of the Marsh's resources for the benefit of all the people of Hawaii and for the benefit of the residents of Kailua who depend on the Marsh for the essential flood control it provides, I strongly urge you, Mr. Speaker and my colleagues, today, to vote for this important bill.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3127, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3306, 3403, 2159, 1214, 1611, 2945, 3088, 2596 and 3127 had passed Final Reading at 6:23 o'clock p.m.

**Conf. Com. Rep. No. 152 on S.B. No. 2978, SD 1, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2978, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Lee rose to speak in favor of the bill, stating:

"The conference draft is balanced and exhibits sensitivity to the fact that, in view of what happened to the Indians after 1492, many Latin American countries are reluctant to 'celebrate' the Columbian Quincentennial as a festive occasion. The bill charges the Commission rightfully to harmonize and balance events with scholarship and education and not limit them to a ceremonial or celebratory nature.

"I am pleased that what was said on second crossover was heard and listened to.

"Thank you, Mr. Speaker."

Representative Cavasso then rose to speak in favor of the bill, stating:

"I would just like to comment, Mr. Speaker, that it's good that we honor people of achievement. It's good that we honor heroes and that we bring this to the attention of our people and our young children.

"I would just like to comment that since we spoke on this issue the last time, I did a little bit of research and was curious to see a little bit more of what it was like and Christopher Columbus was truly a hero. He was a student observer, a visionary, a man of perseverance, diligence and courage. But I think that it's good that we bring all of these aspects of this man out for general consideration of our community. You know, he started out as a poor boy -- a young man, a wool cutter -- in Genoa in his father's and grandfather's shop, and he demonstrated perseverance and a quest for knowledge and leaving his father's shop in 1492 to become a mapmaker, and with his brother they became travelers and mapmakers, travelling up and down the coast from Europe down to Africa. He was a student and an observer. He observed the way the ships came in and out and was somewhat ahead of his time in feeling that the earth was round. Being a geographer and mapmaker, he had access to Urquhart's work of 2000 years before he estimated the size of the world within ten percent. He had access to the mapmakers and the latest information of the time, but the time said that the world was flat and he was a student and he went to the King with a vision and that vision was that the world was round. And he miscalculated, yes, but he calculated that if he sailed straight west, that he could find Shimpangu or Nippon or Japan by sailing 750 leagues. Well, there was land out there -- just 150 leagues beyond that 750 league calculation. But the vision he had also took perseverance and he, over a period of eight years, saw three Kings in an effort to fund that adventure. It would have taken about a million dollars in today's money. He went first to King John II of Portugal and the King gave it to his wise

people and they mocked Christopher Columbus and mocked him for his spheres and parallels and calculations about the world being round. So he went to Henry the Seventh of England and Henry the Seventh of England had his people look at his figures and his calculations for two years and they mocked him also. But he showed perseverance in the face of mockery and went to Ferdinand and Isabella. After eight years, four years of talking with Ferdinand and Isabella, he finally convinced them that his plans were worthy of consideration and they funded the trip. He demonstrated diligence. Again, something that our young people can look at as we look in the year ahead and study what he did -- diligence and preparation because he wasn't in a rush once he got the funds. He took the full eight months to carefully and thoroughly prepare three ships with ninety men. He took the time and then they set out and with further observation and study, he did something that no one else had ever done as well. Instead of sailing west, he sailed south because he, as no one else had noted before him, noted that the winds, if he sailed straight west, would have been against him. In his trips to Africa, he noted that if he went south as far as the Grand Canary Islands, he could clutch the southwest by south winds and move. He calculated he could get to Japan and then he could sail northeasterly and return with the westerlies. Well, he succeeded somewhat and after leaving the Canary Islands, somewhat like Hawaii, he with courage and leadership, went straight west for thirty one days to the place where his crews were threatening rebellion -- mutiny. Remembering that neither Columbus nor any of his crew had ever been more than three hundred miles from shore, they were already three thousand miles at sea--thirty one days and the crews threatened rebellion and he talked them into giving him just three more days before turning back and it was those three days that gave him the time he needed to discover America.

"Anyway, he is a man of courage and leadership, diligence and perseverance, a visionary, a student and observer, a man worthy of special recognition, and I wanted to make sure that got clear this legislative session.

"Thank you, Mr. Speaker."

Representative Stegmaier then rose to speak against the bill, stating:

"The passage of this bill would result in the expenditure of up to \$200,000 which is, I understand, a provision in the budget. The problem with this bill is that the Legislature did not appropriate such funds for other recent observances which were of much greater significance to the ethnic and native peoples who comprise Hawaii -- \$150,000 to observe 200 years of Chinese existence in Hawaii; \$25,000 for the Okinawan celebration; \$50,000 for 200 years of Portuguese contributions to Hawaii.

"I realize that the appropriation accompanying the bill was an accommodation to the Senate. I still do not think it is appropriate when compared with other much more historically significant observances.

"Thank you."

Representative Anderson then rose and requested that Representative Cavasso's words be entered into the Journal as his own, and the Chair "so ordered."

Representative Anderson continued:

"I would also like to let Representative Stegmaier know, since he's talking about appropriations, I stood on this floor maybe twelve years ago, fighting for an appropriation for the Scandinavians. . . \$30,000 that they

threw down the tubes. They said it's because we didn't have that many votes, so who cared about the Scandinavians? That's a terrible thing to say, that we're going to look at the appropriation for a centennial or 200 years or 500 years, so I was in favor of this particular appropriation, primarily Mr. Speaker, because we don't have much to hang on to anymore and history I think is great for our young people.

"And it's wonderful if it's an ethnic type of thing, and I can remember being in Los Angeles when we did away with Saint Christopher. It tore my heart out and there was a lot of people who weren't even religious that were with me and they said, they have taken away Saint Christopher.

"So I think it is very, very appropriate that we do everything we can to take care of our historians and to make sure that we don't lose what we have for our young people, so I am in favor.

"Thank you very much, Mr. Speaker."

Representative Hagino rose and stated:

"Mr. Speaker, I would just like to note for the record that now that Representative Metcalf has joined our body that I assure Representative Anderson that the Scandinavians will get more money should they decide to apply for funds for future celebrations."

Representative Apo then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, I just wanted to make sure that we noted that at the time Columbus went on this jaunt, the native Hawaiians and native Polynesians had settled over six million square miles of ocean and that we don't want a commission, we just preferred if everybody else left.

"Thank you."

Representative Metcalf then rose to speak against the bill, stating:

"As earlier noted, the Vikings were there five hundred years before Columbus and they in fact discovered North America, not the Caribbean.

"With the greatest regret, I will not be a little boat in support of this motion.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2978, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE 500TH ANNIVERSARY OF CHRISTOPHER COLUMBUS' ARRIVAL IN THE NEW WORLD AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Bellinger, Isbell, Liu, Metcalf and Stegmaier voting no.

**Conf. Com. Rep. No. 153 on S.B. No. 2881, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2881, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SCHOOL PERSONNEL," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 154 on S.B. No. 1810, SD 2, HD 4, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 1810, SD 2, HD 4, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A NATURAL RESOURCE AND ENERGY AUTHORITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 155 on S.B. No. 3176, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3176, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 156 on S.B. No. 2587, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2587, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A NEWBORN HEARING SCREENING PROGRAM FOR THE EARLY IDENTIFICATION OF HEARING LOSS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 157 on S.B. No. 2560, SD 2, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2560, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hayes rose to speak in favor of the bill, stating:

"This provides for loans of up to \$25,000 for people who are physically disabled. These are people who will become emancipated in their homes with the aid of lowered cabinets, lowered counters, widened doorways -- all the things that make it possible for them to reach what they need. We don't know how many people need this. The appropriation is for \$200,000 and it may or may not be all needed but I hope everyone will support the bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2560, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH PHYSICAL DISABILITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 158 on S.B. No. 2338, SD 1, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2338, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 159 on S.B. No. 3334, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 3334, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2978, 2881, 1810, 3176, 2587, 2560, 2338 and 3334 had passed Final Reading at 6:35 o'clock p.m.

**Conf. Com. Rep. No. 160 on S.B. No. 2776, HD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 161 on S.B. No. 2377, SD 1, HD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.B. No. 2377, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 162 on S.B. No. 3119, SD 1, HD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 3119, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Shon rose and stated:

"I am here to speak again against the tobacco tax or the bill which would provide a windfall for a particular industry.

"Mr. Speaker, my understanding is that the little bit that we are adding on to the tobacco tax, in about two years the tobacco industry will begin reaping significant benefits from this particular bill. The fact that they added a little on makes no difference. It's still an inappropriate bill. It's going in the wrong direction and other states are going in exactly the opposite direction. The Director of Taxation doesn't like it, neither Health Committee in the House and Senate likes it. The fact that it keeps getting revived is a mystery but I think, in all seriousness, that this is the wrong signal to send. It is a very special interest bill and quite apart from the health considerations. Very, very special interest bills should be scrutinized very closely. A number of them are at the end of the calendar today, Mr. Speaker. This one perhaps should be at the very, very end of the calendar, after midnight.

"I urge all of you, in all seriousness, to consider that this is not the kind of thing you want to go back to your districts, to the schools and say, yeah, I voted for, you know, extra money for those poor folks in the tobacco industry. Just say no to all the drug stuff is kind of a little hypocritical to pass this bill in light of all that, and I urge all of you to think very seriously when mixed messages are so much a part of our discussion that this sure is the most mixed of all messages. It doesn't belong on the floor, Mr. Speaker. I urge you to vote no.

"Thank you."

Representative Hemmings rose to speak against the bill, stating:



"It is indeed a pleasure, after sitting in the Health Committee Chairman's office all these years to fighting constructively the tobacco industry, to stand today to vote no against this bill, and what I'd like is the very positive and constructive remarks entered into the Journal as my own.

"Thank you, Mr. Speaker."

The Chair "so ordered." (By reference only)

Representative Alcon then rose to speak in favor of the bill, stating:

"It was Columbus who brought it to the western world.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3119, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOBACCO TAX," having been read throughout, passed Final Reading by a vote of 39 ayes to 12 noes, with Representatives Arakaki, Bellinger, Cavasso, Hagino, Hayes, Hemmings, Hiraki, Hirono, D. Ige, Shon, Stegmaier and Tam voting no.

The Chair directed the Clerk to note that S.B. Nos. 2377 and 3119 had passed Final Reading at 6:40 o'clock p.m.

At 6:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:53 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1577-90) recommending that H.R. No. 127, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 127, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO CONSIDER ISSUES SURROUNDING THE FUTURE OF ALOHA STADIUM," was adopted.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1578-90) recommending that H.R. No. 63, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 63, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE IMPLEMENTATION OF A PROJECT TO CONTROL THE BIRD POPULATION IN WAIKIKI," was adopted.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1579-90) recommending that S.C.R. No. 121 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 121, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT A PERMANENT STATE BLACK POWDER HUNTING PROGRAM," was adopted.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1580-90) recommending that S.C.R. No. 228, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 228, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN ASSESSMENT OF STATE LANDS HELD UNDER REVOCABLE PERMITS FOR RESIDENTIAL PURPOSES TO DETERMINE WHETHER THESE LANDS CAN BE LEASED ON A LONG-TERM BASIS," was adopted.

Representatives Hagino and Metcalf, for the Committees on Water and Land Use and Judiciary, presented a joint report (Stand. Com. Rep. No. 1581-90) recommending that H.R. No. 271, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 271, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE APPROPRIATENESS OF PROPOSED MAJOR RENOVATIONS AT PARADISE PARK, MANOA VALLEY, OAHU," was adopted.

Representatives Hagino, Shon and Tom, for the Committees on Water and Land Use; Health; and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1582-90) recommending that S.C.R. No. 44 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SEVERAL COUNTIES TO ESTABLISH WATER CLISTERN ADVISORY COMMITTEES," was adopted.

Representatives Hagino and Honda, for the Committees on Water and Land Use and Agriculture, presented joint a report (Stand. Com. Rep. No. 1583-90) recommending that S.C.R. No. 35, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 35, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTER INTO LAND EXCHANGES WITH KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO CREATE AN AGRICULTURAL PARK," was adopted.

Representatives Hagino and Tom, for the Committees on Water and Land Use and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1584-90) recommending that S.C.R. No. 23 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO HONOR THE STATE'S WATER RIGHTS," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1585-90) recommending that S.C.R. No. 169, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 169, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE ADMINISTRATIVE LAW JUDGE SYSTEM," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1586-90) recommending that S.C.R. No. 51, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 51, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN EXAMINATION OF EXECUTIVE BRANCH PROCEDURES AND MECHANISMS TO ENSURE THAT HAWAIIAN BENEFICIARY PROGRAMS RECEIVE THEIR FULL REVENUE ENTITLEMENTS FROM THE UTILIZATION AND DISPOSITION OF CULTIVATED SUGARCANE LANDS AND CEDED LANDS," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1587-90) recommending that S.C.R. No. 227, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 227, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTIVENESS OF IMPLEMENTING A BAN ON FIREARMS IN HAWAII," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1588-90) recommending that S.C.R. No. 242, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 242, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE USE OF GENERIC DRUG PRODUCTS," was adopted.

Representatives Metcalf and Fukunaga, for the Committees on Judiciary and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1589-90) recommending that S.C.R. No. 241, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committee was adopted and S.C.R. No. 241, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE LEGAL FRAMEWORK THAT WOULD MAXIMIZE THE UTILIZATION OF OPTICAL DATA STORAGE TECHNOLOGY," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1590-90) recommending that H.R. No. 218 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING A STUDY REGARDING THE FEASIBILITY OF CONVERTING PRIVATE, NON-PROFIT COMMUNITY ACTION AGENCIES INTO A STATE AGENCY," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1591-90) recommending that H.R. No. 193 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 193, entitled: "HOUSE RESOLUTION REQUESTING THE STATE ADMINISTRATION TO REVIEW THE CONTRACT POLICIES OF STATE AGENCIES TO ENSURE FAIR COMPENSATION AND COMPETITIVE SALARIES," was adopted.

Representative Souki, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1592-90) recommending that H.R. No. 118, HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 118, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE CENTER FOR THE WAIANAE COAST," was adopted.

Representative Hayes, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1593-90) recommending that S.C.R. No. 61, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 61, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO DETERMINE THE IMPACT OF LOW INTEREST FINANCING ON SELF-HELP HOUSING," was adopted.

Representative Hayes, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1594-90) recommending that S.C.R. No. 67, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 67, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO CONDUCT A FEASIBILITY ANALYSIS TO DETERMINE THE EFFICACY OF TENANT OWNERSHIP," was adopted.

Representative Hayes, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 1595-90) recommending that S.C.R. No. 179, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 179, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO INITIATE DISCUSSIONS AND CONDUCT NEGOTIATIONS WITH OWNERS OF LARGE PRIVATE LAND HOLDINGS DIRECTED TOWARD THE DEVELOPMENT OF AFFORDABLE HOUSING ON THOSE LANDS, ESPECIALLY KEOLA HANA MAUI, INC., CHALON

INTERNATIONAL OF HAWAII, PARKER RANCH, HAMAKUA SUGAR COMPANY, INC., AND C. BREWER CO., LTD. (N. HILO)," was adopted.

Representatives Hayes and Tom, for the Committees on Housing and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1596-90) recommending that S.C.R. No. 81, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 81, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE UNITED STATES GOVERNMENT'S HOPE (HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE) INITIATIVE," was adopted.

Representatives Arakaki and Fukunaga, for the Committees on Human Services and Legislative Management, presented a joint report (Stand. Com. Rep. No. 1597-90) recommending that S.C.R. No. 77, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY ON VETERAN PROGRAMS," was adopted.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1598-90) recommending that S.C.R. No. 183 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON VOCATIONAL REHABILITATION," was adopted.

Representative Arakaki, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1599-90) recommending that S.C.R. No. 75, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 75, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO VERIFY THE NEED AND BEST LOCATION FOR A SENIOR CITIZENS' CENTER IN KAILUA-KONA," was adopted.

Representatives Shon and Arakaki, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1600-90) recommending that S.C.R. No. 126, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 126, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A COUNCIL ON CHEMICAL DEPENDENCY AND PREGNANCY TO STUDY THE PROBLEM OF DRUG AND ALCOHOL-EXPOSED NEWBORN INFANTS," was adopted.

Representatives Shon and Hirono, for the Committees on Health and Consumer Protection and Commerce,

presented a joint report (Stand. Com. Rep. No. 1601-90) recommending that S.C.R. No. 259, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 259, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S COMMITTEE ON AIDS TO INVESTIGATE MEDICAL COVERAGE NEEDS FOR HIV/AIDS-RELATED CARE IN HAWAII," was adopted.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1602-90) recommending that S.C.R. No. 172, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 172, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO COORDINATE EFFORTS TO IMPLEMENT RECOMMENDATIONS TO ADDRESS THE SHORTAGE OF TRAINED PHYSICAL AND OCCUPATIONAL THERAPISTS AND OTHER PROFESSIONALS SERVING HANDICAPPED CHILDREN IN THE PUBLIC SCHOOLS OF HAWAII," was adopted.

Representative Shon, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1603-90) recommending that S.C.R. No. 267, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 267, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXPAND THE SCOPE AND FOCUS OF THE STATE COMMUNICABLE DISEASE REPORTING AND MONITORING SYSTEM," was adopted.

Representative D. Ige, for the Committee on Economic Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1604-90) recommending that H.R. No. 317, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 317, HD 1, entitled: "HOUSE RESOLUTION REQUESTING VARIOUS U.S. AGENCIES TO TERMINATE THE USE OF 374 ACRES OF HAWAIIAN HOME LANDS CURRENTLY BEING LEASED FOR NOMINAL RENT," was adopted.

Representative D. Ige, for the Committee on Economic Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1605-90) recommending that H.R. No. 172, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 172, HD 1, entitled: "HOUSE RESOLUTION URGING THE FORMULATION OF PLANS TO DEVELOP AND ESTABLISH HOUSING PROJECTS ON HAWAIIAN HOME LANDS FOR ELDERLY NATIVE HAWAIIANS," was adopted.

Representative D. Ige, for the Committee on Economic Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1606-90) recommending that S.C.R. No. 234 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the

Committee was adopted and S.C.R. No. 234, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO TAKE PROMPT ACTION IN RESOLVING THE PROBLEM OF HAWAIIAN HOME LANDS BEING LEASED TO U.S. MILITARY DEPARTMENTS AT NOMINAL RENTS," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1607-90) recommending that S.C.R. No. 150 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE RULES PERTAINING TO THE CONSTRUCTION OF RESIDENTIAL DWELLINGS WITHIN CONSERVATION DISTRICTS," was adopted.

Representative Fukunaga, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1608-90) recommending that S.C.R. No. 174 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 174, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF WORKING HOURS FOR OLDER STUDENTS," was adopted.

Representative Hagino, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1609-90) recommending that H.R. No. 5, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 5, HD 1, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was adopted.

Representatives Hagino and Cachola, for the Committees on Water and Land Use and Tourism, presented a joint report (Stand. Com. Rep. No. 1610-90) recommending that S.C.R. No. 109, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 109, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SET ASIDE LAND ON O'AHU FOR PUBLIC MOTOR SPORTS COMPLEX," was adopted.

At 8:58 o'clock p.m., Representative Peters asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:00 o'clock p.m.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 726, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 726, HD 1, and H.B. No. 726, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Cavasso, Hemmings, Liu, Marumoto and O'Kieffe voting no.

The Chair directed the Clerk to note that H.B. No. 726 had passed Final Reading at 9:01 o'clock p.m.

**By unanimous consent, H.B. No. 839, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 839, and H.B. No. 839, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 1275, HD 1, SD 1, was taken from the Clerk's desk.**

By unanimous consent, action was deferred to the end of the calendar.

**By unanimous consent, H.B. No. 1490, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1490, HD 2, and H.B. No. 1490, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 839 and 1490 had passed Final Reading at 9:02 o'clock p.m.

**By unanimous consent, H.B. No. 2191, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2191, HD 1, and H.B. No. 2191, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WEAPONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2388, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2388, HD 2, and H.B. No. 2388, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2191 and 2388 had passed Final Reading at 9:03 o'clock p.m.

At 9:04 o'clock p.m., Representative Anderson asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:05 o'clock p.m.

**By unanimous consent, H.B. No. 2424, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2424, HD 1, and H.B. No. 2424, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY NUMBER PLATES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2429, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2429, and H.B. No. 2429, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2457, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2457, HD 2, and H.B. No. 2457, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2424, 2429 and 2457 had passed Final Reading at 9:06 o'clock p.m.

**By unanimous consent, H.B. No. 2531, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2531, HD 1, and H.B. No. 2531, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL LICENSES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2531 had passed Final Reading at 9:07 o'clock p.m.

**By unanimous consent, H.B. No. 2611, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2611, and H.B. No. 2611, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2883, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2883, and H.B. No. 2883, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR LEGISLATIVE RELIEF," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2611 and 2883 had passed Final Reading at 9:08 o'clock p.m.

**By unanimous consent, H.B. No. 2947, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2947, HD 1, and H.B. No. 2947, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2960, HD 1, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2960, HD 1, and H.B. No. 2960, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

The Chair directed the Clerk to note that H.B. Nos. 2947 and 2960 had passed Final Reading at 9:09 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to H.B. Nos. 2489, HD 1 (SD 1); 2787, HD 2 (SD 1); and 2892, HD 2 (SD 2), seconded by Representative Hemmings and carried.

Representative Apo then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 2489, HD 1 (SD 1); 2787, HD 2 (SD 1); and 2892, HD 2 (SD 2).

At 9:11 o'clock p.m., Representative Hemmings asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:47 o'clock p.m.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 2489, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2489, HD 1, and H.B. No. 2489, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2489 had passed Final Reading at 9:48 o'clock p.m.

**By unanimous consent, H.B. No. 2787, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2787, HD 2, and H.B. No. 2787, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Final Reading by a vote of 51 ayes.

**By unanimous consent, H.B. No. 2892, HD 2, SD 2, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by Senate to H.B. No. 2892, and H.B. No. 2892, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2787 and 2892 had passed Final Reading at 9:49 o'clock p.m.

At 9:50 o'clock p.m., Representative Hagino asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:51 o'clock p.m.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.C.R. No. 13, HD 2, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 13, HD 2, and H.C.R. No. 13, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HOUSING LOANS," was Finally adopted.

**By unanimous consent, H.C.R. No. 21, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 21, HD 1, and H.C.R. No. 21, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO UTILIZE FIN TECHNOLOGY IN MOORINGS," was Finally adopted.

**By unanimous consent, H.C.R. No. 22, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 22, HD 1, and H.C.R. No. 22, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE USE OF TEMPORARY AND EMERGENCY HIRES BY THE STATE," was Finally adopted.

**By unanimous consent, H.C.R. No. 40, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 40, HD 1, and H.C.R. No. 40, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE TRANSFER OF JURISDICTION OVER CERTAIN PARCELS OF REMNANT LANDS IN THE KEEHI LAGOON AREA FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR THE PURPOSE OF ESTABLISHING AN INDUSTRIAL PARK," was Finally adopted.

**By unanimous consent, H.C.R. No. 60, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 60, HD 1, and H.C.R. No. 60, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO DEVELOP A FAIR AND EQUITABLE ASSISTANCE POLICY FOR ALL VICTIMS OF ALL LANDSLIDES," was Finally adopted.

**By unanimous consent, H.C.R. No. 76, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 76, and H.C.R. No. SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO EXPLORE METHODS OF CONTROLLING RAPID INCREASES IN GROUND LEASE RENTS AFFECTING COMMERCIAL PROPERTIES," was Finally adopted.

**By unanimous consent, H.C.R. No. 82, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 82, and H.C.R. No. 82, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR OF THE STATE OF HAWAII TO APPOINT WOMEN TO AT LEAST ONE-HALF OF ALL STATE BOARDS, AUTHORITIES, COMMITTEES, AND COMMISSIONS THIS YEAR," was Finally adopted.

**By unanimous consent, H.C.R. No. 91, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 91, and H.C.R. No. 91, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO APPROVE HAWAIIAN AIRLINES' APPLICATION TO PROVIDE NONSTOP SERVICE BETWEEN HAWAII AND JAPAN," was Finally adopted.

**By unanimous consent, H.C.R. No. 105, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed

to the amendments proposed by the Senate to H.C.R. No. 105, and H.C.R. No. 105, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO SUGGEST WAYS TO URGE THE PACIFIC ASIA TRAVEL ASSOCIATION TO RELOCATE ITS HEADQUARTERS TO HAWAII," was Finally adopted.

**By unanimous consent, H.C.R. No. 133, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 133, HD 1, and H.C.R. No. 133, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO BUILD AFFORDABLE HOUSING ON PARCELS OF STATE LAND WITHIN HONOLULU'S PRIMARY URBAN CENTER," was Finally adopted.

**By unanimous consent, H.C.R. No. 197, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 197, HD 1, and H.C.R. No. 197, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN OFFICE AT THE UNIVERSITY OF HAWAII TO ADVOCATE FOR VICTIMS OF DISCRIMINATION," was Finally adopted.

**By unanimous consent, H.C.R. No. 223, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 223, and H.C.R. No. 223, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A FOREIGN SERVICE TRAINING PROGRAM FOR HAWAII RESIDENTS," was Finally adopted.

**By unanimous consent, H.C.R. No. 224, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 224, and H.C.R. No. 224, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING AN INTERNATIONAL SERVICE TRAINING PROGRAM FOR STUDENTS FROM PACIFIC COUNTRIES," was Finally adopted.

**By unanimous consent, H.C.R. No. 239, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 239, HD 1, and H.C.R. No. 239, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF A STATEWIDE COMPUTER SYSTEM FOR THE COLLECTION AND DISSEMINATION OF AUTOMOBILE OWNER AND OPERATOR INFORMATION," was Finally adopted.

**By unanimous consent, H.C.R. No. 241, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 241, HD 1, and H.C.R. No. 241, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO ESTABLISH A TASK FORCE TO INVESTIGATE METHODS OF STREAMLINING THE LAND USE PERMIT PROCESS AT THE STATE AND COUNTY LEVELS," was Finally adopted.

**By unanimous consent, H.C.R. No. 292, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 292, and H.C.R. No. 292, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING INTERIM HEARINGS ON THE LEGISLATIVE ACCESS COMMITTEE'S FINAL ACTION PLAN," was Finally adopted.

**By unanimous consent, H.C.R. No. 317, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 317, HD 1, and H.C.R. No. 317, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF GAY AND LESBIAN YOUTH OF HAWAII BY THE GAY AND LESBIAN TEEN TASK FORCE," was Finally adopted.

At 9:52 o'clock p.m., Representative Apo asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:09 o'clock p.m., the following late introductions were made to the members of the House:

Representative Marumoto introduced Joan and Bick Bickson and their guests from Sao Paulo, Brazil, Mr. and Mrs. Mauricio Silvera.

Representative M. Ige introduced Matthew Tom, son of Representative Tom, who was seated in the gallery.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate to H.C.R. No. 154, HD 1 (SD 1), seconded by Representative Hemmings and carried.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 154, HD 1, and H.C.R. No. 154, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN EXCHANGE PROGRAM WITH OKINAWA, HAWAII'S SISTER STATE," was Finally adopted.

**MATTERS DEFERRED FROM  
EARLIER ON THE CALENDAR**

**Conf. Com. Rep. No. 20 on H.B. No. 3149, HD 1, SD 1, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3149, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3149 had passed Final Reading at 10:10 o'clock p.m.

**Conf. Com. Rep. No. 92 on H.B. No. 2919, HD 1, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2919, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hagino rose to speak against the bill, stating:

"Mr. Speaker, I rise to vehemently speak against this bill.

"Let me begin by quoting some famous words by Robert Kennedy: 'Some men see things as they are and ask, why? I dream of things that never were and ask, why not?'

"If I were to title my speech today, I would call it, 'Keep the Dream Alive.' This is a bill about Kakaako. Kakaako is a dream. It is a dream of a community where the working people of Hawaii can live and work and play. If we pass this bill today, the dream will die. The Legislature recognized this dream. It was embodied in Act 153, Session Laws of Hawaii 1976. Let me read you some excerpts from that Act: 'The legislature further finds that there exists within the State vast, unmet community development needs. These include a lack of suitable housing for persons of low income; insufficient commercial and industrial facilities for rent; residential areas which do not have facilities necessary for basic liveability, such as parks and open space; and areas which are planned for extensive land allocation to one, rather than mixed uses.'

"The Act went on to say, 'The Kakaako district is centrally located in Honolulu proper, in close proximity to the central business district, the government center, commercial industrial and market facilities, major existing and contemplated transportation routes and recreational and service areas. Kakaako has a potential, if properly developed and improved, to become a planned new community in consonance with surrounding urban areas.'

"The Hawaii Community Development Authority came up with a Kakaako Community Development District Plan. I'll read you part of the summary: 'Demographic projections indicate that the population of Oahu shall continue to grow in the future. Both the State Plan and the City and County General Plan call for the full development of the urban core rather than continue urban sprawl. Kakaako, due to its central location and proximity to jobs and public facilities, is a logical spot to accommodate some of this growth. The Authority has focused upon two areas of action within the Kakaako Plan, to assist government agencies, to provide housing for low- and moderate-income groups and to stimulate the

private sector to provide units for Hula Mae and unserved middle-income segments of the population.'

"The report went on to describe the income levels of the future population of Kakaako. They predicted that 12 percent of the units will be for the very low-income; 26 percent would be for the low/moderate-income; Hula Mae eligible would comprise 7 percent; 30 percent would be in that unserved group of working people. Therefore, fully 75 percent of the housing units in Kakaako were going to be for working people, moderate and low-income people. At very most, the remaining 25 percent would be for the upper income levels.

"Look around you today. How many of our citizens can afford the million dollar units at the Waterfront Condominiums and the soon-to-be-built Republic of Nauru Development? Very few. We are turning Kakaako into a high-rise Kahala. Make no mistake, it will be a rich men's paradise.

"Let's get back to the dream. I would like to read from the final environmental impact statement for Kakaako: 'Honolulu's needs for more housing, including low and moderate-income housing, parks and open space, can be efficiently served by the redevelopment of Kakaako.'

"Other reports would go on to describe why it was important to develop Kakaako. Again, it was to prevent urban sprawl, to preserve agricultural land and open space. It was to keep a rural atmosphere in rural Oahu by controlling that sprawl. The environmental impact statement went on to state: 'Activities shall be located so as to provide primary reliance of public transportation and pedestrian facilities for internal circulation within the district of designated subareas.'

"Again, part of the dream was that Kakaako would be a place where the working people of Hawaii could walk to work or walk to places of entertainment. It would be close to Ala Moana Shopping Center, Ala Moana Beach Park, the NBC Concert Hall and Arena.

"The impact statement goes on to say, 'Residential development shall ensure a mixture of densities, building types and configurations, in accordance with appropriate urban design guidelines. Integration, and this is important, integration, both vertically and horizontally, of residents of varying incomes, ages and family groups and an increased supply. . . increased supply of housing for residents of low or moderate income shall be required as a condition of redevelopment in residential use. Residential development shall provide necessary community facilities such as open space, parks, community meeting places, child care centers, and other services within and adjacent to the residential development.' In other words, Kakaako was to be a totally integrated community representing all segments of our society.

"Yes, Kakaako is a dream. We can best understand this by reading the committee report for the Kakaako bill which became law in 1976: 'Your Committees agree that there are geographical areas in the State which are substantially underdeveloped, in need of renewal, renovation and improvement and which can, under appropriate community development planning, serve as new areas of community life, residence, employment and recreation. For such areas, designation as community development districts enabling a coordinate planning and implementation program can result in neighborhoods which can better serve resident and worker needs.'

"Honolulu's Kakaako district has long been discussed as an area in need of renewal, renovation and



improvement. It is well located with respect to the central business district, the government center, major commercial facilities, and important regional, recreational and service centers. 'Due to its historic function,' the report goes on to say, 'as a service and industrial area, the district is relatively underdeveloped in intensity of land use and has a significant potential if redeveloped into a comprehensively planned new community.' That was the committee report on the Kakaako bill which became law in 1976.

"Can you guess who was the author of that committee report? That report came from the Water, Land Use and Development Committee in the 1976 Legislature. The Chairman of that committee was our late Speaker Richard Kawakami. Kakaako is Richard Kawakami's dream.

"When I became Chairman of the Water, Land Use Committee, it was not just another job. I have been chairman before. This time it was different. I had an opportunity to share in someone's dream. I had a chance to share in someone's hope and vision of a better community. I had a chance to honor the memory of a good man. If I advocated raising the affordable housing requirement to 40 percent, I did it to carry out Richard Kawakami's dream. If I fought to preserve the boundaries of the waterfront park, I did it again to carry out Richard Kawakami's dream. If I fought to keep the cash payments for developers in Kakaako so that housing could be built there and not outside of Kakaako, I did it to make Richard Kawakami's dream come alive.

"Mr. Speaker, I know that when I have finished, other speakers will rise up to disagree with me. They will say, be realistic. . . be realistic. You know, there's only one thing that can destroy a dream. Money cannot corrupt a dream, guns and bullets cannot kill a dream, not even death can silence a dream. Only reality, only reality can destroy a dream, and that is what Bobby Kennedy was getting at in his speech. A dream transforms reality, a dream can make its own reality, a dream can come alive. It can become real and what we thought was reality will only be a fading memory. But we must choose to believe in the dream. I choose to continue to believe in this dream. I refuse to give up Richard Kawakami's dream for Kakaako. I will not betray the trust which I inherited when I became Chairman of this Committee.

"Richard Kawakami's dream was not just a passing fancy. It was not just a dream that preoccupied him for one year and which he later forgot. I know that he continues to believe in this dream. Let me read to you a few words from our late Speaker's opening day address in 1987: 'Permit me to close with a vision of the kind of society which we will join together in creating. One that embodies aloha and is so eloquently described by Judy Chicago in the following lines: "And then all that has divided us will merge; And then compassion will be wedded to power; And then all will care for the sick and the weak and the old; And then all will nourish the young; And then all will live in harmony with each other and the earth; And then everywhere will be called Eden once again."

"My fellow colleagues, what better place to build this Eden than in Kakaako? What better place to care for the sick and the weak, the old and the young, the working people, the people of Hawaii, than in Kakaako? Richard Kawakami, like Bobby Kennedy, was willing to dream of things that never were and ask, why not?

"Therefore, I beg of all of you -- let's keep the dream alive, and let's not pass this bill.

"Thank you."

Representative Tom rose to speak in favor of the bill, stating:

"Mr. Speaker, I have remarks that I wish to relate to you and to this honorable body, and I would like to respond to one of the statements made by the good Representative Hagino. But before I start, I want to say this too -- I was very proud to serve under the late Speaker Richard Kawakami. He was not only a great leader -- he was a very good friend. I really honestly believe that after I talk about what this bill does, when I talk about what this bill insures about affordable housing, about development, about the lifestyle in Kakaako, I hope you will agree with me that the dream of the late Speaker Kawakami will be met in this bill. Please bear with me.

"Mr. Speaker, while only some of us here actually remember the great festive boat days at the Aloha Tower, I am sure all of us are aware that at one time in Hawaii's recent past, the Honolulu waterfront was a place bustling with activity -- just bustling with activity. From Iwilei to downtown, from downtown to Kakaako, communities thrived as the shipping industry and commerce flourished around the harbor. But soon, residents abandoned these communities in search of new jobs and slowly many of these communities transformed into industrial areas.

"Mr. Speaker and my fellow colleagues, if you have recently visited Point Panic Park or walked along the Kakaako landfill or strolled along Piers 1 and 2 and the piers at Aloha Tower, you know that it is time to bring our people back to the waterfront and to fulfill that dream that Representative Hagino talks about. I have been told, Mr. Speaker and members, that the shoreline from Kewalo Basin to Aloha Tower is one of the most beautiful waterfronts on the island and it is one of the State's greatest public assets, and yet, it has been inaccessible and unattractive to our residents for many, many years.

"House Bill 2919 brings us one giant step closer, contrary to what Representative Hagino says. This bill seeks to bring us one step closer to making the revitalization of the Honolulu waterfront a reality. I believe that it is about time for our people again to enjoy the Kakaako Waterfront Park that we've talked about for so many years. I believe that it is about time for our people to be able to walk on the water's edge once again and enjoy the panoramic ocean view that has been lost for many years.

"This bill, 2919, does more. It does more to expedite and stimulate the development of Honolulu waterfront than any other piece of legislation ever authorized. This bill sends a clear message that we, this honorable body, in memory of the late Speaker, places a high priority on the implementation of the Honolulu Waterfront Master Plan. It encourages and allows for increases in park and open space on the makai side of Ala Moana. The parks, the lagoons, the amphitheaters -- things that Representative Hagino spoke of -- this bill will accomplish. Open space, people gathering, cultural activities, and the revitalization of harbor facilities. It will serve to reintroduce our people to the actual birthplace of Honolulu.

"This bill facilitates the development of the Aloha Tower Complex and the waterfront by allowing for Chapter 171 exemptions and expanding the boundaries of Aloha Tower, transferring State lands, realigning the Waterfront Park boundaries in conformance with the Waterfront Master Plan, and exempting the Kakaako waterfront from processing their SMA permit through the City for at least five years to give the HCDA that opportunity.

"Let me say this. We are talking about substance. I didn't hear very much substance about the bill from Representative Hagino in due respect.

"House Bill 2919 also helps provide housing opportunities -- housing opportunities to our people -- what he's been talking about. And it does this by providing more flexibility to both HCDA and the HFDC to get more for their housing dollars, and this is done by allowing flexibility in the location of housing in the urban core while insuring that Kakaako and its immediate surrounding communities receive the highest -- the highest -- priority in terms of housing commitment generated from the community development district, and finally, ladies and gentlemen, this bill appropriates \$1-million for relocation loans to businesses in Kakaako.

"You know, we make a big thing about the dream. This is a dream and we want it to come true.

"Representative Hagino talks about vehemently opposing while I vehemently support the bill because I vehemently believe that the things that he is talking about can come true. We can keep the dreams alive. We can make the reality in Kakaako. We can make it a people gathering place. We can work towards, as much as we can, looking at the practicality of the land prices at \$500 to \$600 a square foot, but still work towards making affordable housing there, and the committee report says, 'We preserve the lifestyle of the people in Kakaako. The Authority shall establish the following priorities in the development of reserved housing units:

"First, within the community district, within . . . second areas immediately surrounding the community development district. What is Representative Hagino trying to tell you? It says that the Hawaii Community Development Authority shall adopt rules relating to the approval of reserved housing units that are developed outside of a community development district. The rules shall include but not limited to the establishment of guidelines to insure compliance.

"You know, this was not easy -- this bill. You had a lot of things to talk about. You had reserved housing, you had SMAs, you had exemptions, you had the Aloha Tower project there, you had people complaining about, why are you letting the mauka side stay here with the State just because the State has done such a good job? The people there are scared, sending letters -- please, let's make the transition a good one. I wasn't satisfied with the way the transition would occur. I had to look at the whole picture. Yes, I had to look at the whole picture to conclude and make that dream come true, Representative Hagino. I, too, want to see Kakaako the kind of dream that we all wanted. But we also have to apply practicality. We cannot just dream and dream to the point where it becomes meaningless. We have to dream to make something a reality and I believe that this bill does that.

"Ladies and gentlemen, I urge you -- let us carry on that dream. I put a lot of guts in this bill -- a lot of work and I do feel a little bit offended when I see people trying to twist around that dream because of the bill, and they feel that the bill doesn't accomplish it. Please read the bill, and let's all make that dream a reality, and I urge you -- please, for the sake of Aloha Tower, for the sake of the waterfront and the dream, please go up.

"Thank you very much, Mr. Speaker."

Representative Hiraki then rose to speak against the bill, stating:

"Mr. Speaker, I wasn't really going to say much on the bill but I feel that I should, at this point, say a little bit more than I was initially going to.

"First of all, I would like to have Representative Hagino's moving words inserted into the Journal as if they were my own," and the Chair "so ordered." (By reference only)

"I would like to speak out against House Bill 2919. I have two disappointments with this bill.

"The first is that the affordable housing requirements were deleted from this bill.

"The second is a provision inserted in the bill that really effectively shatters the dream of creating a diverse community in Kakaako, and in its place is the creation of this nightmare of segregated communities.

"What this bill does, Mr. Speaker, is assure that same overburdened communities like Kalihi, Wahiawa, Waipahu, will continue to be the dumping ground for low and moderate income housing. These same communities are now struggling with the problem of youth gangs and other related problems created when there is not enough ethnic diversity in a community. We are all having to face that now.

"I want to respond to just some of the comments that were already made. I think one of the statements said that this bill is to develop the waterfront, and this is my district and I like these provisions in the bill. I have nothing against what we are trying to do. I want to make that clear. But I think a statement was made that what this bill does is bring people back to the waterfront. Well, that's our objective. I think that there should be another word inserted there because what this bill does is assure that it will only bring rich people back to the waterfront. Effectively that's what happens when you take out affordable housing requirements.

"I think another statement that was made was that this flexibility allows for more housing dollars. In other words, the dollar is the bottom line. I don't buy that. To me, those are words coming from Ivan Boesky or Michael Milliken. It really doesn't come from public servants. That is not what we are trying to do. That's not how we run government. I think we have to be caring and consider what we are trying to do here and think about the ramifications of dealing with things which is based on the bottom line.

"I think there was another statement that was made, talking about, you know, don't dream -- just deal with reality. And so there's some complaints about the high cost of land in Kakaako. I'll tell you the reality. You take affordable housing out of that district, the price of land does not get cheaper. The price of land is going to go to the roof. It's going to get worse and we all know that. I guess I could go on but, however, I will end it.

"The Governor has made a commitment to develop an urban, affordable housing plan before next session. As of now, these are just words on paper. We will wait, we will watch, and we will be constantly vigilant to insure that the dream of Kakaako is fully realized.

"Thank you, Mr. Speaker."

Representative Anderson rose to speak in favor of the bill, stating:

"Mr. Speaker, I'm listening to, I guess, a lot of reading of comments that people have written down. I would

rather go by memory. That's one good thing about living a little while.

"In 1939, Mr. Speaker, I moved from Alewa Heights down to Waikiki and the Kakaako area and used to visit some families. Those were the days that you had Kakaako Theater, lots of residents, small little saimin stands and other things.

"We're talking about 1976 when a bill went through. In 1959, my wife and I bought a little restaurant called Sunrise Inn. It was on the corner of Coral and Queen. Lex Brodie now owns that parcel because we turned around and growth came and we were unable to afford a lot of things so we moved along with a lot of other people. We have created, I guess, in the 1970s, there were people that wanted to build a cultural center out in Ala Moana. It was going to be part of the Hawaiian business community. We killed that. The Legislature said 'no.' But maybe in those days, it was the thing to do -- to build affordable housing for the people that wanted to work in the area and live there like they used to, but we said 'no,' and we continued to develop an industrial area and that's what it is now. You won't find very many people that can live on 5000 square feet or less in an industrial area and get along with no show houses, no playgrounds, and other things that you need. But if this area is going to develop and if it's going to create dollars that we can take and buy affordable housing elsewhere, then I think that's great because we are going to need that, ladies and gentlemen. We're going to need that for our children.

"If Representative Hagino wants to talk about trying to remember a good friend, I used to have coffee with that gentleman every morning. He was sort of a loner. He met with staff. We drank coffee and we would go over a lot of things and I voted against one of his real dreams I guess - the unagi bill. And we laughed about it. About a year and a half later, the bill came back and I did a floor speech in favor of it and I said, 'Richard, where the hell were you?' He said, 'When something is going good, brother, you just sit back and you let it flow.' He was able to compromise. He was one that believed in politics and sometimes you win and sometimes you lose. But when growth comes and you have to compromise and look at other ways, that's the way it is. And we have lost many, many battles for things that we wanted, for affordable housing, for things within our district, and believe me, I've lost more than anything.

"I was listening to Representative Shon this morning saying, 'be creative.' This year I put in a lot of bills that I thought were creative for the family. Not one of them passed. But I don't disagree with anybody here because they didn't agree with me. Each one of us represent a good constituency and we're all State legislators, ladies and gentlemen, and I believe that Kakaako, one of these days, is going to be something that we can all be proud of if it's done right and we make sure that we look to the future, to the best job that we can possibly do, and for this reason, I am going aye and I would hope that you would too.

"Mahalo."

Representative Hagino, in rebuttal, stated.

"Mention has been made of the Waterfront Park and the Aloha Tower Development. I certainly support that and has supported it. Every dollar requested for the Aloha Tower Development and the Waterfront Park was approved by this committee. No one contests that. The fundamental question that we have to ask ourselves is simply this: Who will get to live in Kakaako? Who will get to live in Kakaako? Ask yourself that question. And

if you want proof as to what is happening, I encourage all of you. . . I entreat all of you to go walking there -- pass the developments that have been finished, walk pass the Stark Development, walk pass the current development at Ala Moana Shopping Center called the Republic of Nauru Development, a \$1.5-billion development. Walk pass those developments and you will see what is happening.

"I have been asked to read this bill. Let me read you the current law as it now stands on affordable housing. 'An increased supply of housing for residents of low or moderate income shall be required as a condition of redevelopment in residential use.'

"This bill changes the law. It now reads: 'An increased supply of housing for residents of low and moderate income may be required as a condition of redevelopment in residential use.' So we have backed down on the desire to have low and moderate income. Rather than a mandatory. . . a mandatory stricture. . . that there shall be low and moderate income in Kakaako, now is simply permissive.

"Look at the development now and what do you think will be permitted in the future in Kakaako? So answer that question, ask that question of yourself. Who is going to get to live there?"

"Thank you."

Representative Kawakami rose to speak in favor of the bill, stating:

"I want you to know that I had some reservations on this bill regarding the affordable housing provision. But I believe that my concerns have been adequately addressed. A comprehensive urban housing development plan, in consonance with the findings and purpose of Act 153, SLH 1976, will be prepared for consideration and funding if necessary by the next Legislature. This is a commitment by the administration. As part of this plan, consideration will be given to revising the existing reserved housing requirements of the Hawaii Community Development Authority, including the computation of in-lieu fees.

"Secondly, identifying and evaluating potential housing opportunities in and outside of Kakaako; and thirdly, identifying alternate development scenarios to maximize housing opportunities at minimal cost.

"There is no doubt, Representative Hagino, I, too, share your dream and it's up to each and every one of you to make that dream a reality. The project will definitely require the collect efforts of several agencies as well as the City and the Legislature and administration. And I would like to say that I have every confidence that each one of you in this Legislature or the new Legislature and the State administration will be able to fulfill this dream. Let us start now.

"Thank you, Mr. Speaker."

Representative Isbell rose to speak in favor of the bill, with reservations, stating:

"I would like to suggest that perhaps this State has come to the point where we have edged out the opportunities and the achievability of people to own a piece of land and to own an apartment or to even find a place to rent.

"My concern with the bill and with the commitment from the Governor is that the reality is, we don't know who's coming back next year and this is an election year. It is utter chaos out there with so many different seats that

are open. I sincerely hope that those of you who do come back and, especially hoping that the Governor does, that this does become a reality, and if there can be some affordable housing.

"But I certainly would like to remind all of you that we have created a State which has become a state for the very rich, that those of you who have children and grandchildren need to understand that they certainly are not going to be able to own a home or buy a piece of property unless we develop a floating island out in the ocean because the land that we stand on today, and it's on our very island, shall become unreachable and unattainable.

"So I do vote for this with reservations, but I hope for the future of all of us that Kakaako becomes a reality and not just a dream, and thank you very much."

Representative Hirono rose to speak against the bill, stating:

"I don't often rise to speak but on this bill, I do rise to speak against it.

"Many people are concerned and dismayed by what is happening to Kakaako. What was supposed to be a shining example of what government could do to bring to fruition a dream of Kakaako as a place for our people to live and work is rapidly turning into a shining condominium haven for the rich -- those who can afford \$400,000-plus for housing.

"This bill left the House with an increase in the affordable housing requirement for Kakaako and an increase in the in-lieu fees a developer would pay in place of providing the affordable units otherwise required. Neither of these provisions are in the bill before us. Instead, this bill allows developers to meet the affordable housing requirement by providing such housing outside of Kakaako, something the law does not now allow, and it allows the in-lieu fees to be used to build affordable housing outside Kakaako.

"Representative Hiraki has talked about why that is not such a wonderful idea. This idea would not be so bad if the percentage of affordable requirement and the increase in in-lieu fees were included in the bill as was in the original House position.

"As though this was not bad enough, on pages 13 and 14 of the bill, there is some astonishing changes made to the Kakaako law which, in my view, totally undermines the Kakaako vision. Representative Hagino referred to one of the provisions that would require a mandate for affordable housing, low and moderate income housing. That has been totally changed from a mandate to a may.

"Another requirement which was mandated was that there be a mixture of densities and building types. That mandate has also been changed to a may.

"There are some provisions in this bill relating to Aloha Tower and Waterfront -- very important provisions which I support. However, I cannot do so at the expense of Kakaako.

"I urge my colleagues to vote against this measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2919, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 40 ayes to 11 noes, with Representatives Arakaki, Cavasso, Hagino, Hayes,

Hemmings, Hiraki, Hirono, O'Kieffe, Shon, Takamine and Tam voting no.

The Chair directed the Clerk to note that H.B. No. 2919 had passed Final Reading at 10:50 o'clock p.m.

At 10:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock p.m.

#### GOVERNOR'S MESSAGE

Gov. Msg. No. 193, providing for an extension of the Regular Session of 1990 of the Fifteenth State Legislature, was read by the Clerk and was placed on file:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS  
HONOLULU

April 30, 1990

The Honorable Daniel J. Kihano  
Speaker of the House of Representatives  
The Fifteenth State Legislature  
State Capitol  
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith the the Executive Order providing for an extension of the Regular Session of 1990 of the Fifteenth State Legislature.

With kindest regards,

Sincerely,

/s/ John Waihee

JOHN WAIHEE

Enclosure"

#### "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, the Governor has been requested to grant an extension and it appears that such an extension is necessary;

NOW, THEREFORE, I, JOHN WAIHEE, 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 extend the Regular Session of 1990 of the Fifteenth Legislature of the State of Hawaii for a period of forty-eight hours following 12:00 midnight, April 30, 1990.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 30th day of April, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price, III

WARREN PRICE, III  
Attorney General"

At 11:52 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

#### CONFERENCE COMMITTEE REPORTS

Representatives Oshiro, Tom and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3128, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 163) recommending that S.B. No. 3128, SD 2, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 163 and S.B. No. 3128, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3128, SD 2, HD 2, CD 1, were made available to the members of the House.

Representatives Oshiro and Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1719, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 164) recommending that S.B. No. 1719, SD 1, HD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 164 and S.B. No. 1719, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1719, SD 1, HD 2, CD 1, were made available to the members of the House.

Representatives Cachola, Souki and Tom, for the Committee on Conference to which was recommitted H.B. No. 1148, SD 1, CD 1, presented a report (Conf. Com. Rep. No. 209) recommending that H.B. No. 1148, SD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 209 and H.B. No. 1148, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1148, CD 2, were made available to the members of the House.

Representatives Cachola and Souki, for the Committee on Conference to which was recommitted H.B. No. 3095, HD 2, SD 2, CD 1, presented a report (Conf. Com. Rep. No. 210) recommending that H.B. No. 3095, HD 2, SD 2, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 210 and H.B. No. 3095, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3095, HD 2, SD 2, CD 2, were made available to the members of the House.

Representatives Metcalf and Souki, for the Committee on Conference to which was recommitted H.B. No. 2871, HD 2, SD 1, CD 1, presented a report (Conf. Com. Rep. No. 211) recommending that H.B. No. 2871, HD 2, SD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 211 and H.B. No. 2871, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2871, HD 2, SD 1, CD 2, were made available to the members of the House.

Representatives Arakaki and Souki, for the Committee on Conference to which was recommitted H.B. No. 3357, HD 2, SD 1, CD 1, presented a report (Conf. Com. Rep. No. 212) recommending that H.B. No. 3357, HD 2, SD 1, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 212 and H.B. No. 3357, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3357, HD 2, SD 1, CD 2, were made available to the members of the House.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned.

## SIXTY-FIRST DAY

**Tuesday, May 1, 1990**

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 12:02 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Joseph P. Leong, after which the Roll was called showing all members present.

By unanimous consent, reading of the Journal of the House of Representatives of the Sixtieth Day was deferred.

**SENATE COMMUNICATIONS**

The following communications from the Senate (Sen. Com. Nos. 804 to 825) were read by the Clerk and were placed on file:

Sen. Com. No. 804, informing the House that the President has, on April 30, 1990, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following Senate Bills:

**S.B. No. 1719, SD 1, HD 2:**

Senators Yamasaki and Fernandes Salling, Co-Chairmen; Hagino, A. Kobayashi, Matsuura and Koki.

**S.B. No. 3128, SD 1, HD 2:**

Senators Yamasaki and Fernandes Salling, Co-Chairmen; Hagino, A. Kobayashi, Matsuura and Koki.

**S.B. No. 2597, SD 1, HD 1:**

Senators Yamasaki, Chairman; Fernandes Salling, Hagino, A. Kobayashi, Matsuura and Koki.

Sen. Com. No. 805, informing the House that H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading in the Senate on April 30, 1990.

Sen. Com. No. 806, informing the House that the following Bills passed Final Reading in the Senate on April 30, 1990:

S.B. No. 2275, SD 1, HD 1  
 S.B. No. 2356, SD 1, HD 2  
 S.B. No. 2569, SD 2, HD 1  
 S.B. No. 2604, SD 2, HD 1  
 S.B. No. 2706, HD 1  
 S.B. No. 2838, SD 1, HD 1  
 S.B. No. 3079, HD 2  
 S.B. No. 3093, SD 2, HD 2  
 S.B. No. 3162, SD 2, HD 2  
 S.B. No. 3165, SD 1, HD 1  
 S.B. No. 3168, HD 1  
 S.B. No. 3287, SD 1, HD 2  
 S.B. No. 103, HD 1, CD 1  
 H.B. No. 2053, HD 1, SD 1, CD 1  
 S.B. No. 3341, SD 1, HD 2, CD 1  
 S.B. No. 973, SD 2, HD 1, CD 1  
 S.B. No. 2699, SD 1, HD 1, CD 1  
 H.B. No. 2233, HD 1, SD 1, CD 1  
 H.B. No. 1023, HD 1, SD 1, CD 1  
 H.B. No. 2368, HD 1, SD 1, CD 1  
 H.B. No. 2014, HD 1, SD 1, CD 1  
 H.B. No. 3125, HD 1, SD 1, CD 1

H.B. No. 2131, HD 1, SD 1, CD 1  
 H.B. No. 3256, HD 1, SD 1, CD 1  
 H.B. No. 2011, HD 1, SD 1, CD 1  
 H.B. No. 2008, HD 1, SD 1, CD 1  
 H.B. No. 2994, HD 1, SD 1, CD 1  
 H.B. No. 2878, HD 1, SD 1, CD 1  
 H.B. No. 1660, HD 1, SD 2, CD 1  
 H.B. No. 3380, HD 1, SD 1, CD 1  
 H.B. No. 2295, HD 1, SD 1, CD 1  
 H.B. No. 2294, SD 1, CD 1  
 H.B. No. 2301, SD 1, CD 1  
 H.B. No. 1693, SD 1, CD 1  
 H.B. No. 2202, SD 1, CD 1  
 H.B. No. 2184, HD 1, SD 1, CD 1  
 H.B. No. 2843, HD 1, SD 1, CD 1  
 H.B. No. 2844, SD 1, CD 1  
 H.B. No. 2112, SD 1, CD 1  
 H.B. No. 3183, HD 1, SD 1, CD 1  
 H.B. No. 3265, SD 1, CD 1  
 H.B. No. 3428, SD 1, CD 1  
 H.B. No. 403, HD 1, SD 1, CD 2  
 H.B. No. 2967, HD 1, SD 2, CD 1  
 H.B. No. 2204, HD 1, SD 1, CD 1  
 H.B. No. 3176, HD 1, SD 1, CD 1  
 H.B. No. 240, HD 1, SD 1, CD 1  
 H.B. No. 2207, HD 1, SD 1, CD 1  
 H.B. No. 2052, HD 1, SD 1, CD 1  
 H.B. No. 2183, HD 1, SD 1, CD 1  
 H.B. No. 3410, HD 1, SD 1, CD 1  
 H.B. No. 2817, HD 1, SD 1, CD 1  
 H.B. No. 256, HD 1, SD 1, CD 1  
 H.B. No. 2103, HD 1, SD 1, CD 1  
 H.B. No. 2299, HD 1, SD 2, CD 1  
 H.B. No. 3296, HD 2, SD 1, CD 1  
 H.B. No. 2208, HD 1, SD 1, CD 1  
 H.B. No. 3403, HD 1, SD 1, CD 1  
 H.B. No. 2458, HD 2, SD 2, CD 1  
 H.B. No. 3299, HD 2, SD 2, CD 2  
 H.B. No. 3111, HD 2, SD 1, CD 1  
 H.B. No. 2985, HD 2, SD 1, CD 1  
 H.B. No. 2293, HD 2, SD 2, CD 1  
 H.B. No. 2950, HD 2, SD 2, CD 1  
 H.B. No. 2381, HD 1, SD 1, CD 1  
 H.B. No. 2268, SD 1, CD 1  
 H.B. No. 3114, HD 2, SD 1, CD 1  
 H.B. No. 2895, HD 1, SD 1, CD 1  
 H.B. No. 2990, HD 1, SD 1, CD 1  
 H.B. No. 2265, HD 1, SD 1, CD 1  
 H.B. No. 2308, HD 2, SD 2, CD 1  
 H.B. No. 1144, HD 2, SD 2, CD 1  
 H.B. No. 1900, SD 1, CD 1  
 H.B. No. 1251, HD 1, SD 2, CD 1  
 H.B. No. 69, HD 2, SD 2, CD 1  
 H.B. No. 3098, HD 2, SD 1, CD 1  
 H.B. No. 3355, HD 2, SD 2, CD 1  
 H.B. No. 3385, SD 1, CD 1  
 H.B. No. 2046, HD 2, SD 2, CD 1  
 H.B. No. 2092, HD 2, SD 1, CD 1  
 H.B. No. 2229, HD 2, SD 1, CD 1  
 H.B. No. 2280, HD 2, SD 2, CD 1  
 H.B. No. 2281, HD 2, SD 2, CD 1  
 H.B. No. 2582, HD 2, SD 2, CD 1  
 H.B. No. 2296, HD 2, SD 1, CD 1  
 H.B. No. 2608, HD 2, SD 2, CD 1  
 H.B. No. 2645, HD 2, SD 1, CD 1  
 H.B. No. 2649, HD 2, SD 2, CD 1  
 H.B. No. 2876, HD 1, SD 1, CD 2  
 H.B. No. 2896, HD 3, SD 2, CD 1  
 H.B. No. 2919, HD 1, SD 2, CD 1  
 H.B. No. 2929, HD 1, SD 1, CD 1  
 H.B. No. 2904, HD 2, SD 2, CD 1  
 H.B. No. 2932, HD 1, SD 1, CD 1  
 H.B. No. 2057, HD 1, SD 1, CD 1  
 H.B. No. 2089, HD 1, SD 1, CD 1

H.B. No. 2273, HD 2, SD 2, CD 1  
 H.B. No. 2546, HD 1, SD 1, CD 2  
 H.B. No. 2751, HD 2, SD 2, CD 1  
 S.B. No. 2252, SD 2, HD 1, CD 1  
 S.B. No. 2482, SD 1, HD 2, CD 1  
 S.B. No. 3094, SD 1, HD 2, CD 1  
 S.B. No. 2223, SD 1, HD 2, CD 1  
 S.B. No. 46, SD 1, HD 1, CD 1  
 S.B. No. 3399, SD 1, HD 2, CD 1  
 S.B. No. 3454, SD 1, HD 1, CD 1  
 S.B. No. 2122, SD 1, HD 1, CD 1  
 S.B. No. 2169, HD 1, CD 1  
 S.B. No. 2318, SD 1, HD 1, CD 1  
 S.B. No. 3111, SD 1, HD 1, CD 1  
 S.B. No. 422, SD 1, HD 1, CD 1  
 S.B. No. 2174, SD 2, HD 1, CD 1  
 S.B. No. 2307, SD 2, HD 2, CD 1  
 S.B. No. 2432, SD 1, HD 1, CD 1  
 S.B. No. 3018, SD 1, HD 1, CD 1  
 S.B. No. 1398, SD 1, HD 2, CD 1  
 S.B. No. 2435, SD 1, HD 1, CD 1  
 S.B. No. 3295, SD 1, HD 1, CD 1  
 S.B. No. 2117, SD 1, HD 1, CD 1  
 S.B. No. 2119, SD 1, HD 1, CD 1  
 S.B. No. 2314, SD 1, HD 1, CD 1  
 S.B. No. 2433, SD 1, HD 1, CD 1  
 S.B. No. 2964, HD 1, CD 1  
 S.B. No. 2833, SD 1, HD 1, CD 1  
 S.B. No. 2694, HD 1, CD 1  
 S.B. No. 2764, SD 1, HD 2, CD 1  
 S.B. No. 1630, SD 2, HD 2, CD 1  
 S.B. No. 3019, HD 1, CD 1  
 S.B. No. 26, SD 1, HD 1, CD 1  
 S.B. No. 2549, SD 1, HD 2, CD 1  
 S.B. No. 506, SD 1, HD 1, CD 1  
 S.B. No. 3142, SD 1, HD 2, CD 1  
 S.B. No. 3169, SD 2, HD 2, CD 1  
 S.B. No. 3170, SD 2, HD 2, CD 1  
 S.B. No. 1148, SD 2, HD 2, CD 1  
 S.B. No. 1526, SD 2, HD 1, CD 1  
 S.B. No. 2794, SD 2, HD 2, CD 1  
 S.B. No. 3146, HD 2, CD 1  
 S.B. No. 3233, SD 2, HD 2, CD 1  
 S.B. No. 3247, SD 2, HD 2, CD 1  
 S.B. No. 3306, SD 2, HD 2, CD 1  
 S.B. No. 3403, HD 1, CD 1  
 S.B. No. 2159, SD 1, HD 1, CD 1  
 S.B. No. 1214, SD 1, HD 2, CD 1  
 S.B. No. 1611, SD 2, HD 1, CD 1  
 S.B. No. 2945, SD 2, HD 2, CD 1  
 S.B. No. 3088, SD 1, HD 2, CD 1  
 S.B. No. 2596, SD 2, HD 2, CD 1  
 S.B. No. 3127, SD 2, HD 2, CD 1  
 S.B. No. 2978, SD 1, HD 2, CD 1  
 S.B. No. 2881, SD 2, HD 2, CD 1  
 S.B. No. 1810, SD 2, HD 4, CD 1  
 S.B. No. 3176, SD 1, HD 2, CD 1  
 S.B. No. 2587, SD 1, HD 2, CD 1  
 S.B. No. 2560, SD 2, HD 2, CD 1  
 S.B. No. 3334, HD 1, CD 1  
 S.B. No. 2776, HD 1, CD 1  
 S.B. No. 2377, SD 1, HD 1, CD 1  
 H.B. No. 2864, HD 1, SD 1, CD 1  
 H.B. No. 2865, HD 1, SD 1, CD 1  
 H.B. No. 2986, HD 2, SD 2, CD 1  
 H.B. No. 2789, HD 2, SD 2, CD 1  
 H.B. No. 1576, HD 1, SD 1, CD 1

Sen. Com. No. 807, returning House Bill No. 1631, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 808, returning House Bill No. 2459, entitled: "A BILL FOR AN ACT RELATING TO

DISASTER RELIEF," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 809, returning House Bill No. 2477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 810, returning House Bill No. 2602, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 811, returning House Bill No. 2869, entitled: "A BILL FOR AN ACT RELATING TO A DEPARTMENT OF EDUCATION STOREROOM," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 812, returning House Bill No. 2889, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 813, returning House Bill No. 2890, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF BONDS FOR HOUSING PROJECTS," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 814, returning House Bill No. 2899, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS FOR DEVELOPMENTAL DISABILITIES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 815, returning House Bill No. 2905, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 816, returning House Bill No. 2914, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 817, returning House Bill No. 2939, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 818, returning House Bill No. 2941, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 819, returning House Bill No. 2956, entitled: "A BILL FOR AN ACT RELATING TO HAZARD PAY FOR AIRCRAFT EMERGENCY RESCUE DUTIES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 820, returning House Bill No. 3239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 821, returning House Bill No. 3349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," which passed Third Reading in the Senate on April 30, 1990.

Sen. Com. No. 822, returning H.C.R. No. 62, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING A CONCERTED EFFORT TO OBTAIN FEDERAL LAND AND FEDERAL FUNDS TO BUILD MINIMUM SECURITY FACILITIES PRIMARILY FOR DRUG TREATMENT OFFENDERS," which was adopted by the Senate on April 30, 1990.

Sen. Com. No. 823, returning H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF PURCHASING LANDS IN WAIPIO VALLEY CURRENTLY OWNED BY BISHOP MUSEUM," which was adopted by the Senate on April 30, 1990.

Sen. Com. No. 824, informing the House that H.C.R. No. 164, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE NECESSITY TO LICENSE RENTAL REFERRAL AGENTS AND RENT FINDERS," was adopted by the Senate on April 30, 1990.

Sen. Com. No. 825, informing the House that H.C.R. No. 195, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE LEGAL STEPS AND RESOURCES THAT WOULD BE NECESSARY BEFORE INSTITUTING ROUTINE SCREENING IN HAWAII OF ALL IN-COMING AND OUT-GOING FIRST-CLASS MAIL FOR ILLEGAL DRUGS," was adopted by the Senate on April 30, 1990.

#### ORDER OF THE DAY

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 208 on H.B. No. 1576, HD 1, SD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1576, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hemmings rose to speak against the bill, stating:

"Mr. Speaker, we've been talking about spending all day long and we learned late yesterday evening that the taxpayers have even spent possibly over a hundred million dollars to build a neighborhood for the rich. We've talked about other expenditures and this year, once again, the \$250- to \$300-million surplus, all we can afford to do after spending all the money, is give the taxpayers back one dollar. It is hot in tax hell here in Hawaii and I know the credit we gave many people last year, which they are enjoying this year, has been a great benefit to the workers of Hawaii. I am only sorry that we couldn't keep within the constitutional spending limits. The people of Hawaii willed their constitution so we could have afforded to give them more than one dollar back this year.

"With that, Mr. Speaker, I will vote no.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1576, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Cavasso and Hemmings voting no.

The Chair directed the Clerk to note that H.B. No. 1576 had passed Final Reading at 12:05 o'clock p.m.

**Conf. Com. Rep. No. 160 on S.B. No. 2776, HD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2776, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hagino rose and stated:

"Mr. Speaker, it's that time of year again -- every session -- just like the swallows returning to Capistrano, the General Motors bill comes up and I get up to speak against it. There are several things to point out. This is a new day. This is obviously a special interest legislation -- only for one group. Under the current law, if you overpaid your taxes, you have a three year statute of limitations period in which you can file for the overpayment. This bill will extend the statute of limitations for some twenty years for one small group. It is clearly unfair. The average person who has overpaid will not be given the same deference and consideration; in fact, will be laughed at if he or she tried to introduce such special legislation.

"I believe this bill also creates other problems as I have mentioned on the floor of this House on Third Reading. I believe that there will be an equal protection problem and other powerful groups who may be owed their overpayment back will use this bill, or this law, as a means of filing a lawsuit, perhaps to get their tax payments. At this time, they would not have the protection as noted in this law but may be able to get their interest and penalties.

"But there are other reasons to be opposed to this bill as noted earlier by the Minority Floor Leader. Everyone in Hawaii will be receiving a one dollar tax credit. If you estimate the population of Hawaii as being about 900,000 or a million people, a few groups will be receiving a tax credit well in excess of twice the entire population of the State of Hawaii. I don't know how we are going to explain that to the voters when they receive their one dollar tax credit and in the meantime, a few people receive a tax credit or tax payment of well over \$2.1-million.

"This is the worst kind of bill we can possibly pass at this time. I encourage all of you to vote against it."

Representative Tam rose to speak against the bill, stating:

"Mr. Speaker, if I vote 'yes' to this bill, the question is -- how can one honestly go back to the district, to the constituents, and try and explain to the constituents that those who bought GM automobiles in the years that the dealers are requesting for the return of the old paid taxes will themselves not be eligible to claim for the overpayment of taxes. No business in their right mind pays out taxes without passing on the tax to the consumers.



"I ask, Mr. Speaker, is this bill fair to the consumers of the State of Hawaii?"

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2776, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR OVERPAYMENT OF TAXES," having been read throughout, passed Final Reading by a vote of 32 ayes to 19 noes, with Representatives Amaral, Andrews, Arakaki, Bellinger, Cachola, Hagino, Hayes, Hiraki, Hirono, D. Ige, Ihara, Isbell, Kawakami, Lee, Metcalf, Shon, Stegmaier, Tam and Taniguchi voting no.

The Chair directed the Clerk to note that S.B. No. 2776 had passed Final Reading at 12:11 o'clock a.m.

#### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

**By unanimous consent, H.B. No. 1275, HD 1, SD 1, was taken from the Clerk's desk.**

Representative Apo moved that the House agree to the amendments proposed by the Senate to H.B. No. 1275, HD 1, and H.B. No. 1275, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hayes rose to speak in favor of the bill, stating:

"Mr. Speaker, so many calls have come in from landowners and friends of landowners in the past couple of days that you might have thought a land reform bill was up for a vote. It isn't.

"You may have thought that all contracts were at risk. They aren't.

"You may have believed that House Bill 1275 was a threat to commercial leases. It isn't. Neither the landowner nor the lessee would have any reason to down zone commercial land.

"Well, what is it? And why is it important that it pass? The Chairman of the esteemed Senate committee wrote in his report, 'Your Committee finds it is necessary to set forth minimal standards for lease rent renegotiations so that the renegotiations will be fair to all parties concerned and be based on generally recognized appraisal standards.' Let me explain about lease rent renegotiation when a lease decrees that the lease shall be renegotiated on the basis of the highest and best use. Even though there is a building on the land which is low rise and the land is zoned for low rise and the people living in that building have a lease which won't be over for another twenty or thirty or more years.

"In the 1950's, the tallest building in Honolulu was ten, or maybe twelve stories. Now it is close to fifty stories. Prices have risen astronomically.

"The highest and best use nowadays means, I suppose, a building four hundred feet high. Assume that building, if it existed, would hold five hundred apartments. Those theoretical five hundred apartments would bring in X-dollars a month. But the structure on the land has only 32 apartments. How do you figure it out? Well, you divide the total assumed lease rent income from five hundred apartments -- 532, the number of units now on the land. That would be the renegotiated lease rent. Of

course, the zoning doesn't permit it, but that doesn't matter.

"That is the kind of situation House Bill 1275 should solve. Leases have all kinds of restrictions. The building I live in says that it will be assumed that the zoned land use will be the use for which the building has been built. But in this case, the lessor knew at the time the lease was drawn up that the building did not meet the zoning code and nothing that size would be permitted there. Occasionally a lease will say that it has to be renegotiated on the basis of the existing use, and some leases say that it will be renegotiated on the basis of the highest and best use as if there was no lease on the land and no building there.

"There is another special reason why House Bill 1275 is needed. The problem was brought to our attention by the residents of the Date-Laau area about a year-and-a-half ago. That's when they learned that there's an unrecorded master lease on their land which says that renegotiation shall be at the highest and best use for which the land was ever zoned. The Date-Laau area was zoned briefly as high rise. When the first land initiative measure passed, the City Council restored the low rise zoning. But under that unrecorded master lease this area, with lots of trees and tiny two and three-story buildings, will be renegotiated on the basis of high rise zoning.

"Because of this, Senator Crozier's Committee report says that his 'Committee has amended the bill to make its application retroactive; i.e., applying to lease rent renegotiations taking place after the effective date of the bill both for existing leases and new leases.'

"Retroactive does not mean that any renegotiations would be undone. Let's see what this will mean to the Date-Laau residents. Many of them are retired with only social security income. Shelter cost, assuming the mortgage is paid, is about \$330 or \$340 a month. On renegotiation, it would be about \$550 a month, maybe higher. The lessors say to those who can't live in the building any longer -- 'Move! Let someone who can afford it live there.'

"If 1275 passes, the highest and best use can still govern renegotiated lease rent if the zoning permits highest and best use, even though a building on the land is low rise and even though its few lessees have twenty or thirty years on their lease. We have only minimal changes in this bill -- a tiny limit to the extremes permitted by the leasehold system. But for the people in the Date-Laau area, House Bill 1275 is a lifeline.

"I hope that all of you will vote for it and, Mr. Speaker, I do request a roll call.

"Thank you."

Representative Bybee rose to speak against the bill, stating:

"Mr. Speaker, I wasn't too involved with the evolution of the bill but I did take a look at it after our caucus and I became concerned about some of the answers that were given to, I think, legitimate questions of many of our members about the background of this matter, and I just want to make a couple of points.

"The reference was suggested that this is not a land reform act but if you think about it, it is in this regard. It attempts to address what is called an unrecorded master lease in the Date-Laau area. As I understand it, it will also address literally any other unrecorded master lease that may be around that contains a reference to highest and best use.

"Mr. Speaker, leases, especially master leases -- these are contracts, arrangements, agreements where parties at arm's length negotiated expectancies and rights, considerations passed back and forth. In a master lease situation, it's very much an arm's length negotiation typically -- sophisticated parties on both sides. This valuable consideration is reduced to writing and the rights and expectancies are created and vested. We build whole cities on these kinds of arrangements -- whole areas of communities, a lot of our capitalistic society and our competitive society is based on contracts.

"I think, Mr. Speaker, we have to be very, very careful when we adopt legislation to retroactively change the rights of parties that are based on contracts. We have to be very, very careful when we do that.

"So I would suggest in a way this is a land reform act. We are literally saying, notwithstanding the agreements entered into between parties, many years ago upon which many rights were based, we are going to undo that and retroactively change those rights. I think that's a very bad precedent, and I would urge everyone to vote against this particular bill."

Representative Amaral rose to speak against the bill, stating:

"I agree with the last speaker in that 1275 presents to this body some inherent constitutional problems with respect to the obligation of contracts and the constitutional protection from that violation under Article I, Section 10. Beyond that, I think potentially a problem with House Bill 1275 is the scope of its application.

"The section which this bill amends, 591-1A, is part of 519 which is entitled, 'Real Property Leases.' According to the findings and the purposes of the bill, this amendment apparently is intended to apply to residential housing. However, by amending this particular section of the HRS, it could be argued that this bill applies to all leases -- residential, commercial and agricultural -- and I wonder whether or not we are prepared for the substantial impact it will have on the State of Hawaii.

"So I would urge my colleagues, therefore, to vote against this bill."

Representative Hayes, in rebuttal, stated:

"Mr. Speaker, the solution that was arrived at in the bill to make the execution of a highest and best use for which the land was ever zoned contingent on having county zoning prevailing at the time of the lease was suggested by an official with one of the large agricultural businesses here. So I think there is no danger to agricultural leases.

"In regard to Mr. Bybee's speech on the sanctity of contracts, I am sure he knows as well as many of us that the unconscionable contract is not as sanctified as reasonable contracts. It's set aside by courts all the time.

"Thank you."

Roll call having been requested, the Chair asked for a show of hands for a roll call vote and there were insufficient numbers for a roll call vote.

The motion was put by the Chair and failed to carry, and H.B. No. 1275, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES," failed to pass Final Reading by a vote of 30 noes to 21 ayes, with Representatives Alcon, Amaral, Anderson, Andrews, Baker, Bellinger, Bunda, Bybee,

Cavasso, Chang, Duldulao, Hirayama, Honda, M. Ige, Ihara, Isbell, Kanoho, Kawakami, Leong, Liu, Marumoto, O'Kieffe, Peters, Say, Souki, Tajiri, Taniguchi, Tom, Yonamine and Yoshimura voting no.

At 12:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m.

#### ANNOUNCEMENT

Representative Apo: "Just by way of a reminder, we have recommitted House Bill Nos. 3095, 3357, 2871 and 1148. Several members had not expected those bills to be recommitted and had submitted green slips, and I would like to request that they resubmit their green slips when these bills appear on the calendar when we reconvene."

#### ADJOURNMENT

At 12:35 o'clock a.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 9:00 o'clock p.m. on Wednesday, May 2, 1990.

## SIXTY-SECOND DAY

Wednesday, May 2, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 9:15 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Stanley Bain of Harris United Methodist Church, after which the Roll was called showing all members present with the exception of Representative Andrews, who was excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Sixtieth and Sixty-First Days.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journals was dispensed with and the Journals of the Sixtieth and Sixty-First Days were approved.

## GOVERNOR'S MESSAGE

Gov. Msg. No. 194, providing for a further extension of the Regular Session of 1990 of the Fifteenth State Legislature, was read by the Clerk and was placed on file:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS  
HONOLULU

May 2, 1990

The Honorable Daniel J. Kihano  
Speaker of the House of Representatives  
The Fifteenth State Legislature  
State Capitol  
Honolulu, Hawaii 96813

Dear Mr. Speaker:

Transmitted herewith is the Executive Order providing for a further extension of the Regular Session of 1990 of the Fifteenth State Legislature.

With kindest regards,

Sincerely,

/s/ John Waihee

JOHN WAIHEE

Enclosure"

"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 1990 of the Fifteenth 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, JOHN WAIHEE, 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 extend the Regular Session of 1990 of the Fifteenth Legislature of the State of Hawaii for a period of forty-eight hours following 12:00 midnight, May 2, 1990.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 2nd day of May, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price, III

WARREN PRICE, III  
Attorney General"

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 826 to 828) were read by the Clerk and were placed on file:

Sen. Com. No. 826, informing the House that the Senate has reconsidered its action taken on April 12, 1990, and that the amendments proposed by the House to S.B. No. 1985, SD 1 (HD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BISHOP RESEARCH INSTITUTE," was agreed to by the Senate on May 1, 1990.

Sen. Com. No. 827, informing the House that the following bills passed Final Reading in the Senate on May 1, 1990:

S.B. No. 3246, HD 2  
H.B. No. 3149, HD 1, SD 1, CD 1  
H.B. No. 2258, HD 2, SD 2, CD 1  
H.B. No. 2984, HD 1, SD 1, CD 1  
H.B. No. 2287, HD 2, SD 2, CD 1  
H.B. No. 2288, HD 2, SD 2, CD 1  
H.B. No. 2290, HD 2, SD 2, CD 1  
S.B. No. 2338, SD 1, HD 2, CD 1  
S.B. No. 3119, SD 1, HD 1, CD 1  
H.B. No. 2884, HD 2, SD 1, CD 1  
H.B. No. 2891, HD 2, SD 2, CD 1

Sen. Com. No. 828, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolutions:

S.C.R. No. 100, SD 1 (HD 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MANDATORY ERRORS AND OMISSIONS INSURANCE COVERAGE FOR REAL ESTATE SALESPERSONS, BROKERS, MANAGERS, AND AGENCIES"; and

S.C.R. No. 225, SD 1 (HD 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROCEED WITH STEPS NECESSARY TO ACQUIRE THE QUEEN EMMA GARDENS APARTMENT PROJECT AND REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONDUCT A

FEASIBILITY STUDY ON THE ACQUISITION OF FEDERALLY-SUBSIDIZED RENTAL HOUSING PROJECTS."

#### ORDER OF THE DAY

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of taking up certain items on the Order of the Day out of order.

#### STANDING COMMITTEE REPORTS

Representatives Metcalf and Tom, for the Committees on Judiciary and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1611-90) recommending that H.R. No. 137 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and H.R. No. 137, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE PROPOSED SLAUGHTER AMENDMENTS TO THE MARRIAGE FRAUD ACT," was adopted.

Representatives Metcalf and Tom, for the Committees on Judiciary and Intergovernmental Relations and International Affairs, presented a joint report (Stand. Com. Rep. No. 1612-90) recommending that S.C.R. No. 258, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the joint report of the Committees was adopted and S.C.R. No. 258, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMED FORCES' ASSISTANCE IN ERADICATING MARIJUANA GROWING ON STATE AND FEDERAL LAND IN HAWAII," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1613-90) recommending that S.C.R. No. 209, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 209, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR OF THE STATE OF HAWAII TO APPOINT AN EQUAL NUMBER OF WOMEN AND MEN TO ALL STATE BOARDS, AUTHORITIES, COMMITTEES, AND COMMISSIONS," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1614-90) recommending that S.C.R. No. 243, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 243, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING RETAILERS TO REFRAIN FROM SELLING 'ZIG-ZAG' BRAND AND OTHER CIGARETTE ROLLING PAPERS," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1615-90) recommending that S.C.R. No. 136, SD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 136, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONDUCT A STUDY TO UPDATE THE HAWAII RULES OF EVIDENCE," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1616-90) recommending that S.C.R. No. 66, SD 1, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and S.C.R. No. 66, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FISCAL AND MANAGEMENT AUDIT OF THE MAUI BRANCH OF THE SHERIFF'S OFFICE," was adopted.

Representative Metcalf, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1617-90) recommending that H.R. No. 349 be adopted.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.R. No. 349, entitled: "HOUSE RESOLUTION RELATING TO THE REVERSION OF CONDEMNED PROPERTY WHEN IT IS TAKEN OUT OF PUBLIC USE FOR WHICH IT WAS CONDEMNED," was adopted.

At 9:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:40 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 209 on H.B. No. 1148, SD 1, CD 2:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1148, SD 1, CD 2, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Shon rose to speak against the bill, stating:

"Mr. Speaker, there comes a time when the accumulative effect on urban Honolulu has to be acknowledged. For the last few years, certainly since I have represented an urban district, the improvements have been few, if any, and far between.

"As I look at this particular bill, in light of what has been distributed to Honolulu with cash CIP, in light of the fact that the property taxpayers on Oahu are in near revolt while in some other counties there is consideration of property tax relief, and when I look at the distribution

of the TAT, specifically with 77 percent of the population on Oahu receiving 44 percent of these revenues, with 10.6 percent on the Big Island receiving 19 percent, with 4 percent on Kauai receiving 14.5 percent, and with 8 percent on Maui receiving 23 percent, when I look at that and I combine it with the possibility that in a year or two we may be adding half a percent to the excise tax, when I note that the distribution of cash CIP is roughly in this same proportion, at some point I think I do have a responsibility for my residents and for urban Honolulu to say, 'no, I think that the distribution is inappropriate.'

"The older areas are deteriorating. The potholes don't get filled, the sidewalks do not materialize. The message is repeatedly to us -- oh, if you want an improvement, how about an improvement district? And we will tax those who receive the benefits additional funds simply to receive a sidewalk, or a curb, or whatever.

"Mr. Speaker, for those who live in the urban areas where the traffic and the noise and the pressures and the stress are increasingly part of everyday life, I think that it is not unreasonable that our residents receive a slightly greater distribution than we are getting. I think that the City and County of Honolulu certainly deserves these revenues in the bill, but I also think that we have to be very cognizant of the fact that the housing prices in urban Honolulu are often far above those in other counties, in other areas.

"So, Mr. Speaker, for those who do not feel that their lifestyle is improving, this will be the tax picture, and perhaps feel that the improvements that ought to be there for those who sustain and live in the older residential areas, for those that feel on the edge of rebellion, I have to say 'no' to this particular distribution.

"Your representative from the 28th district where the Freeway traffic serenades our residents twenty-four hours a day, where sidewalks just can't be found but arenas grow like weeds, your representative from Makiki, Punahou, University, Lower St. Louis, Kapahulu and Kaimuki, on behalf of those residents, votes no."

Representative Souki then rose to speak in favor of the bill, stating:

"Mr. Speaker, first of all, I would like to say this bill provides for the counties a permanent source of revenues. For years the counties have been seeking a permanent source and this vehicle will give them an opportunity so they can better plan fiscally for their needs. I think the Legislature will be taking a bold step by passing this bill. It's been many years since the respective counties have had a permanent source of revenue.

"Now, there are those here who seek divisiveness and are stating that this is not a fair allocation. This is a centralized State where the bigger communities take care of the smaller communities. Maui takes care of Lanai and of Molokai even though they don't contribute revenues. On the Big Island, most of the revenues come from Kona. They will take care of the areas of Hilo. Here in Honolulu, Honolulu proper will take care of the needs of Waianae and Nanakuli. It's the nature of a centralized form of government where the larger takes care of the smaller.

"Now, those who seek divisiveness say this is wrong, that the bigger should keep it all. This is not the nature of the State. It's never been. But just for the record, City and County of Honolulu has not been falling back in revenues. In highway funds, as I've shown to the previous speaker, they have had 85 percent of all the revenues for highway funds. We don't complain about that. We don't complain that we don't have H-1, H-2,

H-3! We don't complain that we are going to provide \$50-million for mass transit for the City and County of Honolulu. We know it's good. It's good for the people of the State of Hawaii and it's good for Honolulu.

"As far as capital improvement programs, the City and County this biennium has not been doing that badly. They have 65 percent of all the CIP and this doesn't count. You know, over \$700-million of statewide programs are under the CIP of which most of the money comes to this community in housing and in other areas.

"Mr. Speaker, there are some people who want to create the false illusion. The City and County of Honolulu had a surplus of \$73-million because of their increased assessments. They will be getting an additional \$39-million. That's not so bad.

"Members, remember, we try our best to be square and fair and I think this bill represents a fair and equitable distribution for the counties of the State of Hawaii.

"Thank you very much."

Representative Hagino then rose and stated:

"Mr. Speaker, I, too, rise to speak against this bill and it's not a question on the basis of divisiveness of any sort, it's really on the question of equity and need. The largest property tax increases have been on Oahu, and the \$73-million as mentioned earlier will be coming out of the pockets of the property owners of Oahu.

"It does seem like a crazy thing to speak out against the bill since it does provide an allocation of the tourist tax to the counties -- something I think all of us would like to certainly support. All of us certainly support more State aid to the counties whether it be through a greater allocation of funds or through a tax transfer such as this bill. This relief is especially critical this year because, as stated earlier, property tax owners, especially on Oahu, have been having greatly increased property taxes due to out-of-state purchases of homes, most of it on Oahu.

"However, I find that I must, as noted by the representative from the 28th district, make a stand or vote against this bill. Although Oahu has the bulk of the population of the State and although much of the bulk of the tourist tax has been generated here, there will not be an equitable distribution. Having close to 80 percent of the population, property tax owners of Oahu will receive a little more than 40 percent of their allocation.

"It's better to either recommit this bill and go back to conference or to take up this measure again in the 1991 Legislature. Once this bill becomes law, there is little likelihood there'll be any substantive amendments to change or to make a more equitable system. Therefore, I ask my colleagues, especially on this island, to vote against this bill.

"Thank you."

Representative Apo then rose to speak in favor of the bill, stating:

"Mr. Speaker, I'll point out, you know, my unique situation in being one of the few House members that represents both a portion of a neighbor island county and Oahu. And I think for those of us who live on Oahu, who may have the opportunity to really spend some time on the neighbor islands, will take a whole different perspective to issues like this. At least I have.

"I think this is a fair distribution of the revenue. I think what we have a problem with is sometimes invoking

the equity and parity of distribution of resources based on population is fatally flawed. The whole reason we have a strong centralized State government is so that allocation of resources could be proportioned out on the basis of need. Certainly, we all recognize that those of us who live on Oahu have access to so many services and opportunities that are simply non-existent. Many of these opportunities are provided through State moneys where the lion's share of educational resources are committed to Oahu, where except for the University of Hawaii-Hilo, we have the only four-year college here with a Graduate School at the University of Hawaii-Manoa where we have people from the neighbor island in certain areas who want to go on to Graduate School or even in certain fields to get a BA degree have to commute, especially those who are in their adulthood and choosing to go on with their education.

"Health services. Recently, I was opposed to, I guess this happened three-four years ago, where essentially the federal policy on the allocation of health resources, we were supposed to give equal attention to access to health services as well as to the problem of cost containment. When we approved two hospitals in the leeward area -- Pali Momi and Saint Francis -- we suddenly rushed to the table with our SHPDA program and said to them -- we will no longer basically allocate health services according to need for access or equity of access and that cost containment will be the primary determination as to who gets hospitals, in what district, and other health services. Obviously, the neighbor islands do not have the level, quality, and the proliferation of health services that we have on Oahu. Much of this, especially with a private, non-profit health organization, comes through the taxpayers' dollars.

"So I would say, on balance, Oahu receives more than its fair share. When you put it in the context of quality of life, access to services, access to culture and the arts, and all of these things, and I support this bill.

"I again would suggest that I think we would continue to be fatally flawed if the philosophy that resources ought to be distributed according to population that that policy, whenever invoked, is totally out of line with the whole concept of why we have this strong central government. And for those reasons, Mr. Speaker, I support this bill.

"Thank you."

Representative Kanoho then rose to speak in favor of the bill, stating:

"In addition to the comments rendered by the Finance Chairman Souki and Majority Floor Leader Apo, I wish to indicate that there is a factor of economies of scale that Oahu experiences, and whether we are running government or private business, the same applies.

"A case in point is Hawaiian Telephone Company, for example. Hawaiian Telephone Company, on the neighbor islands, no question, is subsidized by the revenues earned on Oahu just because of that factor, and I think that the distribution here is equitable.

"Thank you."

Representative Tajiri then rose and stated:

"Mr. Speaker, I would like to break tradition. I was going to spend the whole session not saying anything but I just cannot sit back and listen to some of the sentiments that have been echoed by previous speakers.

"You know, when I first came here, Mr. Speaker, I came with an experience of four years in the Hawaii County Council. I served as the Chairman of the Council

and also the Finance Chairman. And as some of my Big Island colleagues can attest to, I have been trying to get some kind of index in the grant-in-aids program for the counties.

"The reason for this is that the grant-in-aids program, up until today, has been one that was in force since 1972. In 1972, and some of you, maybe you Mr. Speaker might recollect, the Legislature adopted the grant-in-aids program and in Hawaii County's case, they received \$4.3-million. Their budget at that time -- the County's budget -- was \$16.7-million. That \$4.3-million represented close to 27 percent of the County's budget. The County was then led to believe that this funding would continue. In 1984, the County of Hawaii still received in the basic grant-in-aids \$4.3-million. The County's budget was then \$60+-million, or just 7 percent from the State. The only revenues that the counties -- the various counties -- could generate was by way of the real property tax. And it is very difficult to keep up the kinds of services and the kinds of infrastructure needs that the counties need just by the real property tax. That means only the residents of the counties then pay for all the services and infrastructure.

"This bill is a milestone for the counties because, finally, they can put their fingers on something that can have some kind of substance in predicting the kinds of income that the counties need.

"Now if you talk about equity and we use the logic that was proposed by two previous speakers and we carried out to the ultimate end, then all the moneys should stay at Waikiki because that's where the TAT tax is generated. But I believe, as the previous speakers -- Kanoho, Majority Floor Leader and our Finance Chairman -- have suggested, grant-in-aids to counties must not be done on the per capita basis, or where the moneys are raised. I believe our role as State legislators is to look at where the needs are.

"It is a very difficult task for the Finance Chairman, being that he is from the neighbor islands, and it is very easy to point at him and say the formula is drafted for the neighbor islands. I might suggest to you that three years ago, this almost same formula was devised and Maui gave up its 'fair share' of the TAT tax because they raised more money than they are going to get, realizing that those moneys will be used for Maui and Hawaii County, and for that I am very grateful.

"As I said, it is very difficult to come up with something very fair. I speak with experience because as the Finance Chairman of the County of Hawaii, we had to give the moneys -- 75 percent -- into the Kona district, and I was assailed by some of my Hilo constituents.

"But that's not the case. I believe that government exists to help the needy. Those who have don't need government -- they can buy their way through. I believe what our role here is to see who needs it and then go out and help them. And that's the reason why I believe we're trying to help the homeless, the people with the substance abuse problems, and all those other kinds of problems. We must put our moneys where the need is, and certainly, I don't think that we can, you know those of us from the neighbor islands, impress on you the needs of the neighbor islands. And as the previous speakers have said, we don't have the kinds of services that you have here. We pay for our lifestyle -- we just ask that you have a little help and kokua from all of you. Most of you have been very gracious and I thank you very much for it.

"Thank you very much, Mr. Speaker."

Representative Shon, in rebuttal, stated:

"First of all, I have no problem with anyone from any area of the State vigorously standing up for what they feel their constituents need. I think that the folks from the neighbor islands have done this very admirably. They need not apologize for it. That's something that everyone is supposed to do, and I don't apologize for standing up for urban Honolulu either, and I don't think it's a matter of divisiveness. And I don't think it should be suggested that if we debate whether or not urban Honolulu is deteriorating or not that somehow this is an illegitimate debate, somehow it lacks the sense of aloha, or trying to impose a sense of population over everything, or we don't care about poor areas. I think it's a legitimate thing to discuss. It is legitimate to look very carefully at the urban core of Honolulu, just as we looked at it the other night regarding Kakaako. It's a legitimate concern.

"It is not -- it is not -- a matter of neighbor islands versus Oahu. It is a matter of need -- precisely as the previous speaker has said. I personally feel that in terms of the needs of urban Honolulu, there needs to be a re-evaluation of the movement of capital improvement moneys. If the transit system is indeed the highest priority, why is it that roads wherever in the State are funded with cash and this is funded with a tax. It's all inter-related, Mr. Speaker.

"The reason why I'm speaking against this is not just this bill, but as I said, the accumulative impact of what I perceive of many years of urban Honolulu not being the recipient of needs of residents in that area. Now it may very well be, Mr. Speaker, that in other areas of the State, there are needs unfilled as well, but I will not apologize for standing up for urban Honolulu just as those from the neighbor islands should not apologize for standing up for their areas. That's what this is about. It's an important discussion.

"As pointed out, the formula in this is probably going to be fixed for a number of years. I object to the formula. I would much rather see a grant-in-aid that is flexible, that moves with the needs rather than a formula which, to my residents, looks like -- well, no more sidewalks.

"I would like to extend my aloha to all of you who fight for your residents. This is not a matter of divisiveness. This is a matter of distribution of the tax revenues that we received for the entire State, and it is a matter of need. And I stand up proudly for the residents that I represent -- for their needs -- just as you do for yours. And for that reason, Mr. Speaker, I'll vote against the bill.

"Thank you."

Representative Metcalf then rose to speak in support of the bill, with some reservations, stating:

"Actually, I had a proposal that I was going to draft that would have provided that 80 percent of the TAT go to Hilo. Unfortunately, I was distracted by another matter. But that being the case, I would, at this time, just ask that Representative Tajiri's remarks be included in the Journal as my own.

"Thank you."

The Chair "so ordered." (By reference only)

Representative Hagino, in rebuttal, stated:

"The Majority Floor Leader pointed out that he represents two islands. In terms of my background, I am somewhat the same kind of hybrid that he is. I grew up on Maui and the Big Island and now I represent Oahu,

and I certainly do appreciate the fact that State funds were already coming out of proportion to the neighbor islands when I was growing up. I do recognize the need of the neighbor islands -- there's no doubt about it.

"Representative Tajiri spoke and I do recall on his very first term in the House, we used to talk about what we could do for the University of Hawaii-Hilo, and one of the ideas was to create a research park there, and it was going to cost some \$400,000. Our allotment that year was \$250,000 as it is almost every year, and I used \$125,000 of my pork money and diverted it to UH-Hilo so that UH-Hilo could get the \$400,000 that they could use. It turned out, of all the Big Island representatives, I had given more of my CIP money than any other representative singly. In fact, virtually every other year I have given some of my CIP to the Big Island from where I spent most of my early childhood life. I've never had any problems. I was going to do so again this year at Representative Metcalf's request and, unfortunately, there was a messup and I didn't do but almost virtually every year, I've certainly recognized my roots and the fact that there is a greater need on the Big Island.

"However, I think this is a formula that's going to be cast in iron. And if we are going to look on the basis of need, then I think we have to look at the need of a deteriorating infrastructure in the urban core. This is something that is happening everywhere in the United States. It doesn't depend on what kind of government they have, whether they have a strong state central government or they have a loose state central government. The fading infrastructure is pandemic everywhere in the continental United States as well as in Hawaii. And that's why I have come to reconsider some of my positions in the past where it would never occur to me to speak out against a measure like this which favors the neighbor islands, that there is I think a need for all of us to recognize that there has been a change in times. I'm not asking that there be a one-for-one redistribution of the funds but simply a recognition that, surely Oahu may have a lot more facilities, but it is a fading structure--somewhat like the Stadium maybe--and there is a need to recognize this and come up with somewhat more of an equitable distribution while, at the same time, taking care of the neighbor island needs. And that's all I'm really asking for, and I think I do it from the viewpoint of having lived both on the neighbor islands and on Oahu, and also from the viewpoint of someone who has certainly been more than sympathetic when it comes to personal CIP projects.

"Thank you very much."

Representative Cavasso then rose and stated:

"I would like to propose a settlement to this scrap between the Honolulu Democrats and the Islandees. We can just allocate it all to the windward side."

Representative Hemmings then rose to speak in favor of the bill, with reservations, stating:

"I am enjoying the discussion on this issue and I personally am grateful that finally the counties are getting reliable revenue-sharing from the hotel room tax. I do agree that there may be a disparity in the distribution of it, but I think both sides of the argument are missing the major point.

"The real culprit in the formula is in fact the overcentralized and expensive State government. The reason why, in many cases, all of us -- Oahu and the outside islands -- do not have the resources to put in the infrastructure is because the resources are squandered by the mismanagement of State government. It's no secret

that the losers are always the taxpayers, no matter what island they are on. It's no secret that these taxpayers are amongst the highest taxed people in the nation. It's no secret that many times we don't have enough money to build the sidewalks in Manoa or to improve county buildings and resources on Maui or the Big Island because we don't have enough money.

"Well, I'd like to submit to both sides in the argument that we do have enough money but when money's spent twenty years to build one freeway, or when we spend a huge sum of money to build a building on the University of Hawaii campus and I think it was eight years old when they tear it down, when we build for \$35-million a stadium, then have to keep it safe, pumping money -- around \$10-million a year -- just to keep it from falling down and possibly spend \$75-million to scrape the rust off of it, when we spend \$100-million to put improvements in Kakaako for a rich men's neighborhood, no wonder there's not enough money for the outside islands or for Oahu. It's being squandered by an overcentralized government that's concerned mostly with preserving its own power and collecting more resources so they can hand it out in hopes that the taxpayers will think they are doing them a favor.

"Mr. Speaker, we have to become more efficient and more cost-effective. We have to build into our CIP contracts performance clauses, and we have to bring honesty back in awarding those contracts and write them in such a way so the consumers get the best product for the least amount of money and it's built in a timely, cost-effective manner. In that way, Mr. Speaker, everybody wins on all the islands.

"Thank you."

Representative Peters then rose and stated:

"I didn't have any intentions of rising to speak on this matter. As a matter of act, I told Representative Souki I've always had some difficulties philosophically accepting this notion of once again bailing out the City and County and I mean it. Bail out are the exact words. We bailed them out when it came to the stadium because that was clearly a City and County of Honolulu responsibility. We bailed them out when it came to the improvements in Kakaako. We took it entirely away from them because they didn't have the capability or the management know-how to control their resources and manage it in such a way to assure that those kinds of services were being provided in a timely and beneficial way for our constituency. And come Friday, we're going to bail them out again when it comes to addressing the issue of mass transit.

"Whose responsibility is that? Is it the State's? Who's head of the City and County of Honolulu? Ask the Mayor. Only through the good graciousness of this body and the Chief Executive of this State showing goodwill and a willingness to reach out and help is that possible. It wasn't done by rhetoric, it was done by action.

"I speak against this measure, not for those reasons expressed by others, and I turn to my good friend from the Big Island who talks about the State back in 1972 providing for grants-in-aids to the counties. You know why that happened? I'll tell you.

"The federal government, during the Great Society Movement, decided to spin off projects like community action and model cities. Brother Joe and I know about those kinds of programs in a very real sense. Even Governor Waihee, as a matter of fact, was involved with that. But the federal government has this myopic perspective of things. Through their housing and urban

development program, they said, okay, all you cities and all you counties, we're going to help you. We're going to help you in helping us to develop this Great Society. And so they came with model cities, they came with what was called general revenue sharing and special revenue sharing. And who did those moneys go to? They went to the cities and counties. It didn't come to the State of Hawaii, it didn't go to the state of New York, or the state of California -- it went to the cities and the counties because somebody had the notion that every city and county throughout this country provided for health activities, for public assistance, for education. They were right when it came to the rest of the country, but they were wrong here in Hawaii. Why? Because as has been mentioned by a number of those speakers today, we have a centralized system of government. That means the founding fathers of this State at least had enough vision to know that the property tax system is not a fair way of distributing the kinds of resources that's necessary to accommodate all of those programs -- under health, you name it, hospitals, ambulances, et cetera. Under public assistance, the elderly programs and a whole slew of assistance type activities, not to mention education -- the life blood of this society. Every county and every city administers those activities and those programs but not in this State. And you wonder why I call this bail out? Because the counties and the City have it made around here and they know it! Every time we sit back and we try to compare apples and apples, we miss the boat because we're not. This State has greater responsibilities and provides greater amounts of services than any other state in the union -- period! And so if we're providing all of these kinds of services that other counties, municipalities and cities throughout this country are providing, then why are we bailing out the City and counties here? Why?

"The only observation that I like that has been said and mentioned on this floor so far that has to do with this issue is the fact that this State, as part of its posture, has decided to distribute our funds on the basis of need. In that sense, I have no problems with the way in which this bill is structured. I have difficulties, however, when you decide to give a permanent source of financing for counties, especially the City and County of Honolulu, because as far as I am concerned, they don't need it and they don't deserve it.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1148, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Bellinger, Hagino, Hirono, Shon and Taniguchi voting no, and Representative Andrews being excused.

The Chair directed the Clerk to note that H.B. No. 1148 had passed Final Reading at 10:20 o'clock p.m.

**Conf. Com. Rep. No. 210 on H.B. No. 3095, HD 2, SD 2, CD 2:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 3095, HD 2, SD 2, CD 2, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Anderson rose to speak in favor of the bill, with reservations, stating:

"The reason being, Mr. Speaker, I had hoped that some years ago that the Office of Tourism would in fact be a part of the cabinet in the Governor's Office, being that this is the largest industry within the State. If in fact



we were not going to take the office and have that office within the Governor's, then I would hope that we would have had it under Budget and Finance, strictly for funding, and that individual would still be part of the Governor's cabinet. This bill doesn't do that. It doesn't give it the strength that the office should have.

"Also, I started to read all of the different reports that we had and in 1988, for fiscal year 1988-1989, we put together \$250,000, asking for an audit and that audit was supposed to give us most of the information that we're saying that the Office of Tourism is going to be handling. They started it and it hasn't come through and it's really hard to go ahead and say, I'm for this particular measure if I don't have all of the information to vote on it in a fair and equitable way. But because it is needed and because there will be at least a person in charge of this, I think he or she will do a good job.

"I'm going to vote for it and I wish my colleagues would. But in the future, I would hope that the largest industry in this State would be a part of the Governor's cabinet because that is something that is needed. You need to have people from other countries come here to Hawaii and know that you have that person, not a Department of Economic Development and Tourism, but the Office of Tourism that would be able to handle the information and all of the other necessities that people would be looking for. For this reason, I do have reservations, but I would hope that everyone would vote for the bill.

"Thank you, Mr. Speaker."

Representative Isbell rose to speak in favor of the bill, stating:

"Mr. Speaker, the Department of Business and Economic Development has been one of the most widely-changed names that I can think of in any cabinet. When I first came in, it was the DPED, then it got changed to DBED, and now it's going to be DBET, so it went from D-PED to D-BED, now it's going to be D-BET. I would D-BET that it makes it, and I would hope that considering that when we had sugar, the Department of Agriculture became a department that D-BET is that eventually this will too.

"I do vote in favor of it and I think it's about time we had D-BET in tourism for this State.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3095, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Andrews being excused.

The Chair directed the Clerk to note that H.B. No. 3095 had passed Final Reading at 10:24 o'clock p.m.

**Conf. Com. Rep. No. 211 on H.B. No. 2871, HD 2, SD 1, CD 2:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 2871, HD 2, SD 1, CD 2, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hirayama rose to speak in favor of the bill, stating:

"This is what I see in this bill, a real good legislation because this helps some of the needy people that need the

help, especially for Kuliouou. If you recall back in the 1988 New Year's Eve flood, they were crying for help and they needed the help and the State came forth, thanks to the Office of the Attorney General and HFDC and the good Chairman of Finance and Legislative Management.

"I just want to show my appreciation to the people and my constituency in Kuliouou this bill really helps them, and I think it's good legislation that they were awarded close to \$7-million.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2871, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Andrews being excused.

The Chair directed the Clerk to note that H.B. No. 2871 had passed Final Reading at 10:26 o'clock p.m.

**Conf. Com. Rep. No. 212 on H.B. No. 3357, HD 2, SD 1, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 3357, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Andrews being excused.

The Chair directed the Clerk to note that H.B. No. 3357 had passed Final Reading at 10:27 o'clock p.m.

**Conf. Com. Rep. No. 163 on S.B. No. 3128, SD 2, HD 2, CD 1:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 163 and S.B. No. 3128, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 164 on S.B. No. 1719, SD 1, HD 2, CD 1:**

By unanimous consent, action was deferred one day.

## SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of reconsidering action previously taken.

## RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken on April 30, 1990, in adopting Conf. Com. Rep. No. 24 and passing H.B. No. 2258, HD 2, SD 2, CD 1, on Final Reading, seconded by Representative Hemmings and carried.

On motion by Representative Apo, seconded by Representative Hemmings and carried, Conf. Com. Rep. No. 24 and H.B. No. 2258, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE

MANAGEMENT," were recommitted to the Committee on Conference.

At 10:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:30 o'clock p.m.

#### CONFERENCE COMMITTEE REPORTS

Representatives Metcalf and Souki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1718, SD 2, presented a report (Conf. Com. Rep. No. 213) recommending that H.B. No. 1718, SD 2, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 213 and H.B. No. 1718, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1718, SD 2, CD 1, were made available to the members of the House.

Representatives Fukunaga and Souki, for the Committee on Conference to which was recommitted H.B. No. 2258, HD 2, SD 2, CD 1, presented a report (Conf. Com. Rep. No. 214) recommending that H.B. No. 2258, HD 2, SD 2, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 214 and H.B. No. 2258, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2258, HD 2, SD 2, CD 2, were made available to the members of the House.

Representatives Oshiro, Tom and Souki, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3128, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 165) recommending that S.B. No. 3128, SD 2, HD 2, as amended in CD 2, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 165 and S.B. No. 3128, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 3128, SD 2, HD 2, CD 2, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2597, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 166) recommending that S.B. No. 2597, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 166 and S.B. No. 2597, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2597, SD 1, HD 1, CD 1, were made available to the members of the House.

Representative Souki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B., No. 2376, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 167) recommending that S.B. No. 2376, SD 1, HD 1, as amended in CD 1, pass Final Reading.

By unanimous consent, consideration of Conf. Com. Rep. No. 167 and S.B. No. 2376, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," was deferred for a period of 48 hours, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2376, SD 1, HD 1, CD 1, were made available to the members of the House.

At 10:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:34 o'clock p.m.

#### SENATE COMMUNICATION

Sen. Com. No. 829, transmitting S.C.R. No. 273, that the Regular Session of 1990 will be in recess on Thursday, May 3, 1990, which was adopted by the Senate on May 2, 1990, was read by the Clerk and was placed on file.

On motion by Representative Apo, seconded by Representative Hemmings and carried, S.C.R. No. 273 was adopted.

#### ANNOUNCEMENTS

Representative Okamura: "There will be a Majority caucus on Friday at 4:30 p.m. in the Majority Caucus Room.

Representative Liu then rose and stated:

"Mr. Speaker, before we recess, on behalf of the Republican Caucus, I would like to raise a point of caucus privilege. We will have been personally aggrieved by the extension because, as I have explained to you and I think my caucus should know, Friday evening at the time when we will be back here, the State Republican Convention does begin. We have all bought our \$40 dinners and, unfortunately, we will miss that but please know, Mr. Speaker, that in my speech the next morning, I shall not mention that the fault was yours or anyone of my colleagues on this floor.

"Thank you, Mr. Speaker."

#### ADJOURNMENT

At 10:40 o'clock p.m., on motion by Representative Apo, seconded by Representative Hemmings and carried, the House of Representatives adjourned until 5:00 o'clock p.m. on Friday, May 4, 1990.

## SIXTY-THIRD DAY

Friday, May 4, 1990

The House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 5:10 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Ezra R. Kanofo, after which the Roll was called showing all members present with the exception of Representative Lee, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Sixty-Second Day.

On motion by Representative Apo, seconded by Representative Hemmings and carried, reading of the Journal was dispensed with and the Journal of the Sixty-Second Day was approved.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 195 to 201) were read by the Clerk and were placed on file:

Gov. Msg. No. 195, informing the House that on May 2, 1990, he signed the following bills into law:

Senate Bill No. 2220 as Act 49, entitled: "RELATING TO PUBLIC UTILITIES";

House Bill No. 2536 as Act 50, entitled: "RELATING TO FOREIGN-MONEY CLAIMS";

House Bill No. 2793 as Act 51, entitled: "RELATING TO UNEMPLOYMENT"; and

House Bill No. 2879 as Act 52, entitled: "RELATING TO THE ADMINISTRATION OF THE AGRICULTURAL PARK PROGRAM".

Gov. Msg. No. 196, informing the House that on May 3, 1990, he signed the following bills into law:

House Bill No. 2174 as Act 53, entitled: "RELATING TO THE HAWAII STATEWIDE TRAIL AND ACCESS SYSTEM";

House Bill No. 2362 as Act 54, entitled: "RELATING TO CONDOMINIUMS"; and

House Bill No. 2585 as Act 55, entitled: "RELATING TO DONATIONS OF FOOD".

Gov. Msg. No. 197, transmitting copies of the report "A Plan For Services For Persons With Developmental Disabilities and/or Mental Retardation 1990-1994" pursuant to Act 341, as amended.

Gov. Msg. No. 198, transmitting copies of the Hawaii Civil Rights Commission Transition Plan, prepared by the Hawaii Civil Rights Commission, pursuant to Act 386, 1989 Session Laws of Hawaii.

Gov. Msg. No. 199, transmitting copies of the report "Requesting Review and Evaluation of Health and Social Needs and Services in Rural Areas" pursuant to House Concurrent Resolution No. 335, HD 1, SD 1 (H.R. No. 353, HD 1), as amended.

Gov. Msg. No. 200, transmitting copies of the 1989 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 201, transmitting copies of a report prepared by the Department of Business and Economic Development on its loan programs, as required under the following statutes:

Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program.

Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Program.

Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program.

Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DBED administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented.

Chapter 211E, HRS, does not require an annual report, however, DBED included the Hawaii Innovation Development Program as part of their loan annual report.

Act 384, Session Laws of Hawaii 1988, requires an annual report on the progress made under Chapter 7, the Molokai Loan Program.

The separate reports have been consolidated into a single presentation and cover the calendar year ending December 31, 1989.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 830 and 831) were read by the Clerk and were placed on file:

Sen. Com. No. 830, informing the House that the following Bills passed Final Reading in the Senate on May 2, 1990:

S.B. No. 1985, SD 1, HD 2  
H.B. No. 1148, SD 1, CD 2  
H.B. No. 3095, HD 2, SD 2, CD 2  
H.B. No. 2871, HD 2, SD 1, CD 2  
H.B. No. 3357, HD 2, SD 1, CD 2

Sen. Com. No. 831, informing the House that the Senate has agreed to the amendments proposed by the House to S.C.R. Nos. 51, SD 1 (HD 1) and 241, SD 1 (HD 1), and S.C.R. No. 51, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN EXAMINATION OF EXECUTIVE BRANCH PROCEDURES AND MECHANISMS TO ENSURE THAT HAWAIIAN BENEFICIARY PROGRAMS RECEIVE THEIR FULL REVENUE ENTITLEMENTS FROM THE UTILIZATION AND DISPOSITION OF CULTIVATED SUGARCANE LANDS AND CEDED LANDS," and S.C.R. No. 241, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE LEGAL FRAMEWORK THAT WOULD MAXIMIZE THE UTILIZATION OF OPTICAL

DATA STORAGE TECHNOLOGY," were Finally adopted by the Senate on May 2, 1990.

### ORDER OF THE DAY

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 213 on H.B. No. 1718, SD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and H.B. No. 1718, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Hemmings rose and spoke against the bill, stating:

"It's important for me to say that I am voting against this bill as a means of protest. I have to apologize to the many good judges in our State and judicial system who deserve a pay raise. I know that by voting no and giving this speech, I will not sway you and the Majority Party in what you are doing and how you've done it. It seems ironic that this is probably my last evening here at the Legislature, and my first session five . . . six years ago now, I was contacted by an honest and courageous public employee, a deputy sheriff, who came to my office and reported on the broad array of problems in the Judiciary.

"I was told that one of the recipients of this pay raise, Deputy Administrative Director of the Courts, called a staff meeting of sheriffs from the island of Molokai at that time and at the expense of the taxpayers. At the meeting when the subject of money for U-Z machine guns was brought up, the deputy sheriff noted that there was no money appropriated. The recipient of this pay increase said to those assembled, he would take the money from the computer budget. When asked by the conscientious deputy sheriff about the legislative intent of the appropriation process, the Deputy Director said to those assembled, 'No worry, I own the Legislature.' And now, five years later, it appears that Tom Okuda was right. By having the last. . .

At this point, Representative Apo rose and requested a recess and at 5:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 5:21 o'clock p.m., Representative Hemmings continued his remarks, saying:

"It's been a long and arduous task and experience for me too, Mr. Speaker. It's been unpleasant for me and I have been under duress and my family has and many aspects of this. . . there's a lot of stories that have not been told about this long experience. My conscience is clear, Mr. Speaker.

"I am voting no against this bill because I think it is a slap in the face for one individual to get a pay raise. It's a slap in the face of the citizens. I vote no as a protest.

"Thank you, Mr. Speaker."

Representative Metcalf rose to speak in favor of the bill, stating:

"When your Conference Committee examined this matter, your Conference Committee focused its attention on the positions and not on the personalities for if you were to dwell on the personalities, you would have a very difficult time establishing categories of pay for any of the positions included in this bill. Some judges are liked better than others, some judges are more intelligent than others, but with respect to the personality referred to, his case is on appeal. It could be reversed. On remand, he could be found innocent. In the event that he is not, this person will no longer be with the Judiciary. The Judiciary will have to recruit someone else.

So, the pay, your conferees felt, needed to be competitive and was based on the positions and not on the personalities. And I think that's how we should do business in this chamber.

"Thank you."

Representative Liu rose to speak against the bill, stating:

"Mr. Speaker, first, I want to make it very clear that if my vote would make a difference in terms of the passage or failure of this bill, I would be in favor of this measure. I think there are more good things about it than bad things. However, for the reasons stated by the Minority Floor Leader, I think there are problems here and it's necessary to let the people know that there are those who dispute the pay increase for that position.

"Further, going a little somewhat on a different track in opposition and in comment to the Chairman of the Judiciary's position, I do have questions about both the Administrative Director's and Deputy Director's increase in this bill. I think they are somewhat excessive, given what I understand the positions to entail, and I don't think that the amounts nor the inclusion at this time for those increases may have been necessary.

"For those reasons, Mr. Speaker, I will be voting no.

"Thank you."

Representative Metcalf, in rebuttal, stated:

"If the Minority Leader had read the Auditor's report, the Auditor's report on the Judiciary clearly notes that the Judiciary has expanded phenomenally in the last few years and that there is an urgent and pressing need for top quality management, and for that reason your Committee found these salaries appropriate.

"Thank you."

Representative Hemmings, in rebuttal, stated:

"Mr. Speaker, if there is an urgent need for top quality management, then this Legislature should have demanded that we find just that. There's nothing that says that we had to add the last minute pay raises for administrative positions and we could have easily passed legislation to give the judges the pay raises. The point that he made precisely is an excuse for this is the point I am making as to why it shouldn't be added as a postscript to my comments.

"The individual who brought the original information regarding these problems to me was fired. That individual has expenses. That individual had to ship his wife and his child, at his expense, to the mainland because they were living under emotional duress and direct personal threats. That individual's accusations were borne out to be almost one hundred percent right by

the Citizens Panel report. What he got from the State of Hawaii was termination from his employment and banishment from his job. That individual's the real hero here and the individuals sitting here in the audience tonight watching these proceedings -- I hope you people are proud.

"Is the Judiciary a better place because of what we have done? Has this Legislature been responsible in cleaning up its own problems?"

"I won't go into the individual incidences concerning this. I won't go into the unfairness of the citizens who went through the judicial process to pay their penalties and fines in the court system and the hundreds of insiders who got their tickets fixed.

"I just hope that the people of Hawaii judge this incident on the facts and on the merit, and on the fact that this Legislature and at the Executive Branch of government, the Attorney General's Office, did little or nothing to mitigate these problems. And in fact we're giving the perpetrator of them a big pay raise. Those are the facts.

"Thank you, Mr. Speaker."

Representative Cavasso then rose to speak against the bill, stating:

"I believe it reflects poorly on our integrity. It gives the appearance of wrongdoing, Mr. Speaker. It reflects poorly on the character of our Judiciary, of our State, and of this Legislature.

"I am disappointed and I vote no."

Representative Liu, in rebuttal, stated:

"I did read the Auditor's report, Mr. Speaker, and the Auditor did not absolutely and in any absolute terms tie the recruitment for better management to any specific salary increase. What I indicated was that I thought that the increases herein were somewhat excessive, going from \$68,400 to \$85,302, and perhaps some increase might be warranted, perhaps some increase might be useful in attracting qualified individuals but, Mr. Speaker, I do have doubts as to whether or not the increases included here are necessary to attract the quality individuals for that position.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1718, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Cavasso, Hemmings and Liu voting no, and Representative Lee being excused.

The Chair directed the Clerk to note that H.B. No. 1718 had passed Final Reading at 5:27 o'clock p.m.

At 5:28 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:32 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Apo, seconded by Representative Hemmings and carried, the rules were

suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Apo moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. No. 1261, HD 1 (SD 1), seconded by Representative Hemmings and carried.

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1261, HD 1, and H.B. No. 1261, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Lee being excused.

The Chair directed the Clerk to note that H.B. No. 1261 passed Final Reading at 5:34 o'clock p.m.

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 214 on H.B. No. 2258, HD 2, SD 2, CD 2:**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the report of the Committee was adopted and H.B. No. 2258, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Lee being excused.

The Chair directed the Clerk to note that H.B. No. 2258 had passed Final Reading at 5:35 o'clock p.m.

**Conf. Com. Rep. No. 165 on S.B. No. 3128, SD 2, HD 2, CD 2:**

Representative Apo moved that the report of the majority of the Committee be adopted and S.B. No. 3128, SD 2, HD 2, CD 2, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Souki rose to speak in favor of the bill, stating:

"I think it's a great bill and a very momentous bill.

"First of all, I want to give some praise to the Chairman of the Transportation Committee, Mr. Paul Oshiro, who came up with this very innovative bill. He worked very long and very tirelessly on this, and I think the members of the House and the people of the State of Hawaii can be very proud of his leadership in developing this package and in the mass transit bill.

"Mr. Speaker and members of the House, this bill provides an avenue for the people of the State of Hawaii, especially for the City and County of Honolulu, to enjoy mass transit. It provides a vehicle in the event the private sector does not come in to have a tax. However, this is only after much review and only in the event that the private sector cannot provide the matching money will the tax be triggered and even then, before it does happen, it has to be reviewed by the Department of Budget and Finance to see if the City and County of Honolulu has done everything within its power to get private moneys to match the State and the federal government. Only after a thorough review by the Department of Budget and Finance and then a recommendation to the State

Legislature who will approve or disapprove the tax and the package will the tax go into effect. And if and when the tax goes into effect, there is language in here to provide for a tax credit that will negate the effects of the tax, and the people of the State of Hawaii will get the money back of which they would have expended for the 1/2 percent excise tax.

"Truly, members, this is a very innovative bill, a far-reaching bill that we can be very proud of, and I urge all of you to vote for this measure.

"Thank you very much, Mr. Speaker and members."

Representative Liu then rose to speak against the bill, stating:

"Mr. Speaker, let me begin by saying that I also commend the Chairman on Transportation for the hard work he has done for mass transit. I think in another bill which we will be passing this evening, 1719, he has done a fine job. I think that is his bill and may I say that the Chairman of Transportation has always been fair and honest -- above board -- in all his dealings with every member of this House on this measure and I thank him for that. I thank him also for the changes which I know were made to 3128, partly in response to criticism from this side of the aisle and it shows that he is man of honesty.

"The committee report which came forward on CD 1, I think we would have been all a little embarrassed by if it had passed. It was changed and what is reflected I believe in that committee report is basically the truth -- what we see is what we get.

But that's the problem, Mr. Speaker, the bill is still a tax. When we have surpluses, when we have projected surpluses, and if we feel that mass transit is a very important item, there have been a myriad of ideas that would have allowed us to make that commitment without raising the tax. You yourself, Mr. Speaker, had a number of them. We had some on the Republican side which we did put before this body. It is unfortunate that none of them were adopted.

"Concerning the so-called double trigger or reviews mentioned by the fine Committee Chairman of Finance, let me direct your attention to this specific language, language which I pointed out on second crossover of this measure. It says, yes, we do have a development agreement which we will approve of. I have no problem with that, or maybe not approve of but if we don't do anything, it's considered approved, submitted by the start of the 1991 session and goes on and by the end of the session, if we don't do anything, it's approved. If we disapprove it, then in fact this tax is not going into effect. No problem there. That's review one.

"But I hope we do go through that development agreement with a fine tooth comb, Mr. Speaker, and that development agreement better have some language, better have some indication of private source revenues because I can assure you, Mr. Speaker and the other members of this body, there are going to be problems on that second report filed by the Director of Finance.

"That second report, if you will look to the bill, has no date as to when it has to be submitted. It merely says that 'the director of finance shall submit a report of the findings to the legislature.' It could be after the bill filing deadline so perhaps if you wanted to change things, we'd have to go to another bill and find a vehicle unless we're all so smart that we know exactly what we want to do beforehand, submit all kinds of short form bills. It could be submitted after the end of that session -- it doesn't say

when -- in which case if we wanted to do something on that report of findings of adequacy of private source fundings, we'd have to come back in Special Session.

"But then there's also an interesting feature about this findings by the Director of Finance of whether or not there's enough private source moneys. The language is that, upon acceptance, if we happen to be in session and if we happen to take action on it, 'no additional moneys may be expended from the transit fund.' It doesn't say that the tax is going to go into effect. It says no moneys from the transit fund will occur. And notice, it doesn't say if we accept a finding that the private source revenues are adequate. It just says a finding. So similar to EIS statements, if the finding is that the private source revenues are inadequate, and if for some reason, I know we can't foresee it right now but we all know the process is froth with uncertainty, and if for some reason we accept the findings and if those findings do indicate that the private source revenues are inadequate, the tax still goes into effect. I don't know if that was the intention of the drafters. Maybe it was a mistake and maybe it's something that can be refined next year should this bill pass, but I wonder -- I wonder. I think it's specious for us to assume that the private sector will not be able to come up with the needed matching funds. If we hope they do, if we think they might be able to, we should give the county all the incentive it needs to go out and solicit the best deal. And the best incentive there would be to remove the safety net, this sort of wink that well, you know, if the money will be there just in case. I have great faith in the counties, including the county of Honolulu, that if just 1719 passes, that they might come up with some very creative funding solution that would satisfy their needs as well as the needs for the taxpayers of the State of Hawaii.

"Mr. Speaker, the opposition by your Minority is not against mass transit. It's really against new taxes when we feel that unnecessary and to some degree the process by which this measure came before us.

"And again, this is to cast no aspersions on the Transportation Committee Chairman nor the Finance Committee Chairman. I've expressed my concerns to them and they have been very open to hear me and I appreciate that. Honest difference of opinion. We will bring those differences out in the election as they come near, and I appreciate the patience of this body and you, Mr. Speaker, for allowing us to express those views.

"Thank you very much."

Representative Oshiro then rose to speak in favor of the bill, stating:

"Mr. Speaker, four years ago when I was fortunate enough to be offered the chairmanship of the House Transportation Committee, I was very much aware that a time would come when the fixed rail rapid transit issue would be before our State Legislature. And I guess I was hoping that by the time transit hit the Legislature, I would be chairing another committee but I got no such luck.

"Anyway, Mr. Speaker, the comprehensive financial package which is contained in Senate Bill 3128, CD 2, and in Senate Bill 1719, CD 1, is, in my eyes, a major step towards the realization of a fixed rail rapid transit system for Hawaii. This financial plan, Mr. Speaker, essentially consists of a two-tiered scenario with a primary and fallback option. Both of these options, Mr. Speaker, are premised upon the State contributing \$50-million per year in general fund revenues for a maximum period of 17 years towards the construction of a fixed rail rapid transit system. With this contribution equating to

approximately 35 percent of the total capital costs, the State is exhibiting a major commitment, Mr. Speaker, towards sharing in the burden to finance this much needed capital improvement project.

"Under the primary option, Mr. Speaker, the capital costs for the design and construction of a fixed rail rapid transit system will consist of:

30 percent of the cost coming from the federal government;

35 percent of the cost coming from the State General Fund revenues in the amount of \$50-million per year for up to 17 years; and

35 percent of the cost coming from county revenues, which may include private source revenues.

"The primary option is premised, Mr. Speaker, upon a reasonable distribution of financial responsibility between the federal, state, county governments and the private sector. With various entities indicating that they are willing to absorb some or all of the construction costs in return for negotiable development rights and concessions, the primary option provides a very realistic opportunity, Mr. Speaker, to construct a fixed rail rapid transit system without increasing taxes.

"If and only if, and I repeat, if and only if, funding from private source revenues are insufficient to meet the 35 percent threshold set in the primary option, will the fallback option be authorized for implementation. The fallback option, Mr. Speaker, authorizes the City and County of Honolulu to initiate the imposition of a 1/2 percent general excise and use tax surcharge for no more than ten years. For each year, Mr. Speaker, that this tax is in effect, the State will pledge \$50-million in general fund revenues in sliding scale tax credits to minimize the impact of this tax on residents. These tax credits, Mr. Speaker, will be calculated on a sliding scale formula, based on one's adjusted gross income. The duration of this fallback tax will be shortened depending upon the amount of private source revenues received. For example, Mr. Speaker, if the private source revenues amount to say 20 percent of the total cost, which is less than the 35 percent requirement in the transit capital development fund, that 20 percent in private source revenues will be pledged to lessen the total cost of this system, and thus allow the term of the general excise and use tax surcharge to be shortened.

"I would like to re-emphasize, Mr. Speaker, that under both the primary and the fallback options, that the State of Hawaii will be committing a generous portion of our general fund revenues towards the construction of this much needed system.

"Some have talked, Mr. Speaker, about utilizing State General Fund revenues to finance the entire local portion of this project. While I do agree that this type of arrangement would be very desirable, as under such we would not have to utilize the 1/2 percent tax in our fallback option. I do feel that such a scenario may, in reality, be very difficult to carry forth. The huge price tag required to construct this system would inevitably affect, in varying degrees, some of our existing State programs and capital improvement projects. Such an action may severely hamper, over a number of years, our effort to meet the growing needs of our State.

"Some may question the need for the fallback tax option in light of the interest expressed by certain private sector entities to absorb some or all of the capital costs for the construction of this system. The answer is twofold, Mr. Speaker. First and foremost, the proposed plan

provides a complete and comprehensive financial package for the development of a fixed rail rapid transit system. Everything is covered -- there are no loose ends. Should we not have included the fallback option in this package, Mr. Speaker, the federal government has indicated that our financial plan would not meet their mandate for a dedicated source of revenue for the 70 percent local matching requirement.

"Should this occur, Mr. Speaker, the process to secure the anticipated 30 percent in federal funds essentially could not be initiated. Secondly, Mr. Speaker, having a complete and comprehensive financial plan will allow the City and County of Honolulu to initiate the request for proposal process which would inevitably unveil the potential for private source revenues. The City will then be able to enter into negotiations with these transit development entities to determine the amount of trade-offs in development rights and concessions necessary to secure private sector participation in offsetting capital costs.

"Mr. Speaker, this issue before us is a very complex one with many variables and options with which to deal with. Throughout this entire process and during our many lengthy deliberations on these measures, it was always my intent, Mr. Speaker, to come out with something that is fiscally responsible, yet sensitive to the very legitimate concerns expressed by many on tax increases. The financing package that we have before us today, Mr. Speaker, is by no means a perfect one. I am certain that given another time, under different circumstances and with different players involved, that another equally, or perhaps even more viable, financing package could have been developed. I truly do feel, however, Mr. Speaker, that under the present circumstances, that we have put forth our best effort in addressing this issue.

"I would like to sincerely thank Chairman Souki and all the members of the House Finance Committee for their support and assistance on this most difficult issue. I would also like to express an extra warm mahalo to all the members of the House Transportation Committee for the dedication and hard work that they've contributed towards formulating the financial plan that we have before us today, and also, Mr. Speaker, for all of their support and assistance in addressing the many transportation issues which we have deliberated over during the past two years.

"I truly could not have wished for a better group of individuals to work with and to all the House Transportation members, I thank you.

"It would have been really nice, Mr. Speaker, if we could have ended with a rapid transit financial package that we could all go up on. I became aware very early on in the session that this would not be possible. To all of you who are not able to support these bills today, I would just like to let each and every one of you know that I truly do respect and accept your position on this matter. It's a tough call and I can truly understand your concerns.

"To you, Mr. Speaker, and to all the members of this House, I would like to express my sincere thanks for allowing me the opportunity to participate in the formulation of this financial plan for the construction of a fixed rail rapid transit system.

"It has truly, Mr. Speaker, been a rewarding experience.

"Thank you."

Representative Apo rose to speak in favor of the bill, stating:

"Like others in the House, I would like to extend my grateful appreciation to the creative genius of Representative Oshiro. He has created two bills that form an extremely creative package and has been able to negotiate, walking a very dangerous tightrope, that at times during the session got very emotional, both internally and in our relationship with the Senate, as well as the Executive Branch of government. I was quoted in the news that I did not see that there was a rabbit in this hat and somehow Representative Oshiro found one.

"The genius of the bill, Mr. Speaker, is the fact that it at once satisfies the federal requirement which was the crux of our problem. It satisfies the federal requirement in due time which is October for a dedicated source of revenue and, at the same time, holds the need for a tax at arm's length while many options are explored. This, I think, is the genius of this bill.

"I do not consider this a tax bill. I consider this a delay in a final vote on a tax bill which will come before us should the developer's agreement that will be submitted to us by the City and County of Honolulu be able to make it through the gauntlet which includes approvals through the Office of Budget and Finance, through the Governor's Office, through committees, through the entire process, before it would finally hit both floors, both houses, for a final vote. It is a delay.

"Meanwhile, the portion of the bill that addresses private sector is really a Republican bill because we are now saying, let private sector do it. We are giving them a chance to rise to the occasion as we've heard many, many times on this floor that private sector will do it better or efficiently, et cetera, et cetera. Well, we're giving them that chance and, at the same time as I've said earlier, qualify for the \$300- to \$400-million matching funds from the federal government.

"More importantly, while not imposing the tax, it also buys us the necessary time that allows the county to develop the specifics of the development agreement, of the routing, of the technology. It amazes me that there were some of us who were willing to reject the tax but sign off on appropriating and earmarking \$150-million a year for who knows how many years, and without knowing what it was we were buying. Now that, I think, is irresponsible but that's not before us at this time.

"So once again, Mr. Speaker, I really congratulate, and I think I speak for all the members of the House, Representative Oshiro, for really saving the day for most of us and like himself, those who go down on the bill, we must respect their opinions. I know they have some very strong feelings. They did not lead us astray -- they let us know very early in the session where they stood on any kind of tax proposal and we respect that.

"Once again, Representative Oshiro, thank you."

Representative Metcalf then rose to speak in favor of the bill, stating:

"Just as a postscript, Mr. Speaker, I would note that the creative genius referred to by Representative Apo is a graduate of Campbell High School and as such, the public school system can't be that bad.

"Thank you."

Representative Marumoto then rose to speak against the bill, stating:

"Before the session, Hawaii was labeled a tax hell by national magazines so therefore, I came into the session

hoping to dispell that title. I therefore introduced bills based on recommendations of the Tax Review Commission to (1) reduce income taxes; (2) repeal the excise tax on residential rent; (3) repeal the excise tax on catastrophic medical bills; (4) increase the excise credit to match inflation; and (5) to reduce the regressivity of taxes here.

"The recommendations of the Tax Review Commission were virtually ignored. Instead, we are emerging from the 1990 session doing just about the opposite. We're spending up to the hilt, exceeding the spending limit, and increasing taxes with this bill.

"There is some reluctance on my part to vote against this tax increase which will help fund a rail transportation system for I believe that urban Honolulu is in desperate need of traffic relief and that the situation will continue to get worse as time goes on. The tax will also help the neighbor islands with their infrastructure needs. In addition, many important people have been requesting the general excise tax increase -- Senator Inouye; before his death, Senator Matsunaga; Representative Akaka; the Governor; the Mayor of the City and County of Honolulu; and the Honolulu Chamber of Commerce Board. Despite this support, it is my belief that the general excise tax is pernicious and regressive so I am regretfully casting a no vote.

"Recently I mailed out a legislative issues questionnaire to my district and received back a strong message to give tax relief instead of adding to the voters' tax burden. Almost 80 percent of the respondents asked for tax relief in the form of (1) income tax reform, or (2) the repeal of the general excise tax on food and medical bills. Only 6 percent requested larger tax credits for the excise food and rent paid as an alternative.

"With your indulgence, Mr. Speaker, I would like to read a few of my constituents' comments for I think they speak far more eloquently than I ever could.

'Please don't tax us any further.' This is a Wilhelmina Rise resident.

'We are vehemently opposed to raising the excise tax.' The Chun family.

'Food and medical needs are necessities for life and should not be taxed. Taxes should be lowered, not raised.' This is a 16th Avenue resident.

'No excise tax on food, medical and rent. Keep the excise tax at 4 percent -- 1/2 percent of this should go to the counties for transportation.' Mr. Jack Long.

'We already have the highest total state tax in the U.S. We don't need any more.' Dr. and Mrs. Alan Richardson.

'Don't have to rebate the surplus but cut out all taxes on food and medicine.' Mr. Fred Okamura.

'Give us retired on fixed income a break so we don't have to lose properties that we worked hard to attain.' Nieli Place resident.

'A regressive tax taxes the poor and rich the same so that the poor feel it more.' The Akizaki family.

'Hawaii is a tax hell. Some day the people will rise and throw out all the present legislators out of office.' Mr. Roy Chong.

"Yet, some very important people still favor the 1/2 percent general excise tax increase but how could I



neglect to hear these voices? How could I not respond to them and represent the voters of my district?

"Accompanying this proposed increase in the excise tax is an excise tax credit which is supposed to soften the financial impact of the increase. But, Mr. Speaker, I am not happy with the regressivity of the excise tax credit. The way it is fashioned, it helps the rich and hurts the poor. The more you make, the more you get back. If you earn up to \$125,000, you will get \$450 back, but if you earn only \$5,000, you will get only \$18 back. The excise tax is very pervasive and this give-back is a cruel joke. This tax credit will be most unfair to the people who are retired. The credit will be calculated on adjusted gross income and pensions. Most social security and income from savings bonds are not counted in this figure. They will get very little back from this credit and they, as a group, spend a large percentage of their income on food, prescription drugs and rent -- general excise taxable items.

"Therefore, if I am voting no, it is as much because of the poor concept of this tax credit as much as the tax increase. Our request to amend this credit has fallen on deaf ears. We had wanted to make this tax credit fair and kinder.

"Also the death of the permanent \$40-million income tax relief package makes this tax increase in this bill especially onerous. The one time \$60 per person rebate is welcome but it is no substitute for permanent relief. And also, we are lucky that the second extension did give us time to reinstitute the \$45 food tax credit which we thought was dead. I call upon the Governor to once again, next session, push for income tax relief as soon as possible.

"But back to this measure, Mr. Speaker, before us, let us remember the beleaguered taxpayers in all our districts. My colleagues, I ask you to think of them and please vote no."

Representative Bellinger then rose to speak against the bill, stating:

"It's difficult to have to go against the hard work and in-good-faith efforts that Representative Oshiro and the members of his committee have put into this particular bill. However, in all good conscience, I don't believe that pursuing this method by this taxing approach is the way to go.

"Primarily what we are trying to do is to come up with a vehicle which will commit the federal dollars. That in a nutshell is what we really want to do. So what we are working with in dealing with this particular tax approach is simply fictitious numbers because we don't know what the private sector is going to do. We don't know where our mass transit line will actually go. We don't know what kind of a vehicle we're talking about. We don't know the types of operating costs -- any of these things. Now, I understand that part of the purpose of being able to show a dedicated source of funding is to not only commit those federal dollars but to also allow the county to go out for the RF fees so that those questions that I alluded to can be answered. I think that we can find a way to commit funds within our existing system so that we can get those answers.

"If we are concerned about restricting future financing commitments, then we can always vote with a two-thirds vote to increase our ceiling. Again, we will be increasing it with this same fictitious number. And basically all we're going to be doing is what the Majority Floor Leader talked about earlier is buying time to get the actual details. So why can't we find a better way to buy time

than to create the impression that we're going to terrorize the public by telling them that, yup, there might be tax coming down the line but we're not sure. I would feel far more comfortable coming back and asking for a tax increase if I could go and face the public and say, look, we've examined the mass transit issue; we've had these proposals going out; the best proposal and the one that we believe will do the best job is selection A; this is where the route is going to go; here's information on the vehicles we think will do the best job; here's what we know about the operating costs; and here's how much we think it's going to be. And if we find ourselves short, then in good conscience we can go back to the public and we can tell them, we're short a hundred million dollars or five hundred million dollars, or whatever the number happens to be. And we are going to have to come back to you now to raise those funds because mass transit, if it's something that we really need to do, then we can bite the bullet.

"But at this particular point in time, Mr. Speaker, I am not prepared to vote 'yes' on this tax measure.

"Thank you."

Representative Tam then rose to speak against the bill, stating:

"Before I proceed with my statement as to why I oppose on behalf of my constituents, I would like to thank Representative Paul Oshiro for bringing to light the issue. I give him credit. It reminds me of the A+ program -- it was very difficult. Bringing parties together is not an easy task.

"Mr. Speaker, the committee report states that the purpose of this bill is 'to allow the counties to establish a general excise and use tax surcharge for a period of ten years. The moneys collected from this surcharge may be utilized by the City and County of Honolulu to finance a fixed rail rapid transit system, and by the counties of Hawaii, Kauai and Maui, for infrastructure and park needs.'

"Mr. Speaker, the true purpose of Senate Bill 3128 is to vote on whether we want to tax the residents of our 'Aloha State' more.

"Mr. Speaker, I am the State representative for the 33rd District -- Nuuanu to Pauoa -- representing over 6,000 households, with the majority of the residents being senior citizens. The 33rd District's communities are Liliha, Puunui, Nuuanu, Pacific Heights, Pauoa and Papakolea. Mr. Speaker, I want to add that this is not a Party issue. This is an issue regarding our constituents in the State of Hawaii. Thus, I will be voting NO on Senate Bill 3128 because I am representing my constituents' vote for no increase in excise taxes.

"Mr. Speaker, I made a pledge. I have been in office for eight years now, and I hope to keep this pledge for as long as I am in office. I made a pledge to represent my constituents and I am trying to do my best.

"Upon the decking of Senate Bill 3128, SD 2, HD 2, CD 2, on Monday, April 30, 1990, I had the opportunity to introduce and discuss this bill with my constituents. And I want to thank the Honorable Governor John Waihee for giving me this opportunity by extending the session by mandate. In other words, following through with a major task of my job as the State representative of the 33rd District is communication.

"Today is Friday, May 4, 1990 -- four days following the decking of Senate Bill 3128. In the four days, Mr. Speaker, I have communicated with the following groups.

I have tried my best to establish communication within my district and throughout. I have communicated with such groups as Maemae Elementary School PTSA made up of many young families. Secondly, Pauoa Elementary School PTSA. Again, made up of many young families; Kawanakoa Intermediate School PTSA. Again, made up of many young families. Fourthly, Laimi Senior Citizens Club, a group that is very, very large -- over 70 members. Fifth, the Honolulu Downtown Jaycees. These are young adults having young families from the age of 18 to 39 years old. Sure, they are our executives but they face the problems in terms of supporting their families also. Sixth, individual constituents in the schools, parks, churches and shopping centers within my district.

"I also, Mr. Speaker, had the opportunity to give a presentation this afternoon to our special education teachers and parents at the Pearl Harbor Petty Officers Club in regards to education and in all the contents, Mr. Speaker, they voiced their opinion in opposition towards this 1/2 percent increase in tax and I can understand why. This special education students need more than the ordinary students. The daily need expenses for supporting these kids are indeed great.

"The following reasons have surfaced in opposition to the increase in the excise tax:

(1) The tax is a regressive tax for taxpayers.

(2) Wrong priorities were made in the overall State budget. Less dollars should have been budgeted for the UH Sports Arena and more for the mass transit. I am not saying I am against mass transit, I think we have a congestion problem, but we have to set our priorities straight. The University of Hawaii and the Committee on Higher Education did not request for \$32-million. They requested for much less, as was presented in the public hearing process, and I am a true believer in the public hearing process -- everyone knows that. It seems that Hawaii's taxpayers are paying more than necessary.

(3) A tax credit is not all that positive when taxpayers have to pay out hundreds of dollars throughout a calendar year and then wait till the end of the year to receive a tax credit. Many of Hawaii's citizens need every single cent to live on a daily basis. Hawaii's residents pay more tax on food than the \$55 tax credit at the end of the year which we will be discussing in another bill. Right now it's the 4 percent tax. Fifty-five dollars is less than what they pay for tax on food and drugs.

(4) Many senior citizens throughout this State live on fixed incomes.

(5) Within my district, many senior citizens have their children and grandchildren living with them because of the high cost of living. Just imagine the senior citizens living on fixed incomes and trying to make ends meet. They want to retire and yet trying to help out their children financially. It would really be tough financially on fixed incomes to help the young ones.

(6) In many other states, there is no food tax. In Hawaii, 24.7 percent of adjusted gross income is spent on food, based on a consumer expenditure survey from the U.S. Department of Commerce.

"Mr. Speaker, we in Hawaii, as compared to other states, eat a lot more. We spend our money on food more. I recall when I was in college, going to some family friend's house, what they had is not as much on the table as what we put on the table.

"Mr. Speaker, also for several other reasons, the 1/2 percent is actually a one percent tax increase when

rounded off to the nearest cent. How do you charge for 1/2 percent when there is no denomination of 1/2 percent? You're going to round it off and you're going to pay a whole cent! No businessman in his right mind charges only the 4 percent out of courtesy to the consumer.

"Mr. Speaker, my constituents would rather see no increase in taxes and a plan be developed that the State of Hawaii help fund the mass transit in cash or bonds, or even the business community.

"In closing, Mr. Speaker, I must vote 'no' on Senate Bill 3128. In doing so, I feel I would represent the wishes of my constituents and having done so this evening, I can go home tonight and sleep peacefully and I can wake up tomorrow morning and face my constituents. It will give me a great feeling.

"Thank you."

Representative Hemmings then rose to speak against the bill, stating:

"I would like the record to reflect, first of all, that I'm trying not to eat as much as the previous speaker is.

"I have three simple reasons why I am voting no, Mr. Speaker. The people of Hawaii are indeed grossly overtaxed, by every measure of the word, every statistic, it's borne out -- high taxes drive down the spending power of our people and drive up the cost of living in Honolulu.

"I am voting no against this tax because we could dedicate the funds from mass transit which I am in favor of, by taking the money out of existing resources, by being a little more prudent in how we spend the people's money, by eliminating inefficiency and duplication in government spending. So many people say that the people have to bite the bullet for mass transit. I say it's time government starts biting the bullet -- not the poor taxpayers.

"And third, Mr. Speaker, I am voting against this bill because the people are so overtaxed that we've had massive surpluses. The Tax Foundation reports that existing spending and taxing figures, if projected in 1995, we will have, once again, over a billion dollars in surplus.

"For these three reasons, Mr. Speaker, I urge my colleagues not to raise the taxes on the poor working people of Hawaii."

Representative Alcon then rose to speak in favor of the bill, stating:

"Mr. Speaker, I'm getting sick and tired of people using the poor and the retirees as excuses for taxes. Let me just tell you also, Mr. Speaker, that it is the poor and the retired who ride the bus, and I think it is about time that we give them first class transportation.

"Thank you."

Representative Anderson then rose to speak against the bill, stating:

"In doing so, Mr. Speaker, I have been listening to everyone and I think it bothered me more than anything else that we keep talking about 'my constituents,' like that was the only place that we're running from. My constituency is the State and has been on most of our bills in education, in finances, and in other areas in health and human services. When it comes to a particular piece of property or a particular area, then that's my

constituency. But the overall constituency that I worry about is the poor because this is a regressive tax that we might be putting into place. And I honestly believe because I stood on this floor when we had the \$500-million in surplus and said, let's return one dollar and that would be it -- one dollar because we had to. But let's not have pyramiding taxes. Let's not have a program that's going to grow. Let's put it out so that we can repair schools and other necessities.

"And if in fact, Mr. Speaker, we give the City and County of Honolulu and the counties of Kauai, Maui and Hawaii some money and then we run into difficulties, then we should look at other means to raise money, be it through another tax, be it through lotteries, horse racing, whatever we're going to do. But don't use this as a ploy, that we don't have the money and we're not going to share, and if we do share then it's going to have to cost the people money because we are all taxpayers. We're only playing games with ourselves.

"If we can sit down and honestly say that we need another tax, then I believe it's like any other tax that the counties are looking at like property tax. You make sure that it's going to be fair across the board. But you don't just say, we're going to keep this and we're going to raise you. And that's what I'm afraid of with this bill. I know it's a very novice way to do something. It's a novel experience to make sure that we don't put a tax this year because it's election year, but yet, we're holding it hostage that maybe 1991, 1992, somewhere along the line, we're going to have to raise taxes.

"I would hope that we would share what we have and then if we do not have enough, we all pay -- our constituencies across the State. And if your constituency is strictly a little area, then I would suggest that we ask the counties to get more councilmen and rerun for the council only from a very, very small area from our own county.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 3128, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading by a vote of 33 ayes to 17 noes, with Representatives Anderson, Andrews, Bellinger, Bybee, Cavasso, Hagino, Hashimoto, Hemmings, Hiraki, Hirono, Liu, Marumoto, O'Kieffe, Shon, Stegmaier, Tam and Taniguchi voting no, with Representative Lee being excused.

The Chair directed the Clerk to note that S.B. No. 3128 had passed Final Reading at 6:25 o'clock p.m.

**Conf. Com. Rep. No. 164 on S.B. No. 1719, SD 1, HD 2, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 1719, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Arakaki rose to speak in favor of the bill, stating:

"I want to echo the words of several of my colleagues and say that we're very grateful to Representative Oshiro for his superb efforts and creativity in putting together some of these proposals. At the beginning of session, it seemed that funding a proposal was on a fast track but he kept us from being railroaded into accepting a tax increase plan to fund mass transit. And at the same time, we were not sidetracked from our goal of providing a

much-needed transportation alternative and instead of a one-way ticket, we have one with several transfer points. But this is not the end of the line and I don't think we should be lulled into thinking that a real mass transit is a panacea for our traffic problems.

"Anyone who believes that the rail mass transit will solve our traffic problems probably has a one track mind. The question is, when do we face the reality that we may have too many cars for this small island and far too many people who are not willing to give up the personal conveniences of their car? How do we deal with the attitudes of people who are willing to pay for the luxury of a car and expect others to utilize mass transit so he can have a less crowded avenue to his destination? When do we face the fact that perhaps there is a limit to the number of cars this island can bear before we become another Manhattan, New York, Hong Kong or Tokyo? Indeed, Mr. Speaker, when do we ever discuss and debate the quality of life issues that will affect the very future of this State?

"You know, Mr. Speaker, whenever I spoke to the many students and children and young people who came to visit us, I always made it a point to mention that the decisions we make here are for their sake and the decisions are made for their future. But I think all too often, we make decisions to deal with crisis and to solve current problems, and crisis management seldom make for the long term good decisions.

"We have housing packages but we still have homeless. We are called a health state but we still have a tremendous shortage of long-term care services and a sorry state of mental health, and I will venture to guess that we will have a rail mass transit system, but we will probably still have traffic problems and we will continue to face these problems until we are willing to deal with the quality of life issues. And this is not to say that we don't need a real mass transit because we do. We need it very badly. It is an alternative and we need all the transit alternatives possible. And unless we discuss and decide the quality of life issues, issues such as the number of cars we can allow, the number of homes, the future of agriculture, and the limits of economic development. unless we can have a consensus on our preferred future and have a comprehensive macro-prospective, we will continue to deal with these issues and isolation and continue to bandaid our problems.

"Perhaps, Mr. Speaker, both parties will go to their respective county and state Party conventions to debate our future and what future we prefer, and perhaps, as we hit the campaign trail, individually or collectively, we can ask our communities and our constituents what their idea of their preferred future is. And perhaps, Mr. Speaker, we can even ask the children and youth of Hawaii what their preferred future is. After all, it is a future that they will inherit. The legacy of our decision is a legacy we leave for them and I only hope we can and will look at our future and all of the Hawaii's children and make the decisions with both in mind, not just react to crisis, but make decisions to better our quality of life.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in favor of the bill, stating:

"In voting for this measure, I, too, wish to commend the Chairman of the House Committee on Transportation who agonized over many alternatives to fund a fixed rail system. This is his first choice scenario to make this very important public improvement project a reality. It is an expensive project to construct and operating costs will also be expensive. But I firmly believe that it is a necessary

one -- one which government must take the lead to construct and operate. Public transportation must be provided by the City, State and/or federal government with private sector help. That would be helpful but it must be the government that takes the lead.

"The alternative for us is more cars and eventual gridlock. As I knock on doors in my district, I note that there are more and more cars parked in front of homes. Families now have three, four, even five cars in front of their homes. There's one for each adult because it is impossible to get around in an expeditious manner in our city streets on our buses alone.

"A fast, efficient, safe fixed rail system and feeder buses will reduce the number of cars that a family will have to buy and insure and gas up and maintain.

"Also, parking is a problem. Parking in downtown Honolulu is ridiculously tight and expensive. If you can find a space, you will be paying \$5 or \$6 an hour in private parking lots. Tenant parking in our big office buildings is \$100 up to \$200 a month. Parking downtown is an extravagance that only the rich can easily afford. Furthermore, it doesn't help that government -- City and State -- is constructing buildings on virtually every public parking lot downtown. Therefore, a fast, efficient, safe rail system will certainly help the people who cannot afford these high parking rates and the time it takes to find a parking space.

"Public transportation is not for the executives or those with chauffeurs but it is for the worker who must travel during commute time. It is for those who are unable to afford the car at today's prices. It is for senior citizens who need their independence and dignity. It is for the student who must get to school on time. It is for the commuter who struggles with traffic even before getting to his or her job.

"So, Mr. Speaker, a fixed rail form of transit is a necessity for Oahu and it is my fervent hope that it will be funded by the mechanism provided for in this bill and not by a tax increase.

"I urge all my colleagues to vote aye on this measure.

"Thank you."

Representative Souki then rose and stated:

"Mr. Speaker and members of the House, I wish to speak in favor of this bill. However, I wish to issue a challenge to the City and County of Honolulu and the Chamber of Commerce who so actively pushed for the success of this mass transit program and for the bill. I believe and many of us believe that this program will not work unless the City and County of Honolulu and the businesses of Honolulu provide disincentives to use the automobile.

"You know, during the past ten years, there has been a 40 percent increase in automobiles in the City and County of Honolulu and the State of Hawaii. In the next ten years, we can assume another 40 percent increase and it is going to take approximately ten years before the mass transit system is complete.

"My concern is, now that we're giving you the go-ahead, what are you going to do about getting people out of their cars? What is the businesses here in the City and County of Honolulu, led by the Chamber of Commerce, going to do about getting their employees out of their cars and provide incentives for carpooling, bus riding and to get into the mass transit system? I dare you to do something. In fact, when your plans come up to this

Legislature, I will be reviewing that plan and I would expect that you have some disincentives in the plan for the people of the City and County of Honolulu to use automobiles.

"Thank you very much, Mr. Speaker, and members of the House."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1719, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Lee being excused.

The Chair directed the Clerk to note that S.B. No. 1719 had passed Final Reading at 6:35 o'clock p.m.

At 6:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:48 o'clock p.m.

#### **DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK**

**By unanimous consent, H.C.R. No. 75, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 75, HD 1, and H.C.R. No. 75, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CLASSROOM DIVIDERS," was Finally adopted.

**By unanimous consent, H.C.R. No. 110, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 110, HD 1, and H.C.R. No. 110, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A COMPREHENSIVE OVERVIEW OF THE SPECIAL EDUCATION PROGRAM'S STAFFING REQUIREMENTS," was Finally adopted.

**By unanimous consent, H.C.R. No. 140, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 140, HD 1, and H.C.R. No. 140, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF HUMAN SERVICES TO COORDINATE EFFORTS TO MAXIMIZE FEDERAL MEDICAID FUNDS," was Finally adopted.

**By unanimous consent, H.C.R. No. 164, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 164, HD 1, and H.C.R. No. 164, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE NECESSITY TO LICENSE RENTAL REFERRAL AGENTS AND RENT FINDERS," was Finally adopted.

**By unanimous consent, H.C.R. No. 192, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 192, HD 1, and H.C.R. No. 192, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO UTILIZE REVENUE GENERATED BY THE PETROLEUM OVERCHARGE DISTRIBUTION AND RESTITUTION ACT FOR THE IMPLEMENTATION OF DEMAND-SIDE MANAGEMENT TECHNIQUES IN ORDER TO FOSTER ENERGY-INDEPENDENCE AND REDUCE THE ADVERSE ENVIRONMENTAL EFFECTS OF FOSSIL-FUEL," was Finally adopted.

**By unanimous consent, H.C.R. No. 195, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 195, HD 1, and H.C.R. No. 195, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE A MULTI-AGENCY, ANTI-DRUG TASK FORCE TO DETERMINE THE LEGALITY AND FEASIBILITY OF SCREENING IN-COMING AND OUT-GOING FIRST-CLASS MAIL FOR ILLEGAL DRUGS," was Finally adopted.

**By unanimous consent, H.C.R. No. 230, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 230, HD 1, and H.C.R. No. 230, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WAIKIKI AQUARIUM AND THE UNIVERSITY OF HAWAII MARINE OPTION PROGRAM WITH THE COOPERATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND DEPARTMENT OF EDUCATION TO PLAN AND PREPARE NEW MARINE SCIENCE PROGRAM MATERIALS FOR ELEMENTARY AND SECONDARY SCHOOLS IN HAWAII," was Finally adopted.

**By unanimous consent, H.C.R. No. 250, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 250, HD 1, and H.C.R. No. 250, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF PERSONNEL SERVICES AND THE HAWAII GOVERNMENT EMPLOYEES' ASSOCIATION, TO WORK WITH THE EDUCATIONAL ASSISTANTS ASSOCIATION TO UPDATE AND RECLASSIFY THE JOB DESCRIPTIONS FOR EDUCATIONAL ASSISTANTS," was Finally adopted.

**By unanimous consent, H.C.R. No. 261, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 261, HD 1, and H.C.R. No. 261, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF OPERATING A MOBILE MAMMOGRAPHY SCREENING UNIT FOR THE NEIGHBOR ISLANDS," was Finally adopted.

**By unanimous consent, H.C.R. No. 301, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 301, and H.C.R. No. 301, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT A STATUTE AUTHORIZING A RIGHT OF ACTION TO ENFORCE THE HAWAIIAN HOMES COMMISSION ACT IN FEDERAL COURTS," was Finally adopted.

**By unanimous consent, H.C.R. No. 320, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 320, HD 1, and H.C.R. No. 320, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PLAN TO IMPROVE ATTENDANCE OF PARENTS AND SCHOOL PERSONNEL AT INTERMEDIATE AND HIGH SCHOOL OPEN HOUSES," was Finally adopted.

**By unanimous consent, H.C.R. No. 330, HD 1, SD 1, was taken from the Clerk's desk.**

On motion by Representative Apo, seconded by Representative Hemmings and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 320, HD 1, and H.C.R. No. 320, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TEMPORARY SLOWDOWN ON THE FIVE HUNDRED MEGAWATT GEOTHERMAL ENERGY AND UNDERWATER CABLE PROJECTS," was Finally adopted.

#### UNFINISHED BUSINESS

**Conf. Com. Rep. No. 166 on S.B. No. 2597, SD 1, HD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2597, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Souki rose to speak in favor of the bill, stating:

"This bill here provides the needed relief for the taxpayers of the State of Hawaii in the purchasing of their foodstuffs. For years people have been telling the Governor and the legislators of the State of Hawaii that we needed to repeal the food tax. The current system that the State of Hawaii has in the excise tax provides more than a repeal. It provides for the needed revenue from the tourists and at the same time, providing relief to the people of the State of Hawaii in the form of a tax credit.

"The tax credit prior to this bill was \$45. With this bill here, it will increase it to \$55, a permanent tax credit for food for the people of this State of Hawaii. This \$55 tax credit for a family of four amounts to \$220 a year. The average family in the State of Hawaii -- a family of four -- purchases approximately \$110 worth of food per shopping trip once a week. That amounts to approximately \$228 a year in taxes.

"This \$228 tax relief that the State of Hawaii is giving for a family of four negates that 4 percent tax on food staples and at the same time, members, we still continue to get the revenue of the tourists who do not have the benefit of that excise tax credit.

"So I believe, Mr. Speaker and members of the House, that this is a good bill and it provides the people of the State of Hawaii the needed relief in the purchase of food.

"Thank you very much."

Representative Anderson then rose and stated:

"I am going to vote for the bill but I do have a few reservations. One of them is, I'd like to continue saying the tax credit is just that -- it's a credit. It does not give us the dollars immediately. If you're buying your groceries and this doesn't apply to restaurants because a lot of people say, well, people eat out. That's not what we're talking about. We're talking about the average person who buys their food in the store. We should repeal this tax. Other states don't have it and we should also do it on medical services.

"Thank you very much."

Representative Shon then rose to speak in favor of the bill, stating:

"I think it's a great bill and it's a great companion to the bill we're going to pass next year which eliminates all taxes on medical services.

"Thank you, Mr. Speaker."

Representative Liu then rose to speak in favor of the bill, stating:

"Although I will be voting in favor of the bill, I do have some reservations. I would like to point out that there are other experts in the tax field who estimate that the average family of four would pay a higher burden of excise taxes on food and that perhaps \$67 to \$72 would be a better number to offset.

"I would just like to have that placed in the record and indicate that there are perhaps different numbers to look at.

"Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2597, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Lee being excused.

The Chair directed the Clerk to note that S.B. No. 2597 had passed Final Reading at 7:20 o'clock p.m.

**Conf. Com. Rep. No. 167 on S.B. No. 2376, SD 1, HD 1, CD 1:**

Representative Apo moved that the report of the Committee be adopted and S.B. No. 2376, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hemmings.

Representative Marumoto rose to speak in favor of the bill, stating:

"I believe we've already passed the measure for rebate of one dollar. This is the second bill to offer a one-time

\$60 rebate and I just want to ask the Governor to sign this measure and he could also sign the previous bill so we could have a \$61 rebate.

"Thank you very much."

Representative Hemmings then rose to speak in favor of the bill, stating:

"It's indeed a pleasure for me to stand and speak in favor of a bill -- the last bill on the agenda tonight -- and what appears to be my last night as a member of this body, possibly for the next couple of years, and I want to speak in a very positive manner in favor of this bill.

"Mr. Speaker, I oftentimes have been relegated as a member of the loyal opposition to stand in opposition to many of the things the Majority Party has done. That's my job. That's the job of the loyal opposition and my conscience is clear on it. And though I know my opposition in the election coming will probably edit a lot of films and have a lot written about my negative stance on many of the things that have been done, I've always tried to offer positive alternatives, especially in the area of taxes. We have stood for refunds of excess of taxes collected and tax credits in other areas.

"We've offered alternatives to the State hospital system and many of the positive initiatives that we have offered have been ignored and hence, unfortunately, my job has been hastened to vote no and speak out against those people and for those people who don't necessarily agree with what's being done.

"I know one of my colleagues. . .one of my friends has been keeping a boxscore and I think I am winning for speaking the most often on this floor. But I would like to submit to you that you have all given me tremendous amount of opportunity in that area. I wish to thank you.

"Mr. Speaker, this is a good bill. It gives people back some of the money they paid into the State coffers. I had the pleasure of being the only one to vote no against the one dollar rebate, and it's a pleasure for me in speaking to the last bill on the docket this evening to speak favorably in favor of this because I think it provides relief for the people who pay all the bills in the State of Hawaii for government -- the taxpayers.

"Thank you, Mr. Speaker."

Representative Metcalf then rose to speak in favor of the bill, stating:

"I would just like to note for the record that we've allowed Representative Hemmings to speak only because we like him, not because we agree with him.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2376, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Lee being excused.

The Chair directed the Clerk to note that S.B. No. 2376 had passed Final Reading at 7:25 o'clock p.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 401 to 405) were read by the Clerk and were disposed of as follows:

H.R. No. 401, entitled: "HOUSE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1990 AND THE CONVENING OF THE REGULAR SESSION OF 1991," was jointly offered by Representatives Alcon, Okamura, Apo, Liu and Hemmings.

On motion by Representative Okamura, seconded by Representative Hemmings and carried, H.R. No. 401 was adopted.

H.R. No. 402, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO DESIGNATE WHICH OF THE EMPLOYEES AND OFFICERS OF THE HOUSE BE GIVEN ADDITIONAL EMPLOYMENT TO MEET THE WORK AFTER THE SESSION AND IS FURTHER AUTHORIZED TO DETERMINE THE PERIOD OF EMPLOYMENT," was jointly offered by Representatives Alcon, Okamura, Apo, Liu and Hemmings.

On motion by Representative Okamura, seconded by Representative Hemmings and carried, H.R. No. 402 was adopted.

H.R. No. 403, entitled: "HOUSE RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, REGULAR SESSION OF 1990," was jointly offered by Representatives Alcon, Okamura, Apo, Liu and Hemmings.

On motion by Representative Okamura, seconded by Representative Hemmings and carried, H.R. No. 403 was adopted.

H.R. No. 404, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO EXPEND SUCH SUMS TO COMPLETE THE WORK OF THE FIFTEENTH LEGISLATURE, REGULAR SESSION OF 1990, INCLUDING THE CARRYING OUT OF ANY OFFICIAL LEGISLATIVE BUSINESS IN THE INTERIM BETWEEN THE 1990 AND 1991 SESSIONS," was jointly offered by Representatives Alcon, Okamura, Apo, Liu and Hemmings.

On motion by Representative Okamura, seconded by Representative Hemmings and carried, H.R. No. 404 was adopted.

H.R. No. 405, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 63RD DAY," was jointly offered by Representatives Alcon, Okamura, Apo, Liu and Hemmings.

On motion by Representative Okamura, seconded by Representative Hemmings and carried, H.R. No. 405 was adopted.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 832 and 833) were read by the Clerk and were placed on file:

Sen. Com. No. 832, informing the House that the following bills passed Final Reading in the Senate on May 4, 1990:

S.B. No. 1719, SD 1, HD 2, CD 1  
S.B. No. 3128, SD 2, HD 2, CD 2  
S.B. No. 2597, SD 1, HD 1, CD 1  
S.B. No. 2376, SD 1, HD 1, CD 1  
H.B. No. 1718, SD 2, CD 1  
H.B. No. 2258, HD 2, SD 2, CD 2

Sen. Com. No. 833, informing the House that the Senate has agreed to the amendments proposed by the House to S.C.R. Nos. 66, SD 1 (HD 1); 209, SD 1 (HD 1); and 243 (HD 1), and S.C.R. No. 66, SD 1, HD 1, entitled: "REQUESTING A FISCAL AND MAUI BRANCH OF THE SHERIFF'S OFFICE"; S.C.R. No. 209, SD 1, HD 1, entitled: "URGING THE GOVERNOR OF THE STATE OF HAWAII TO APPOINT AN EQUAL NUMBER OF WOMEN AND MEN TO ALL STATE BOARDS, AUTHORITIES, COMMITTEES, AND COMMISSIONS. (AMENDED TITLE)"; and S.C.R. No. 243, HD 1, entitled: "URGING RETAILERS TO REFRAIN FROM SELLING 'ZIG-ZAG' BRAND AND OTHER CIGARETTE ROLLING PAPERS" were adopted by the Senate on May 4, 1990.

#### ANNOUNCEMENTS

Representative Apo rose and stated:

"Mr. Speaker, we are all aware that this is our Minority Floor Leader's last night with us and I think it is appropriate for me to speak on behalf of the Majority caucus. . . a few words on his behalf.

"Given his announced candidacy for Governor, I would like to wish him well but we don't have unanimous consent on that. And what I am going to be glad of is that maybe we can finally get the cameras to move and stop the preoccupation with our Minority Floor Leader, but in all seriousness, Mr. Speaker, although we come from different sides of the aisle and at times different philosophies, and we even engaged in sometimes heated debate, I think anyone who has served in this body or the Senate share a common bond and a common set of experiences that I wish everyone in this State could share. And we do feel a closeness in that respect and again, although we disagreed on many issues, it is sort of sad to see him go. He has served well, and many times keeping us on our toes, watching our p's and q's, and that's what democracy is all about.

"Fred, we do wish you well and we are going to miss you.

"Mahalo."

The Chair remarked:

"I sure believe he's kept us on our toes, especially me. I've been standing here through all your speeches and I think I should send you my bill from my chiropractor for my ankles."

Representative Hemmings then rose and stated:

"Mr. Speaker, thank you. I can blame my Portuguese heritage.

"Thank you, all of you. We've been frightened and we've been confident together; we've been happy, we've been mad; we've debated, we've agreed; and we cried and laughed together. For those of you who on occasion I may have offended personally, I offer you my heartfelt apologies. My intent has never been to disagree with anyone personally, rather to address the issues. And I know, unfortunately, in the heat of debate on this floor,

oftentimes I have become overzealous and offended you personally and I do apologize.

"This has been a great human experience for me and I think we've run the gamut of human emotion. It's a great learning experience and I've learned to appreciate and tolerate all the different views that was represented on this floor. In my conscience, I've tried to do what I felt the people who elected me wanted me to do and represent the point of view that was not the majority point of view of the State. I recognize and appreciate that.

"In closing, to all of you, thank you. Thank you for being friends, thank you for being honorable, and thank you for affording me the opportunity to participate in the greatest democracy of the world.

"Aloha."

Representative Metcalf then rose and remarked:

"As Representative Hemmings once served on my committee, I feel entitled to speak twice about him this evening.

"As much as I regret seeing Representative Hemmings go, I am hopeful that in consequence thereof, there will be no confusion from the podium as to who Representative Metcalf is and who Representative Hemmings is, and in that sense, I can't help but say, Aloha Fred, we wish you well.

"Thank you."

Representative Hagino then rose and stated:

"Mr. Speaker, I would like to add my best wishes to Representative Hemmings and I would like to thank him for his offer but I cannot accept your offer of being your running mate this year -- thank you very much.

"Mr. Speaker, just changing the mood briefly, I would like to change the subject and say that this is the first session in the past three years that we did not hear the learned, eloquent and impassioned voice of a fallen comrade. I commend Representative Oshiro for remembering the memory of Representative Roland Kotani the other night. Roland Kotani fought against injustice everyday of his life. He dedicated himself to assisting the poor, the workers and the oppressed in Hawaii and all over the world. Roland fought a good fight and he kept the faith.

"I wanted to insert into the Journal, Mr. Speaker, the words of a song by Phil Ochs. I won't read the entire lyrics but I would like to enter three stanzas in Roland's memory.

'Won't see the golden of the sun, when I'm gone.  
And the evenings and the mornings will be one, when I'm gone.  
Can't be singing louder than the guns, when I'm gone  
So I guess I'll have to do it while I'm here.

'All my days won't be dances of delight, when I'm gone.  
And the sands will be shifting from my sight, when I'm gone.  
Can't add my name into the fight, when I'm gone.  
So I guess I'll have to do it while I'm here.

'And I won't be laughing at the lies, when I'm gone.  
And I can't question how or when or why, when I'm gone.  
Can't live proud enough to die, when I'm gone.  
So I guess I'll have to do it while I'm here.'

"I just wanted to say that I missed Roland this entire session.

"Thank you, Mr. Speaker."

#### ADJOURNMENT

Representative Apo moved that the House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, adjourn Sine Die, seconded by Representative Hemmings and carried.

At 7:33 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, adjourned Sine Die.



**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

Gov. Msg. No. 202 informing the House that on May 7, 1990, he signed the following bills into law:

House Bill No. 1492 as Act 56, entitled: "RELATING TO THE HAWAIIAN GENEALOGY";

House Bill No. 2169 as Act 57, entitled: "RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE";

House Bill No. 2231 as Act 58, entitled: "RELATING TO COSTS AND FEES";

House Bill No. 2312 as Act 59, entitled: "RELATING TO BONDS";

House Bill No. 2338 as Act 60, entitled: "RELATING TO PUBLICATION OF ANNUAL SUPPLEMENTS TO COMPREHENSIVE ORDINANCE CODES";

House Bill No. 2358 as Act 61, entitled: "RELATING TO CONDOMINIUMS";

House Bill No. 2400 as Act 62, entitled: "RELATING TO OFFENSES AGAINST THE PERSON";

House Bill No. 2527 as Act 63, entitled: "RELATING TO ANTITRUST PROVISIONS";

House Bill No. 2532 as Act 64, entitled: "RELATING TO THE UNIFORM TRUSTEES' POWERS ACT";

House Bill No. 2637 as Act 65, entitled: "RELATING TO THE DISPERSAL REVIEW COUNCIL";

House Bill No. 2868 as Act 66, entitled: "RELATING TO ACCOUNTING";

House Bill No. 2888 as Act 67, entitled: "RELATING TO ELDERLY HOUSING";

House Bill No. 2909 as Act 68, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 3282 as Act 69, entitled: "RELATING TO CORAL"; and

House Bill No. 3440 as Act 70, entitled: "RELATING TO LAND".

Gov. Msg. No. 203 informing the House that on May 16, 1990, he signed the following bill into law:

House Bill No. 2459 as Act 71, entitled: "RELATING TO DISASTER RELIEF".

Gov. Msg. No. 203A informing the House that on May 18, 1990, he signed the following bill into law:

House Bill No. 1718 as Act 72, entitled: "RELATING TO THE JUDICIARY".

Gov. Msg. No. 204 informing the House that he signed the following bills into law on the dates indicated:

May 23, 1990

House Bill No. 1261 as Act 73, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2283 as Act 74, entitled: "RELATING TO FAMILY COURT";

Senate Bill No. 2592 as Act 75, entitled: "RELATING TO INSURANCE HOLDING COMPANIES";

Senate Bill No. 2693 as Act 76, entitled: "RELATING TO FINANCIAL INSTITUTIONS";

Senate Bill No. 2696 as Act 77, entitled: "RELATING TO CONTINUING EDUCATION FOR NATUROPATHIC PHYSICIANS";

Senate Bill No. 2834 as Act 78, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 2938 as Act 79, entitled: "RELATING TO CIVIL SERVICE LAW AND EXEMPTIONS";

Senate Bill No. 3017 as Act 80, entitled: "RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL";

Senate Bill No. 3091 as Act 81, entitled: "RELATING TO CLAIMS FOR LEGISLATIVE RELIEF";

Senate Bill No. 3121 as Act 82, entitled: "RELATING TO INCOME TAX WITHHOLDING";

Senate Bill No. 3221 as Act 83, entitled: "RELATING TO WILDLIFE"; and

Senate Bill No. 3239 as Act 84, entitled: "RELATING TO INSURANCE".

May 24, 1990

Senate Bill No. 2587 as Act 85, entitled: "RELATING TO A NEWBORN HEARING SCREENING PROGRAM FOR THE EARLY IDENTIFICATION OF HEARING LOSS";

House Bill No. 2919 as Act 86, entitled: "RELATING TO PLANNING AND COMMUNITY DEVELOPMENT";

House Bill No. 2477 as Act 87, entitled: "RELATING TO THE PAYMENT FOR GOODS AND SERVICES"; and

House Bill No. 2489 as Act 88, entitled: "RELATING TO EMPLOYMENT SECURITY".

Gov. Msg. No. 205 informing the House that on May 31, 1990, he signed the following bills into law:

House Bill No. 2787 as Act 89, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

House Bill No. 726 as Act 90, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 2602 as Act 91, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES";

House Bill No. 2611 as Act 92, entitled: "RELATING TO FAMILY COURT";

House Bill No. 2869 as Act 93, entitled: "RELATING TO A DEPARTMENT OF EDUCATION STOREROOM";

House Bill No. 2889 as Act 94, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 2890 as Act 95, entitled: "RELATING TO THE ISSUANCE OF BONDS FOR HOUSING PROJECTS";

House Bill No. 2899 as Act 96, entitled: "RELATING TO SPECIAL FUNDS FOR DEVELOPMENTAL DISABILITIES";

House Bill No. 2914 as Act 97, entitled: "RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION";

House Bill No. 2939 as Act 98, entitled: "RELATING TO THE RENTER'S INCOME TAX CREDIT";

House Bill No. 2941 as Act 99, entitled: "RELATING TO INDIVIDUAL HOUSING ACCOUNTS";

Senate Bill No. 2277 as Act 100, entitled: "RELATING TO SENTENCING";

Senate Bill No. 2958 as Act 101, entitled: "RELATING TO APPRENTICESHIP";

Senate Bill No. 3115 as Act 102, entitled: "RELATING TO TAX ADMINISTRATION"; and

House Bill No. 2871 as Act 103, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR".

Gov. Msg. No. 206 informing the House that on June, 1990, he signed the following bills into law:

Senate Bill No. 3101 as Act 104, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM"; and

House Bill No. 2131 as Act 105, entitled: "RELATING TO NURSING".

Gov. Msg. No. 207 informing the House that on June 8, 1990, he signed the following bills into law:

House Bill No. 2288 as Act 106, entitled: "RELATING TO HIGH TECHNOLOGY";

House Bill No. 2287 as Act 107, entitled: "RELATING TO A FINANCIAL MALL";

House Bill No. 1490 as Act 108, entitled: "RELATING TO TAXATION";

Senate Bill No. 3117 as Act 109, entitled: "RELATING TO THE GENERAL EXCISE TAXATION OF FINANCIAL CORPORATIONS";

House Bill No. 2290 as Act 110, entitled: "RELATING TO ECONOMIC DEVELOPMENT";

Senate Bill No. 3088 as Act 111, entitled: "RELATING TO COMMUNITY-BASED ENTERPRISE DEVELOPMENT"; and

Senate Bill No. 1398 as Act 112, entitled: "RELATING TO INSURING MAMMOGRAM SCREENING".

Gov. Msg. No. 208 informing the House that on June 12, 1990, he signed the following bills into law:

House Bill No. 2229 as Act 113, entitled: "RELATING TO THE SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS";

Senate Bill No. 3154 as Act 114, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 2204 as Act 115, entitled: "RELATING TO VOTER FRAUD"; and

House Bill No. 2844 as Act 116, entitled: "RELATING TO VOTER EDUCATION".

Gov. Msg. No. 209 informing the House that on June 15, 1990, he signed the following bills into law:

House Bill No. 403 as Act 117, entitled: "RELATING TO CLAIMS AGAINST THE STATE";

House Bill No. 1251 as Act 118, entitled: "MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT";

House Bill No. 1660 as Act 119, entitled: "RELATING TO BANKS AND FINANCIAL INSTITUTIONS";

House Bill No. 2008 as Act 120, entitled: "RELATING TO PUPIL TRANSPORTATION";

House Bill No. 2011 as Act 121, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2014 as Act 122, entitled: "RELATING TO PICKUP TRUCKS";

House Bill No. 2164 as Act 123, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC";

House Bill No. 2202 as Act 124, entitled: "RELATING TO PRECINCT WORKERS";

House Bill No. 2207 as Act 125, entitled: "RELATING TO CHALLENGES TO CANDIDATE NOMINATION PAPERS";

House Bill No. 2233 as Act 126, entitled: "RELATING TO STATE MARINE WATERS";

House Bill No. 2258 as Act 127, entitled: "RELATING TO LEGISLATIVE MANAGEMENT";

House Bill No. 2293 as Act 128, entitled: "MAKING AN APPROPRIATION TO REVIEW THE LAWS RELATING TO FINANCIAL INSTITUTIONS";

House Bill No. 2295 as Act 129, entitled: "RELATING TO SOLICITATION OF FUNDS";

House Bill No. 2381 as Act 130, entitled: "MAKING AN APPROPRIATION FOR THE PLANNING, DEVELOPMENT, AND COORDINATION OF A STATEWIDE PROGRAM FOR THE PROVISION OF SERVICES TO CONTROL VIOLENT BEHAVIOR";

House Bill No. 2424 as Act 131, entitled: "RELATING TO TEMPORARY NUMBER PLATES";

House Bill No. 2429 as Act 132, entitled: "RELATING TO NUMBER PLATES";

House Bill No. 2817 as Act 133, entitled: "RELATING TO PARENTAGE";

House Bill No. 2843 as act 134, entitled: "RELATING TO VOTERS";

House Bill No. 2862 as Act 135, entitled: "RELATING TO COUNTIES";

House Bill No. 2864 as Act 136, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION COMMISSION";

House Bill No. 2865 as Act 137, entitled: "RELATING TO COMPENSATION FOR CRIMINAL INJURIES";

House Bill No. 2876 as Act 138, entitled: "RELATING TO CONTROLLED SUBSTANCES";

House Bill No. 2878 as Act 139, entitled: "RELATING TO MEAT INSPECTION";

House Bill No. 2884 as Act 140, entitled: "RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES";

House Bill No. 2891 as Act 141, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 2892 as Act 142, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 2901 as Act 143, entitled: "RELATING TO PREVENTIVE MEDICINE";

House Bill No. 2905 as Act 144, entitled: "RELATING TO ADULT PROTECTIVE SERVICES";

House Bill No. 2908 as Act 145, entitled: "RELATING TO PERSONAL CARE SERVICES";

House Bill No. 2929 as Act 146, entitled: "MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE SECRETARY, PRIVATE SECRETARY AND SCHOOL ADMINISTRATIVE SERVICES ASSISTANT CLASSES IN THE STATE EXECUTIVE BRANCH";

House Bill No. 2932 as Act 147, entitled: "MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE ADULT CORRECTIONS OFFICER, YOUTH CORRECTIONS OFFICER, REGISTERED PROFESSIONAL NURSE AND ANESTHETIST CLASSES IN THE STATE EXECUTIVE BRANCH";

House Bill No. 2956 as Act 148, entitled: "RELATING TO HAZARD PAY FOR AIRCRAFT EMERGENCY RESCUE DUTIES";

House Bill No. 2960 as Act 149, entitled: "RELATING TO TRANSPORTATION";

House Bill No. 2984 as Act 150, entitled: "RELATING TO KALAWAHINE LANDS";

House Bill No. 2986 as Act 151, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR LINGUATRON (USA) LIMITED";

House Bill No. 3110 as Act 152, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

House Bill No. 3114 as Act 153, entitled: "MAKING AN APPROPRIATION FOR WAIKIKI BEAUTIFICATION";

House Bill No. 3125 as Act 154, entitled: "RELATING TO RENTAL MOTOR VEHICLES";

House Bill No. 3349 as Act 155, entitled: "RELATING TO THE HONOLULU SYMPHONY"; and

House Bill No. 3410 as Act 156, entitled: "RELATING TO VOTER REGISTRATION LISTS".

Gov. Msg. No. 210 informing the House that on June 19, 1990, he signed the following bills into law:

House Bill No. 1900 as Act 157, entitled: "RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE";

House Bill No. 2112 as Act 158, entitled: "RELATING TO PUBLIC HEALTH AND MORALS";

House Bill No. 2294 as Act 159, entitled: "RELATING TO MOTOR VEHICLE INSURANCE RATES";

House Bill No. 2296 as Act 160, entitled: "RELATING TO TOURISM";

House Bill No. 2368 as Act 161, entitled: "RELATING TO PARKING FOR DISABLED PERSONS";

House Bill No. 2649 as Act 162, entitled: "RELATING TO A COMMUNITY-BASED TEENAGE HEALTH CLINIC DEMONSTRATION PROJECT";

House Bill No. 2895 as Act 163, entitled: "RELATING TO BONDS";

Senate Bill No. 26 as Act 164, entitled: "RELATING TO GOVERNMENT REGULATION";

Senate Bill No. 46 as Act 165, entitled: "RELATING TO UNATTENDED VEHICLES";

Senate Bill No. 2117 as Act 166, entitled: "RELATING TO THE SUNSET LAW";

Senate Bill No. 2174 as Act 167, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

Senate Bill No. 2318 as Act 168, entitled: "RELATING TO ANABOLIC STEROIDS";

Senate Bill No. 2432 as Act 169, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 2433 as Act 170, entitled: "RELATING TO INSURANCE";

Senate Bill No. 2549 as Act 171, entitled: "RELATING TO INTOXICATING LIQUOR";

Senate Bill No. 2764 as Act 172, entitled: "RELATING TO SPACE VEHICLES";

Senate Bill No. 2924 as Act 173, entitled: "RELATING TO HOUSING";

Senate Bill No. 2945 as Act 174, entitled: "MAKING AN APPROPRIATION FOR A TOTALLY ELECTRONIC VOTING SYSTEM";

Senate Bill No. 2978 as Act 175, entitled: "ESTABLISHING A COMMISSION TO CELEBRATE THE 500TH ANNIVERSARY OF CHRISTOPHER COLUMBUS' ARRIVAL IN THE NEW WORLD AND MAKING AN APPROPRIATION THEREFOR";

Senate Bill No. 3018 as Act 176, entitled: "RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS";

Senate Bill No. 3077 as Act 177, entitled: "RELATING TO GROUP HOMES FOR RECOVERING SUBSTANCE ABUSERS";

Senate Bill No. 3111 as Act 178, entitled: "RELATING TO RESPITE CARE AT WAIMANO TRAINING SCHOOL AND HOSPITAL";

Senate Bill No. 3233 as Act 179, entitled: "RELATING TO SPORTS";

Senate Bill No. 3170 as Act 180, entitled: "RELATING TO DEVELOPMENTAL DISABILITIES DOMICILIARY HOMES";

Senate Bill No. 3246 as Act 181, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 3403 as Act 182, entitled: "RELATING TO SAFETY AT STATE BEACH PARKS";

Senate Bill No. 1719 as Act 183, entitled: "RELATING TO TRANSPORTATION";

Senate Bill No. 3128 as Act 184, entitled: "RELATING TO TAXATION";

House Bill No. 1148 as Act 185, entitled: "RELATING TO TAXATION";

Senate Bill No. 2376 as Act 186, entitled: "RELATING TO TAX CREDITS";

Senate Bill No. 2597 as Act 187, entitled: "RELATING TO INCOME TAXATION";

Senate Bill No. 1148 as Act 188, entitled: "RELATING TO REVOCATION OF DRIVER'S LICENSE";

House Bill No. 2308 as Act 189, entitled: "RELATING TO YOUTH GANGS";

Senate Bill No. 2569 as Act 190, entitled: "MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT";

Senate Bill No. 2865 as Act 191, entitled: "RELATING TO THE POSSESSION OF FIREARMS";

Senate Bill No. 1146 as Act 192, entitled: "RELATING TO ASSAULTS ON POLICE OFFICERS";

House Bill No. 3265 as Act 193, entitled: "RELATING TO NOTICE OF ESCAPE";

Senate Bill No. 2605 as Act 194, entitled: "RELATING TO OFFENSES AGAINST PROPERTY RIGHTS";

House Bill No. 2191 as Act 195, entitled: "RELATING TO WEAPONS";

House Bill No. 2184 as Act 196, entitled: "RELATING TO GAMBLING ABOARD SHIPS";

House Bill No. 2183 as Act 197, entitled: "RELATING TO FORFEITURE";

House Bill No. 240 as Act 198, entitled: "RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS";

House Bill No. 2052 as Act 199, entitled: "RELATING TO REAPPORTIONMENT";

House Bill No. 2546 as Act 200, entitled: "RELATING TO METHAMPHETAMINE";

House Bill No. 3286 as Act 201, entitled: "RELATING TO WATERSHED MANAGEMENT";

House Bill No. 3357 as Act 202, entitled: "MAKING AN APPROPRIATION FOR MEDICAID OPTIONS";

House Bill No. 3428 as Act 203, entitled: "RELATING TO JUDGMENTS";

Senate Bill No. 1110 as Act 204, entitled: "RELATING TO PROSTITUTION";

Senate Bill No. 2314 as Act 205, entitled: "RELATING TO MASSAGE";

Senate Bill No. 2781 as Act 206, entitled: "RELATING TO THE PURCHASE OF RECYCLED PRODUCTS";

Senate Bill No. 3285 as Act 207, entitled: "RELATING TO NATURAL RESOURCES"; and

Senate Bill No. 3306 as Act 208, entitled: "RELATING TO KANEOHE BAY".

Gov. Msg. No. 211 returning House Bill No. 1576, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1576

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1576, entitled, 'A Bill for an Act Relating to Tax Credits.'

The purpose of this bill is to provide a \$1 income tax credit to each individual taxpayer who files a resident tax return for the taxable year commencing on January 1, 1990, to return excess revenues to the people of this State as provided in section 6 of Article VII of the State Constitution.

However, another bill, Senate Bill No. 2376, which was also passed by the Legislature, will provide a larger income tax credit of \$60 per individual to also satisfy the provisions of section 6 of Article VII of the State Constitution.

However, another bill, Senate Bill No. 2376, which was also passed by the Legislature, will provide a larger income tax credit of \$60 per individual to also satisfy the provisions of section 6 of Article VII of the Constitution. It is my belief that the \$60 tax credit provided by Senate Bill No. 2376 will provide an adequate return of the excess state revenues and that the \$1 credit provided by this bill is unnecessary and may lead to confusion as to the correct amount of credit with the signing of both bills.

For the foregoing reasons, I am returning House Bill No. 1576 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1576, entitled, 'A Bill for an Act Relating to Tax Credits,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1576 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1576 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 212 returning House Bill No. 2531, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2531

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2531, entitled, 'A Bill for an Act Relating to Hotel Licenses.'

The purpose of House Bill No. 2531 is to amend the intoxicating liquor laws to authorize the holder of a hotel liquor license to provide: (1) entertainment on the hotel premises; (2) off-premises catering directly related to the license holder's hotel operations; and (3) customary hotel services, such as room service and minibars in hotel guest rooms.

However, another bill, Senate Bill No. 2549, entitled, 'A Bill for an Act Relating to Intoxicating Liquor,' which was also passed by the Legislature, will strengthen and

clarify the statutes relating to intoxicating liquor and will also make substantially similar amendments to the hotel liquor license statute. Furthermore, Senate Bill No. 2549 will clarify that a hotel liquor license authorizes not only the provision of entertainment but also the allowance of dancing on the hotel premises. Since I intend to approve Senate Bill No. 2549, there is no necessity to also approve House Bill No. 2531.

For the foregoing reasons, I am returning House Bill No. 2531 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2531, entitled, 'A Bill for an Act Relating to Hotel Licenses,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2531 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2531 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. 213 returning House Bill No. 2883, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2883

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2883, entitled, 'A Bill for an Act Relating to Claims for Legislative Relief.'

The purpose of this bill is to streamline the processing of legislative claims under section 37-77, Hawaii Revised Statutes.

A companion bill, Senate Bill No. 3091, was also passed by the Legislature during the Regular Session of 1990. Since I approved Senate Bill No. 3091 on May 23, 1990, as Act 81, there is no need to also approve this bill.

For the foregoing reason, I am returning House Bill No. 2883 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2883, entitled, 'A Bill for an Act Relating to Claims for Legislative Relief,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2883 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2883 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 214 returning House Bill No. 3302, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 3302

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3302, entitled, 'A Bill for an Act Relating to Penalties for Littering.'

The purpose of House Bill No. 3302 is to establish minimum mandatory penalties for littering. Although the

purpose of this bill has merit, the bill does not contain the enacting clause, 'Be it enacted by the Legislature of the State of Hawaii.' Consequently, this bill violates Section 14 of Article III of the State Constitution and cannot validly become law.

For the foregoing reason, I am returning House Bill No. 3302 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3302, entitled, 'A Bill for an Act Relating to Penalties for Littering,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3302 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3302 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 215 transmitting his statement of objections to Senate Bill No. 1985 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1985

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1985, entitled, 'A Bill for an Act Relating to the Hawaii Bishop Research Institute.'

The purpose of Senate Bill No. 1985 is to establish the Hawaii Bishop Research Institute to facilitate collaboration between the Bishop Museum and the University of Hawaii in researching issues in the areas of

anthropology, botany, entomology, zoology, biological diversity, conservation biology, museum studies and artifact conservation, Pacific cultures, and art history.

Although this collaboration clearly would be in the best interest of the State and its people, certain government organizational requirements imposed by our State Constitution, namely that the executive be allowed the prerogative of appointing state officials and that all permanent state agencies be attached to principal departments of the State, have not been adhered to.

For the foregoing reasons, I am returning Senate Bill No. 1985 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1985, entitled, 'A Bill for an Act Relating to the Hawaii Bishop Research Institute,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1985 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1985 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 216 transmitting his statement of objections to Senate Bill No. 2120 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2120

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without

my approval, Senate Bill No. 2120, entitled, 'A Bill for an Act Relating to Laboratories.'

The purpose of Senate Bill No. 2120 is to amend section 26H-4, Hawaii Revised Statutes, to establish a new sunset date of December 31, 1993, for the regulation of laboratory directors, technologists, supervisors, and technicians.

However, Senate Bill No. 2117, which was also passed by the Legislature, will amend the same section 26H-4 to reorganize the schedule of sunset evaluations required to be performed by the Legislative Auditor. Senate Bill No. 2117 will spread out the evaluations over a ten-year period, with the regulation of laboratory directors, technologists, supervisors, and technicians assigned a new sunset date of December 31, 1996. Since I intend to approve Senate Bill No. 2117, there is no necessity to also approve Senate Bill No. 2120.

For the foregoing reason, I am returning Senate Bill No. 2120 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2120, entitled, 'A Bill for an Act Relating to Laboratories,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2120 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2120 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 217 transmitting his statement of objections to Senate Bill No. 2550 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2550

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2550, entitled, 'A Bill for an Act Relating to Statutory Revision: Amending, Reenacting, or Repealing Various Provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the Purpose of Correcting Errors, Clarifying Language, Correcting References, and Deleting Obsolete or Unnecessary Provisions.'

The purpose of this bill is to amend, reenact, or repeal various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purposes of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions.

However, House Bill No. 2088, which was also passed during the Regular Session of 1990, will amend the same statutes. Since on April 23, 1990, I approved House Bill No. 2088 as Act 34, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 2550 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2550, entitled, 'A Bill for an Act Relating to Statutory Revision: Amending, Reenacting, or Repealing Various Provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purpose of Correcting Errors, Clarifying Language, Correcting References, and Deleting Obsolete or Unnecessary Provisions,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2550 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2550 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 218 transmitting his statement of objections to Senate Bill No. 3287 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 19, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 3287

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3287, entitled, 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds to Assist Utilities Serving the General Public.'

The purpose of Senate Bill No. 3287 is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$119,000,000, in one or more series, for the purpose of assisting Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company Limited, and to amend section 39A-211, Hawaii Revised Statutes, to extend from June 30, 1991 to June 30, 1995 the sunset provision for issuance of special purpose revenue bonds to assist utilities serving the general public.

This bill is substantially identical to House Bill No. 2787, which was also passed by the Legislature. Since I approved House Bill No. 2787 on May 31, 1990, as Act 89 of the Regular Session of 1990, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 3287 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3287, entitled, 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds to Assist Utilities Serving the General Public,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3287 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3287 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.



DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 219 returning House Bill No. 2273,  
without his approval and with his statement of objections  
relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 25, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2273

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution  
of the State of Hawaii, I am returning herewith, without  
my approval, House Bill No. 2273, entitled, 'A Bill for an  
Act Making an Appropriation for Hawaii Public  
Television.'

The purpose of House Bill No. 2273 is to appropriate  
funds to support the creation of a weekly half-hour news  
show produced for Hawaii public television focusing on  
issues and events in the Pacific Region. Specifically, the  
bill appropriates \$250,000 to be paid into the Public  
Broadcasting Revolving Fund and authorizes the use of  
\$500,000 from the revolving fund to be used for the  
creation of the weekly news program, provided that the  
sum appropriated or authorized shall be matched on a  
dollar-for-dollar basis through a special fund-raising effort  
by the Hawaii Public Broadcasting Authority.

The amount of money appropriated to the Hawaii  
Public Broadcasting Authority is not sufficient to  
undertake the project as originally conceived and as  
specified by the bill. The bill, as originally introduced,  
called for an appropriation of \$1 million in matching  
funds to help generate additional private funding to meet  
a \$2.7 million projected cost of producing the program.

Additionally, the provision of the bill requiring  
reversion of \$500,000 to the general fund if that sum is  
not matched by private fund-raising efforts poses a  
potential significant loss of future private contributions to  
the Hawaii Public Broadcasting Authority. It is entirely  
conceivable that private donors will be hesitant to  
contribute to Hawaii public television if there is a  
possibility of their donations being diverted for anything  
other than use by the Hawaii Public Broadcasting  
Authority.

Moreover, this bill poses a potential threat to the  
HPBA's broadcast licenses issued by the Federal  
Communications Commission. Those licenses are held by  
HPBA, not the State of Hawaii, and it is the HPBA who  
is responsible for broadcast policy decisions, including  
programming decisions. This bill, in effect, forces HPBA  
to accept State funds and to do the specific programming  
required by the bill, upon pain of losing funds now held  
in HPBA's revolving fund. If HPBA were free to reject  
the conditional funds, this problem would not exist.  
Whether this bill creates the sort of relinquishment of  
control over programming decisions that would result in  
the Federal Communication Commission taking action

against HPBA is, in the opinion of HPBA's legal counsel  
for FCC matters, an open question.

For the foregoing reasons, I am returning House Bill  
No. 2273 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the  
Constitution of the State of Hawaii, the Governor is  
required to give notice, by a proclamation, of his plan to  
return with his objections any bill presented to him less  
than ten days before adjournment sine die of the  
Legislature; and

WHEREAS, House Bill No. 2273, entitled, 'A Bill for  
an Act Making an Appropriation for Hawaii Public  
Television,' passed by the Legislature, was presented to  
the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2273 is unacceptable to the  
Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of  
the State of Hawaii, do hereby issue this proclamation,  
pursuant to the provisions of Section 16 of Article III of  
the Constitution of the State of Hawaii, giving notice of  
my plan to return House Bill No. 2273 with my objections  
thereon to the Legislature as provided by said Section 16  
of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 220 transmitting his statement of  
objections to Senate Bill No. 2833 which he has returned  
to the Senate without his approval and which reads as  
follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 25, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2833

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution  
of the State of Hawaii, I am returning herewith, without  
my approval, Senate Bill No. 2833, entitled, 'A Bill for  
an Act Relating to Condominiums.'

One purpose of Senate Bill No. 2833 is to provide a  
procedure for the Real Estate Commission to intervene in  
the removal of a member of a board of directors of a  
condominium apartment owners association when the  
board member intentionally fails to comply with certain  
provisions of chapter 514A, Hawaii Revised Statutes.  
This provision of the bill would create an unacceptable

administrative burden on the Real Estate Commission. Many of the requirements of chapter 514A which are on the list that the Commission must enforce pursuant to this bill are not within the jurisdiction of the Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office. Since the Commission could not tap the investigative resources of the Regulated Industries Complaints Office in analyzing these cases, these investigations would need to be conducted by the Commission itself. The Commission does not have any investigators nor sufficient staff to process complaints of this nature. With over 2,000 condominium projects representing over 100,000 apartment owners, this bill would have a tremendous impact on the limited resources of the Commission.

Currently, problems concerning boards of directors are handled informally through an advice and education process. This has worked well because most failures to follow the law are not intentional, but are a result of lack of knowledge of the law. The bill's focus on intentional failures to follow the law misses the real problem of fostering compliance with chapter 514A. The resources of the Commission are spent better on education and mediation programs.

Existing law contains a procedure for removal of members of boards of directors, and it has been successfully used by at least five condominium projects during the past year. Apartment owners also have the opportunity to use the Neighborhood Justice Center and arbitration proceedings to protect their rights without involving the Commission or the Regulated Industries Complaints Office.

For the foregoing reasons, I am returning Senate Bill No. 2833 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2833 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2833 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 221 transmitting his statement of objections to Senate Bill No. 2964 which he has returned

to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 25, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2964

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2964, entitled, 'A Bill for an Act Relating to Contest Officials.'

The purpose of Senate Bill No. 2964 is to protect contest officials from physical assault and thereby to promote hiring and retention of qualified officials. Contest officials are those who officiate at publicly exhibited contests and include umpires, referees, judges, and linespersons, among others.

While the purpose of the bill is laudable, as passed by the Legislature it provides no additional protection to contest officials than that which is already afforded to them under existing statutes. In the bill as originally introduced, assault on a contest official would have been expressly included in the definition of the offense of assault in the second degree, which is a class C felony under Section 707-711, Hawaii Revised Statutes.

However, the bill as passed will define the new offense of 'assault of athletic contest official' to be identical to the existing offense of assault in the third degree, except for the definition of 'contest official.' The new offense will be classified as a misdemeanor, which is the classification of the existing offense of assault in the third degree. Consequently, a person who causes bodily injury to a contest official is already subject to prosecution for assault in the third degree under Section 707-712, Hawaii Revised Statutes, and this bill will do nothing more than duplicate existing law.

For the foregoing reasons, I am returning Senate Bill No. 2964 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2964, entitled, 'A Bill for an Act Relating to Contest Officials,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2964 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2964 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 25th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 222 returning House Bill No. 256, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 256

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 256, entitled, 'A Bill for an Act Relating to Small Claims Court.'

The purpose of House Bill No. 256 is to preclude removal of cases from the small claims division of the district court if the removal is not agreed to by the plaintiff.

Despite language in the committee reports and Section 3 of the bill to the effect that the proposed amendment shall not abrogate or superesede other statutory provisions regarding the jurisdiction of the small claims cases, and the exercise of the right to jury trial, the amendment itself is silent concerning these matters. Neither the bill's accompanying committee reports nor the bill addresses the effect of the proposed amendment on small claims court defendants' present rights under these provisions. The omission of such language from the amendments made by this bill may cause uncertainty and confusion which may have a negative impact on the rights of small claims litigants.

For the foregoing reasons, I am returning House Bill No. 256 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 256, entitled, 'A Bill for an Act Relating to Small Claims Court,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 256 is not acceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 256 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 223 returning House Bill No. 332, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 332

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 332, entitled, 'A Bill for an Act Relating to Motor Vehicles.'

The purpose of House Bill No. 332 is to impose a \$10.00 transfer fee that will be payable when a motor vehicle is moved from one county to another county and is registered in the county where the vehicle is located.

While the intent of this bill remains an admirable effort to require all vehicles in a county to contribute, by way of a transfer fee, a fair amount to the cost of maintaining roadways, it also creates an inequitable situation between motor vehicles being transferred from the mainland and those being transferred from one county to another. Owners transferring their vehicles to Hawaii from out of the State will be charged \$5.00 less than those owners relocating vehicles from one county to another within the State.

In addition, the bill creates some opportunities for abuse in that an owner of a vehicle could avoid this fee by registering the vehicle in the same county upon the expiration of the current registration, without physically returning the vehicle to the original county. Policing such abuses would be very difficult if not impossible.

For the foregoing reasons, I am returning House Bill No. 332 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 332, entitled, 'A Bill for an Act Relating to Motor Vehicles,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 332 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 332 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 224 returning House Bill No. 2022, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2022

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2022, entitled, 'A Bill for an Act Relating to Legislative Vacancies.'

The purpose of House Bill No. 2022 is to specify a time certain, namely sixty days, within which the Governor must appoint a person to fill any vacancy in the State Legislature. The measure also specifies that the person appointed be a member of the same party as the person whom the appointee succeeds as of the date of the vacancy or nonpartisan, as appropriate.

There appears to be no compelling reason to statutorily specify an arbitrary period of time within which gubernatorial appointments to fill vacancies in the State Legislature must be made. Furthermore, state law already requires that a person appointed to fill a vacancy in the State Legislature be of the same political party or nonpartisanship as the person being succeeded.

For the foregoing reasons, I am returning House Bill No. 2022 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2022, entitled, 'A Bill for an Act Relating to Legislative Vacancies,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2022 is not acceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2022 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 225 returning House Bill No. 2069, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2069

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2069, entitled, 'A Bill for an Act Relating to the Budget.'

The purpose of House Bill No. 2069 is to amend sections 37-69, 37-70, 37-71, 37-72, and 37-75, Hawaii Revised Statutes, to require the submission of the six-year program and financial plan, the program memoranda, the budget, the supplemental budget, and the variance report thirty days prior to the convening of the applicable session of the Legislature.

Initially, it appears that this bill shortens the time for preparation of the above documents by ten days. However, because the program memoranda, which presently are submitted on the day the Legislature convenes, discuss and summarize the major program

changes and budget items contained in the budget or supplemental budget, they cannot be prepared until after the budget or supplemental budget is finalized. The practical effect of House Bill No. 2069, then, is to shorten the time for budget preparation by thirty days. This drastic reduction in the time that can be spent for budget formulation in the executive departments, for in-depth review of the budget requests, and for decision-making on the budget or supplemental budget as a whole would result in an erosion of the quality of the program and financial plan, the budget, the supplemental budget, and the program memoranda.

For the foregoing reason, I am returning House Bill No. 2069 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2069, entitled, 'A Bill for an Act Relating to the Budget,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2069 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3287 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 226 returning House Bill No. 2265, without his approval and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS

June 26, 1990

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2265

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2265, entitled, 'A Bill for an

Act Relating to the Enforcement of Ocean-Related Activities.'

The purpose of House Bill No. 2265 is to provide for a more efficient and effective shoreline and ocean waters enforcement program by requiring the Legislative Auditor to conduct a comprehensive study of existing ocean-related programs and functions.

However, House Bill No. 2265 also cancels the transfer of the Department of Transportation's marine patrol to the Department of Public Safety and requires the Director of Public Safety to exclude the Department of Land and Natural Resources from the director's recommendations to the Legislature regarding the transfer of all other state public safety functions and employees to the Department of Public Safety.

It is inadvisable at this time to cancel the transfer of the Department of Transportation's marine patrol to the Department of Public Safety and to preclude the Director of Public Safety from considering the Department of Land and Natural Resources personnel in the director's transfer recommendations. The Department of Public Safety was established to consolidate all public safety functions and employees of state government to ensure better organization and coordination of public safety functions, allow for standardized training, and establish a 'career ladder' for public safety employees. A study of only the public safety functions pertaining to ocean-related activities without consideration of other public safety functions appears to be contrary to the purpose of the establishment of the Department of Public Safety.

For the foregoing reasons, I am returning House Bill No. 2265 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2265, entitled, 'A Bill for an Act Relating to the Enforcement of Ocean-Related Activities,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2265 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2265 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE

Governor of Hawaii"

Gov. Msg. No. 227 returning House Bill No. 2413, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2413

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2413, entitled, 'A Bill for an Act Relating to Licensing.'

The purpose of this bill is to uniformly require one year of predoctoral internship in an organized health service training program and one year of post-doctoral experience as a minimum requirement for licensure as a psychologist from graduates of both regionally accredited institutions and training programs approved by the American Psychology Association.

Although requiring an organized internship and post-doctoral experience prior to licensure for independent practice as a psychologist will help to assure better trained applicants for licensure, the limitation of internships to only predoctoral internships may result in the denial of licensure to well-trained individuals who take only post-doctoral internships. In addition, the bill exempts from the amended minimum requirements for licensure set out in the bill only persons who commenced training before January 1, 1990, in a training program approved by the American Psychology Association if those persons receive a doctoral degree before January 1, 1994 and apply for licensure by June 30, 1994. The bill does not delay application of the amended licensure requirements to persons who are presently enrolled in, or graduated from, regionally accredited institutions. The immediate application of the amended requirements may create hardship for these persons whose training and experience met the present legal requirements.

For the foregoing reasons, I am returning House Bill No. 2413 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2413, entitled, 'A Bill for an Act Relating to Licensing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2413 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2413 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 228 returning House Bill No. 2418, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2418

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2418, entitled, 'A Bill for an Act Relating to Insurance.'

The purpose of this bill is to replace preferential tax rates given to domestic (Hawaii) insurance companies with a single insurance premium tax rate for all domestic and foreign (non-Hawaii) insurers. The existing preferential tax rates have been challenged in court on the ground of being discriminatory against foreign insurance companies. This bill is an attempt to eliminate possible legal infirmities in the existing tax. However, the credit system contained in this bill results in unacceptably high revenue losses to the State and leaves the tax open to possible legal challenge.

The bill repeals facially discriminatory tax rates and substitutes therefor a credit structure based upon employee-related expenses incurred by an insurer in Hawaii. Under the bill, domestic insurers are projected to pay the same (or even less) tax as they now pay because the credit system will offset the bill's increased tax rates. Foreign insurers will pay less than they do now, because the credit is equally available to them.

The revenue loss to the State in the first few years alone of the bill's operation is projected at approximately 6 to 10 million dollars a year. Because little is known about compensation packages and the number of employees in the insurance industry, the long-term extent of revenue losses under the bill's credit system is unpredictable. More study is needed before implementing such a system.

Moreover, because most domestic insurance companies do not maintain as large an employee base in Hawaii as do domestic insurers, the bill's taxing scheme appears to be even more favorable to domestic insurance companies than the existing tax and, therefore, open to challenges of

discrimination. The bill thus substitutes one possibly illegal tax for another at substantial cost to the State.

For the foregoing reasons, I am returning House Bill No. 2418 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2418, entitled, 'A Bill for an Act Relating to Insurance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2418 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2418 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 229 returning House Bill No. 3149, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 3149

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3149, entitled, 'A Bill for an Act Relating to Coastal Zone Management.'

The primary purpose of House Bill No. 3149 is to amend the definition of 'development' in section 205A-22, Hawaii Revised Statutes, to clarify that 'development' includes nonstructural commercial uses, unless they are specifically exempted by county ordinances.

However, this bill will also amend the definition of 'special management area' to delete the words limiting the

special management area ('SMA') to land 'extending inland from the shoreline.' The deletion will result in a new definition of SMA that could allow the counties to extend their SMA jurisdiction even beyond the mean high water, thus creating potential problems of conflicting jurisdiction in all of the State's jurisdictional area, including the territorial sea.

For the foregoing reason, I am returning House Bill No. 3149 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3149, entitled, 'A Bill for an Act Relating to Coastal Zone Management,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3149 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3149 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 230 transmitting his statement of objections to Senate Bill No. 33 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE NO. 33

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 33, entitled, 'A Bill for an Act Relating to Gender.'

The purpose of Senate Bill No. 33 is to amend section 1-17, Hawaii Revised Statutes, by clarifying that the

words in the Hawaii Revised Statutes which reference masculine and feminine gender shall infer a gender neutral meaning.

Section 1-17, which is part of the chapter that states general rules of statutory interpretation that are applicable to the Hawaii Revised Statutes, presently provides that words in the 'masculine gender signify both the masculine and feminine gender.' This bill will amend section 1-17 to state that words in 'either gender signify both the masculine and feminine gender.'

Before the Legislature implemented its current policy to use gender neutral references in statutes, statutes were often drafted with masculine gender references even when there was no intent to limit the application of the statutes to only males. Consequently, a general rule of statutory interpretation regarding masculine gender references was needed to avoid interpretations of the statutes that limited application only to males. On the other hand, when statutes were drafted to use only feminine gender references, those statutes were intended to apply only to females and not to males. Therefore, a general rule of statutory interpretation making feminine gender references now also signify the masculine gender may cause confusion as to the applications of those statutes.

Although this bill was intended to be a mere housekeeping measure, I believe that there may be some unintended consequences of having all existing feminine gender references now also signify the masculine gender. Review of the specific statutes should be made and, if necessary, amendments to those specific statutes should be proposed to eliminate references that are unnecessarily gender specific.

For the foregoing reasons, I am returning Senate Bill No. 33 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 33, entitled, 'A Bill for an Act Relating to Gender,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 33 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 33 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 231 transmitting his statement of objections to Senate Bill No. 1214 which he has returned to the Senate without his approval and which reads as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS

June 26, 1990

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1214

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1214, entitled, 'A Bill for an Act Relating to the Pacific Aerospace Museum.'

The purpose of Senate Bill No. 1214 is to appropriate \$750,000 from the state general fund, to be expended by the Department of Budget and Finance as a grant-in-aid to provide furnishings and displays for the start up of the Pacific Aerospace Museum.

Because this bill appropriates general funds for a private nonprofit organization, the requirements of chapter 42, Hawaii Revised Statutes, must be satisfied before any moneys may be expended. It is my understanding that the Pacific Aerospace Museum did not meet all of the standards of section 42-2, Hawaii Revised Statutes, at the time it applied for funding. Since the requirements of chapter 42 have not been satisfied, the moneys to be appropriated by this bill cannot be expended.

For the foregoing reasons, I am returning Senate Bill No. 1214 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1214, entitled, 'A Bill for an Act Relating to the Pacific Aerospace Museum,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1214 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1214 with my objections



thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 232 transmitting his statement of objections to Senate Bill No. 1490 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1490

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1490, entitled, 'A Bill for an Act Relating to Motor Vehicle Insurance.'

The purpose of Senate Bill No. 1490 is to allow combining the medical-rehabilitative expenses in cases where a person is reinjured in a motor vehicle accident within six months of an earlier injury received in a motor vehicle accident, and a question of apportioning the two injuries arises.

By allowing the combination of the medical or rehabilitative expenses of two or more accidents, the medical-rehabilitative limit or 'tort threshold' could be more easily exceeded, which would result in more cases proceeding to litigation. The increase in the potential for litigation activity could consequently result in increased insurance premiums, which would be contrary to one of the purposes behind the No-Fault Law.

Additionally, the bill is technically defective. On page 1, lines 4 and 11, references are made to section '432:10C-' and 'section 432:10C-308,' Hawaii Revised Statutes. The general subject matter of chapter 432, Hawaii Revised Statutes, relates to mutual and fraternal benefit societies, not no-fault insurance, and there is no article 10C in chapter 432. Consequently, the statutory references in this bill will result in some confusion.

For the foregoing reasons, I am returning Senate Bill No. 1490 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less

than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1490, entitled, 'A Bill for an Act Relating to Motor Vehicle Insurance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1490 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1490 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 233 transmitting his statement of objections to Senate Bill No. 2157 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2157

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2157, entitled, 'A Bill for an Act Relating to Employment.'

The purpose of Senate Bill No. 2157 is to establish a permanent voluntary job-sharing program open to all positions in the Department of Health (DOH). 'Job-sharing' is defined as the voluntary sharing of a full-time permanent employee's position with another employee, with each working one-half of the total number of hours of work required each month, and each receiving one-half of the salary to which each is respectively entitled, and at least one-half of each employee benefit afforded to full-time employees.

The bill is premature in view of Act 244, Session Laws of Hawaii 1989, which established a four-year voluntary job-sharing pilot program for all state agencies, including the DOH, to participate in a temporary, statewide job-sharing pilot project to be implemented by the Department of Personnel Services on July 1, 1990. This statewide pilot project will provide more information on which to plan and implement a permanent job-sharing program for the entire State. Employees exempted from Act 244, Session Laws of Hawaii 1989, can participate in the job-sharing program by administrative action that will be undertaken.

For the foregoing reasons, I am returning Senate Bill No. 2157 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2157, entitled, 'A Bill for an Act Relating to Employment,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2157 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2157 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 234 transmitting his statement of objections to Senate Bill No. 2169 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2169

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2169, entitled, 'A Bill for an Act Relating to Intoxicating Liquor.'

The purpose of Senate Bill No. 2169 is to require any public place where intoxicating liquor, beer, or wine is sold at retail to post a sign that reads: 'Drinking alcoholic beverages during pregnancy can cause birth defects.'

According to a study conducted by the National Institute on Alcohol Abuse and Alcoholism, ninety-six percent of the women who had given birth during a three-month period in a given study area were aware of the dangers of liquor consumption during pregnancy. However, fifty-nine percent of these women reported that

they had consumed alcohol during their pregnancy. The mere posting of a warning sign, therefore, would have only a minuscule effect on the prevention of alcohol consumption by pregnant women.

On the other hand, there are other more desirable measures that would achieve the purpose of the bill. First, federal law already requires alcoholic beverage manufacturers to print a statement on their products informing pregnant women of the dangers of alcohol consumption. Second, House Bill No. 2280, which was also passed by the Legislature and which I intend to approve, establishes, among other things, a three-year maternal care incentives project to encourage early prenatal care and a three-year demonstration project for comprehensive perinatal care in needy areas. From a policy standpoint, early prenatal care and health education are more effective than display of signs in the prevention of alcohol consumption by pregnant women.

For the foregoing reasons, I am returning Senate Bill No. 2169 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2169, entitled, 'A Bill for an Act Relating to Intoxicating Liquor,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2169 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2169 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 235 transmitting his statement of objections to Senate Bill No. 2254 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2254

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2254, entitled, 'A Bill for an Act Relating to Grants, Subsidies, and Purchases of Service.'

The purpose of this bill is to exclude agricultural research and promotion agreements from the requirements of chapter 42, Hawaii Revised Statutes, and to create a new chapter to provide standards for grants, subsidies, and purchases of service agreements that relate to agricultural research and promotion.

The bill would create a duplicative process for approving and funding contracts in these areas. Currently, the procedure required by chapter 42 functions efficiently. There is no need to create separate and slightly different procedures, administered by the Governor's Agriculture Coordinating Committee and the Department of Agriculture rather than by the Department of Budget and Finance, for agricultural promotion and research agreements.

Moreover, to assure consistency in the State's planning process it is preferable that grants, subsidies, and purchases of service for all state agencies be subject to review by the Department of Budget and Finance.

For the foregoing reasons, I am returning Senate Bill No. 2254 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2254, entitled, 'A Bill for an Act Relating to Grants, Subsidies, and Purchases of Service,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2254 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2254 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 236 transmitting his statement of objections to Senate Bill No. 2435 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2435

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2435, entitled, 'A Bill for an Act Relating to Motor Vehicle Insurance.'

The purpose of Senate Bill No. 2435 is to amend section 431:10C-305(b), Hawaii Revised Statutes, concerning the payment of no-fault benefits. The present law provides that if an individual is entitled to receive both workers' compensation and no-fault benefits, the aggregate payment of these benefits shall not exceed eighty percent of the person's monthly earnings. The bill adds a further limitation on aggregate benefits where the person's employer provides both the workers' compensation and no-fault coverages. In such a case, the aggregate benefits will not exceed the person's net monthly earnings. The net monthly earnings are defined as monthly earnings, less federal and state taxes and FICA.

In certain situations, the provisions of this bill could result in an injured worker receiving weekly workers' compensation benefits less than the sixty-six and two-thirds percent of the worker's average weekly wage, which is the amount provided in the workers' compensation law. This situation could occur because the bill uses the net monthly earnings as the maximum aggregate workers' compensation and no-fault benefit receivable by an individual. This amount will vary for each individual claimant depending upon the person's wages and the number of tax exemptions claimed. Under this bill, there will be circumstances where a person who receives an injury that is compensable under the workers' compensation law will receive less benefits simply because the injury is also covered under the employer's no-fault insurance coverage. This penalizes injured workers for circumstances entirely beyond the worker's control and undermines the integrity of the workers' compensation law.

For the foregoing reasons, I am returning Senate Bill No. 2435 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2435, entitled, 'A Bill for an Act Relating to Motor Vehicle Insurance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2435 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2435 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 237 transmitting his statement of objections to Senate Bill No. 2794 with the \$2,750,000 appropriation stricken from Section 5 of the bill (on page 4) which he has returned to the Senate which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2794

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2794, entitled, 'A Bill for an Act Relating to Health.'

The purposes of Senate Bill No. 2794 are to establish a blue ribbon panel within the Department of Health to examine the financial and economic dynamics of the health care industry in Hawaii and to appropriate funds to supplement institutional health care reimbursements for inpatient care under the State's medical care payments law.

While the bill as a whole is meritorious in its intent, I object to section 5 of this bill, which appropriates \$2,750,000 to be distributed to all medicaid participating institutional providers of medical care which meet ascertained criteria.

My concerns regarding section 5 are threefold.

First, there is no evidence that a shortfall in institutional health care reimbursements exists. The Department of Health and Department of Human Services indicate that no comprehensive financial audit has ever been conducted to substantiate this premise. The Department of Human Services has authorized its fiscal agent for the medicaid program (Hawaii Medical Services Association) to conduct a comprehensive independent audit on the medical facilities to ascertain if a shortfall exists and, in time, the extent of the shortfall. The

Department of Human Services indicates that the audit should be completed in approximately eighteen months.

Second, the State is not legally obligated to cover any perceived shortfall between medicaid rates and the costs of services rendered by the medical institutions. Presently, medicaid reimbursements are determined by the Department of Human Services utilizing federal guidelines. Federal guidelines stipulate that the State's prospective payment system of determining medicaid reimbursements cannot exceed medicare upper limits. The Department of Human Services indicates that its present reimbursement levels for all hospitals are at the highest level allowed according to federal guidelines. It appears that the general fund match for medicaid is equitable and the State has met its funding obligations.

Third, it appears that the amount appropriated will have minimal impact on the cost of medicaid care provided in the State. The Department of Human Services indicates that up to forty medical institutions may qualify for the grant. If each institution receives an equal share, the amount of the grant for each medical facility would be approximately \$69,000 for fiscal year 1990-1991. Thus, it would appear that the grant would have minimal impact on offsetting hospital costs and thus would probably not have any impact on maintaining current rates.

For the foregoing reasons, I am returning Senate Bill No. 2794 with the \$2,750,000 appropriation deleted from section 5.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2794, entitled, 'A Bill for an Act Relating to Health Care,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto or reduce any specific item or items in any bill which appropriates money for specific purposes; and

WHEREAS, Senate Bill No. 2794 appropriates money for specific purposes; and

WHEREAS, a certain appropriation item in Senate Bill No. 2794 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2794 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,

this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 238 transmitting his statement of objections to Senate Bill No. 2801 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2801

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2801, entitled, 'A Bill for an Act Relating to County Licenses.'

The purpose of this bill is to amend the definitions of the terms 'hotel,' 'lodging or tenement house,' 'group home,' 'group residence,' 'group living arrangement,' and 'rooming house' in chapter 445, Hawaii Revised Statutes ('HRS'), for purposes of county business licenses. The committee reports indicate that the changes are intended to exclude single room occupancy units, which are occupied primarily by the elderly, from the definition of 'hotel' in section 445-90, HRS. However, the bill does not achieve this intended goal and creates ambiguities that would make it difficult to administer and enforce.

Section 445-94, HRS, requires that applicants for county business licenses for lodging or tenement houses, group homes, group residences, group living arrangements, hotels, boarding houses, and restaurants first obtain a sanitation certificate from the Department of Health, and, for initial licenses, clearance from the county assuring that the structure complies with building and zoning codes, before the license may be issued. The term 'hotel' is presently defined in section 445-90 as 'any building or portion thereof or buildings containing more than nine rooming units, in which space is let by the owner or operator to six or more unrelated persons.' Currently, many buildings containing single room occupancy units fit this definition, since they contain more than nine rooming units and are rented to six or more unrelated persons. The units do not include kitchens.

This bill would redefine the term 'hotel' to mean 'any building or portion thereof containing lodging or dwelling units, or both, in which fifty per cent or more of the units are lodging units.' The bill does not define the terms 'lodging unit' and 'dwelling unit.' However, using the definitions contained in the Land Use Ordinance of the City and County of Honolulu, a 'lodging unit' would be a room or connecting rooms without a kitchen; while a 'dwelling unit' would consist of a room or connecting rooms constituting an independent living unit, including a kitchen. Thus, reading this bill in conjunction with those definitions, many buildings with single room occupancy units would still be classified as hotels since they contain 'fifty per cent or more' units without kitchens.

In addition, this bill would blur the distinctions between hotels and other types of living facilities. Along with amending the definition of the term 'hotel,' it would

amend the definition of the terms 'lodging or tenement house,' 'group home,' 'group residence,' 'group living arrangement,' and 'rooming house' to delete the upper limit of nine rooming units, so that those living arrangements would be defined as 'any building or portion thereof in which space is let by the owner or operator to three or more unrelated persons.' Therefore, this broad new definition would also include facilities otherwise classified as hotels in which space is rented to three or more unrelated people. And the other types of facilities could also be considered 'hotels' if fifty percent or more of their units lacked kitchens.

Finally, this bill's broad definition of living facilities other than hotels would cover buildings that are not currently included, such as apartment buildings.

For the foregoing reasons, I am returning Senate Bill No. 2801 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2801, entitled, 'A Bill for an Act Relating to County Licenses,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2801 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2801 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 239 transmitting his statement of objections to Senate Bill No. 2894 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2894

Honorable Members  
Fifteenth Legislature

State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2894, entitled, 'A Bill for an Act Relating to the Public Employees Health Fund.'

The purpose of Senate Bill No. 2894 is to authorize the trustees of the Public Employees Health Fund, at their option, to hire private counsel to serve as the Fund's legal counsel or rely upon the Attorney General to provide legal advice and counsel to them.

According to the accompanying legislative history, this bill was apparently prompted by concern that the Attorney General could encounter conflicts of interest in providing legal advice and counsel to the trustees and the Fund because he is also required to represent the Governor and the various cabinet level officers who employ the various members of the Fund. While I am not sure that I agree with the Legislature's conclusion, I do believe that existing law, namely Haw. Rev. Stat. sec. 102-3, provides a means for the Attorney General and the trustees to address any actual conflict of interest situation which might arise in the course of the Attorney General's provision of legal services to the Fund. Accordingly, I believe this measure is not needed.

For the foregoing reason, I am returning Senate Bill No. 2894 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2894, entitled, 'A Bill for an Act Relating to the Public Employees Health Fund,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2894 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2894 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 240 transmitting his statement of objections to Senate Bill No. 3066 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 3066

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3066, entitled, 'A Bill for an Act Relating to Chiropractor Licensing.'

The purpose of Senate Bill No. 3066 is to increase the undergraduate college requirement from two years of liberal arts or science study to four years for those entering chiropractic colleges after January 1, 1995.

There is no evidence that the existing entry level requirements for chiropractors in this State are inadequate to protect consumers from harm. Instead, this bill poses the potential to harm consumers by limiting the ability of chiropractors from other states to come to Hawaii by requiring more undergraduate study than is required by forty-seven states and most chiropractic colleges. Thus, these higher requirements are not justified by any need to avoid consumer injury and may in fact have the effect of unreasonably restricting entry to the chiropractic profession by otherwise qualified individuals.

For the foregoing reasons, I am returning Senate Bill No. 3066 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3066, entitled, 'A Bill for an Act Relating to Chiropractor Licensing,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3066 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3066 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 241 transmitting his statement of objections to Senate Bill No. 3119 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 3119

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3119, entitled, 'A Bill for an Act Relating to the Tobacco Tax.'

The purpose of the bill is to create a new cigarette tax applicable to cigarettes at a flat tax rate of two cents per cigarette. All other tobacco products will continue to be taxed at the tobacco tax rate of forty percent of the wholesale value of the product.

This bill must be vetoed for several reasons. First, this bill discriminates in favor of cigarettes by taxing them at a flat tax rate, whereas all other tobacco products are taxed at a percentage of their wholesale price. In *Bacchus v. Dias*, 468 U.S. 263 (1984), discriminatory treatment of alcoholic beverages resulted in protracted litigation and suspension of liquor tax revenues. This bill poses the same risks of litigation and revenue suspension which should be avoided.

Second, the definition of 'cigarettes' does not adequately distinguish between cigarettes and other rolled tobacco products, such as cigars. This bill will unnecessarily confuse both the sellers and consumers alike as to what is subject to the flat cigarette tax and what is not. The new definition would also encourage manufacturers and other sellers to modify the packaging and marketing of their expensive cigar products to come within the definition of cigarettes for purposes of paying the lower cigarette tax.

Finally, the potential loss of tax revenues resulting from the passage of this bill is substantial. The Department of Taxation estimates a potential loss of revenues of \$83.5 million over the next ten years.

For the foregoing reasons, I am returning Senate Bill No. 3119 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3119, entitled, 'A Bill for an Act Relating to the Tobacco Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3119 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3119 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 242 transmitting his statement of objections to Senate Bill No. 3399 which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 26, 1990

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 3399

Honorable Members  
Fifteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3399, entitled, 'A Bill for an Act Relating to Noise.'

The purpose of Senate Bill No. 3399 is to restrict the permissible volume level at which vehicle sound amplification systems may be operated. Senate Bill No. 3399 provides that any sound amplification emanating from a motor vehicle which can be heard from a distance of sixty feet or more is a violation. It further provides that if such sound is being made with the intent of causing serious inconvenience or substantial harm or if a person fails to reduce the noise level after a warning from the police, the person shall be guilty of a petty misdemeanor.

The existing City and County of Honolulu Ordinance No. 90-26 is more stringent than Senate Bill No. 3399, because if sound may be heard from thirty feet from the source, it is a violation. Section 46-17, Hawaii Revised Statutes, provides that, for the regulation of certain public nuisances, such as noise, 'in any case of conflict between the statute or rule and ordinance, the law which affords the most protection to the public shall apply.' However, this bill provides that state law shall preempt county ordinances 'unless those ordinances' penalty provisions as a whole are greater than those contained in this Act.' Under Ordinance No. 90-26, intentionally causing serious inconvenience or substantial harm is not penalized more severely as a petty misdemeanor.

Consequently, it may be contended that the penalties under Ordinance No. 90-26 'as a whole' are not 'greater

than those contained in' this bill. The uncertainty about the preemptive effect of this bill could allow both the state law and the city ordinance to be challenged as to applicability. An accused violator charged under one law could contend that the other law controls, effectively rendering both the state law and the city ordinance to be unenforceable.

For the foregoing reasons, I am returning Senate Bill No. 3399 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3399 entitled, 'A Bill for an Act Relating to Noise,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3399 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3399 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of June, 1990.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 243 informing the House that he signed the following bills into law on the dates indicated:

June 21, 1990

Senate Bill No. 506 as Act 209, entitled: "RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES".

June 25, 1990

House Bill No. 839 as Act 210, entitled: "RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS";

House Bill No. 2057 as Act 211, entitled: "RELATING TO THE JUDICIARY HISTORY CENTER";

House Bill No. 2301 as Act 212, entitled: "RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE BOARD OF EDUCATION";

House Bill No. 2947 as Act 213, entitled: "RELATING TO INCOME TAX WITHHOLDING";

House Bill No. 3176 as Act 214, entitled: "RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES";

House Bill No. 3183 as Act 215, entitled: "RELATING TO HAWAIIAN SYMBOLS";

Senate Bill No. 13 as Act 216, entitled: "RELATING TO BODHI DAY";

Senate Bill No. 52 as Act 217, entitled: "RELATING TO THE HAWAII BANK ACT";

Senate Bill No. 57 as Act 218, entitled: "RELATING TO SEAT BELTS";

Senate Bill No. 89 as Act 219, entitled: "RELATING TO JURY COMMISSIONERS";

Senate Bill No. 755 as Act 220, entitled: "RELATING TO SERVICE BY PUBLICATION";

Senate Bill No. 973 as Act 221, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

Senate Bill No. 1611 as Act 222, entitled: "RELATING TO ENERGY";

Senate Bill No. 1630 as Act 223, entitled: "RELATING TO HOSPITALS";

Senate Bill No. 1810 as Act 224, entitled: "RELATING TO A NATURAL RESOURCE AND ENERGY AUTHORITY";

Senate Bill No. 2102 as Act 225, entitled: "RELATING TO MIDWIVES";

Senate Bill No. 2119 as Act 226, entitled: "RELATING TO UNIVERSITIES AND COLLEGES";

Senate Bill No. 2204 as Act 227, entitled: "RELATING TO MANDATORY HEALTH INSURANCE COVERAGE";

Senate Bill No. 2223 as Act 228, entitled: "RELATING TO SALES OF SEAFOOD";

Senate Bill No. 2235 as Act 229, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 2252 as Act 230, entitled: "RELATING TO AGRICULTURAL LOANS";

Senate Bill No. 2273 as Act 231, entitled: "RELATING TO OFFICERS AND EMPLOYEES OF THE OFFICE OF HAWAIIAN AFFAIRS";

Senate Bill No. 2275 as Act 232, entitled: "RELATING TO COMPENSATION OF THE OFFICE OF HAWAIIAN AFFAIRS OFFICERS AND EMPLOYEES";

Senate Bill No. 2279 as Act 233, entitled: "RELATING TO CIVIL SERVICE LAW AND EXEMPTIONS";

Senate Bill No. 2284 as Act 234, entitled: "RELATING TO DEPENDENT ADULT PROTECTIVE SERVICES";

Senate Bill No. 2287 as Act 235, entitled: "RELATING TO SMALL CLAIMS, DISTRICT COURTS";



- Senate Bill No. 2307 as Act 236, entitled:  
"RELATING TO SUBSTANCE ABUSE TESTING";
- Senate Bill No. 2346 as Act 237, entitled:  
"RELATING TO THE REAL ESTATE COMMISSION";
- Senate Bill No. 2347 as Act 238, entitled:  
"RELATING TO NEW MOTOR VEHICLE WARRANTIES";
- Senate Bill No. 2356 as Act 239, entitled:  
"RELATING TO AN EMERGENCY RESPONSE TRAUMA PROGRAM";
- Senate Bill No. 2377 as Act 240, entitled:  
"RELATING TO SPECIAL AND REVOLVING FUNDS";
- Senate Bill No. 2460 as Act 241, entitled:  
"RELATING TO MOTORCYCLES";
- Senate Bill No. 2475 as Act 242, entitled:  
"RELATING TO PUBLIC LANDS";
- Senate Bill No. 2482 as Act 243, entitled:  
"RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";
- Senate Bill No. 2599 as Act 244, entitled:  
"RELATING TO CONTRACTORS";
- Senate Bill No. 2692 as Act 245, entitled:  
"RELATING TO SCHOOL BUS CONTRACTS";
- Senate Bill No. 2694 as Act 246, entitled:  
"RELATING TO COLLECTION AGENCIES";
- Senate Bill No. 2695 as Act 247, entitled:  
"RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY";
- Senate Bill No. 2697 as Act 248, entitled:  
"RELATING TO PHARMACISTS";
- Senate Bill No. 2706 as Act 249, entitled:  
"RELATING TO PUBLIC LANDS";
- Senate Bill No. 2728 as Act 250, entitled:  
"RELATING TO DISCLOSURE OF PERSONAL RECORDS";
- Senate Bill No. 2769 as Act 251, entitled:  
"RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";
- Senate bill No. 2811 as Act 252, entitled: "RELATING TO CRIMINAL DATA";
- Senate Bill No. 2837 as Act 253, entitled:  
"RELATING TO MOTOR VEHICLE INSURANCE";
- Senate Bill No. 2838 as Act 254, entitled:  
"RELATING TO CAPTIVE INSURANCE COMPANIES";
- Senate Bill No. 2839 as Act 255, entitled:  
"RELATING TO INSURANCE RATING ORGANIZATIONS";
- Senate Bill No. 2875 as Act 256, entitled:  
"RELATING TO PRE-SENTENCE DIAGNOSIS";
- Senate Bill No. 2881 as Act 257, entitled:  
"RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SCHOOL PERSONNEL";
- Senate Bill No. 2943 as Act 258, entitled:  
"RELATING TO BOARD OF EDUCATION DISTRICTS";
- Senate Bill No. 3013 as Act 259, entitled:  
"RELATING TO AGRICULTURAL LOANS";
- Senate Bill No. 3019 as Act 260, entitled:  
"RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL";
- Senate Bill No. 3028 as Act 261, entitled:  
"RELATING TO LAND USE BOUNDARY CHANGES";
- Senate Bill No. 3038 as Act 262, entitled:  
"RELATING TO EMPLOYMENT PRACTICES";
- Senate Bill No. 3079 as Act 263, entitled:  
"RELATING TO PUBLIC ASSISTANCE";
- Senate Bill No. 3094 as Act 264, entitled:  
"RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";
- Senate Bill No. 3150 as Act 265, entitled:  
"RELATING TO THE HAWAII HOUSING AUTHORITY";
- Senate Bill No. 3156 as Act 266, entitled:  
"RELATING TO PUBLIC EMPLOYMENT";
- Senate Bill No. 3162 as Act 267, entitled: "MAKING AN APPROPRIATION FOR REPRICING OF CERTAIN PROFESSIONAL AND SCIENTIFIC CLASSES";
- Senate Bill No. 3165 as Act 268, entitled: "MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE MOTOR CARRIER SAFETY OFFICER, HIGHWAYS SPECIAL SERVICES SUPERVISOR, HIGHWAY LIGHTING WORKER, AND HIGHWAY LIGHTING SUPERVISOR CLASSES IN THE STATE EXECUTIVE BRANCH";
- Senate Bill No. 3168 as Act 269, entitled:  
"RELATING TO THE DISPOSITION OF ABANDONED VESSELS";
- Senate Bill No. 3176 as Act 270, entitled:  
"RELATING TO CHILD CARE";
- Senate Bill No. 3209 as Act 271, entitled:  
"RELATING TO THE REGULATION OF NURSE AIDES";
- Senate Bill No. 3237 as Act 272, entitled:  
"RELATING TO COMMERCIAL PAPER";
- Senate Bill No. 3238 as Act 273, entitled:  
"RELATING TO RADIOLOGIC TECHNOLOGY";
- Senate Bill No. 3247 as Act 274, entitled:  
"RELATING TO CONDEMNATION";
- Senate Bill No. 3295 as Act 275, entitled:  
"RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS";
- Senate Bill No. 3341 as Act 276, entitled:  
"RELATING TO FOSTER CARE";
- Senate Bill No. 3351 as Act 277, entitled:  
"RELATING TO LEASEHOLDS";

Senate Bill No. 3454 as Act 278, entitled: "RELATING TO ROADWORK";

House Bill No. 1693 as Act 279, entitled: "RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEYS";

House Bill No. 2044 as Act 280, entitled: "RELATING TO A PILOT PROGRAM TO REDUCE THE TRANSMISSION OF INFECTIOUS AND COMMUNICABLE DISEASES";

House Bill No. 2967 as Act 281, entitled: "RELATING TO THE DEPARTMENT OF PUBLIC SAFETY";

House Bill No. 3239 as Act 282, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES";

House Bill No. 3380 as Act 283, entitled: "RELATING TO CONDOMINIUMS";

Senate Bill No. 1509 as Act 284, entitled: "RELATING TO EXEMPTION OF OWNER-EMPLOYEES FROM UNEMPLOYMENT COMPENSATION PAYMENTS AND BENEFITS";

Senate Bill No. 2122 as Act 285, entitled: "RELATING TO HEALTH";

Senate Bill No. 2505 as Act 286, entitled: "RELATING TO SALES AT WHOLESALE TO PRODUCERS";

Senate Bill No. 2730 as Act 287, entitled: "RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 3169 as Act 288, entitled: "ESTABLISHING REGISTERED NURSE STUDENT FINANCIAL SUPPORT AND LOAN PROGRAMS AND MAKING APPROPRIATIONS THEREFOR"; and

Senate Bill No. 3334 as Act 289, entitled: "RELATING TO THE INCOME TAX".

June 26, 1990

House Bill No. 1144 as Act 290, entitled: "RELATING TO SMALL BUSINESS INCUBATORS";

Senate Bill No. 2794 as Act 291, entitled: "RELATING TO HEALTH CARE";

House Bill No. 2208 as Act 292, entitled: "RELATING TO ALTERNATIVE TRANSPORTATION";

House Bill No. 3095 as Act 293, entitled: "RELATING TO TOURISM";

House Bill No. 3212 as Act 294, entitled: "RELATING TO WAGES AND HOURS";

House Bill No. 3256 as Act 295, entitled: "RELATING TO PHYSICIANS AND SURGEONS";

Senate Bill No. 1526 as Act 296, entitled: "RELATING TO TEACHERS' CLASSIFICATION";

Senate Bill No. 2776 as Act 297, entitled: "RELATING TO CLAIMS FOR OVERPAYMENT OF TAXES";

Senate Bill No. 3109 as Act 298, entitled: "RELATING TO ENVIRONMENTAL STATUTES";

House Bill No. 2500 as Act 299, entitled: "RELATING TO THE STATE BUDGET";

Senate Bill No. 2159 as Act 300, entitled: "RELATING TO CAPITAL IMPROVEMENT PROJECTS"; and

House Bill No. 2608 as Act 301, entitled: "RELATING TO JUDICIARY".

June 27, 1990

House Bill No. 2990 as Act 302, entitled: "RELATING TO STATE BONDS"; and

House Bill No. 2268 as Act 303, entitled: "RELATING TO A SATELLITE STATE OFFICE PILOT PROJECT".

Gov. Msg. No. 244 transmitting copies of the 1988 Statewide Tourism Impact Core Survey: Summary, prepared for the Department of Business and Economic Development (DBED) by Community Resources, Inc.

Gov. Msg. No. 245 transmitting copies of the State Employee Ownership and Participation Advisory Committee's Annual Report.

Gov. Msg. No. 246 transmitting copies of a report prepared by the Department of Transportation in response to S.C.R. No. 72 (1989) **Requesting the Department of Transportation to Plan and Construct Traffic Safety Improvements Along Farrington Highway Between Nanakuli Surf Beach to Makaha Surf Beach.**

Gov. Msg. No. 247 transmitting copies of the 1989 Hawaii State Plan Survey. The survey is one of several resources used in conducting the Comprehensive Review of the Hawaii State Plan, Chapter 226, of the Hawaii Revised Statutes. This Comprehensive Review assures that the State Plan is kept current and adequately addresses needs, concerns and desires of the residents of Hawaii.

Gov. Msg. No. 248 transmitting copies of a report entitled, FYs 1987-1988 Biennial Report on Vocational Education, prepared by the State Council on Vocational Education to fulfill the requirements of the Carl Perkins Vocational Education Act, P.L. 98-524.

Gov. Msg. No. 249 informing the House that on July 3, 1990, he signed the following bills into law:

House Bill No. 2896 as Act 304, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

Senate Bill No. 2699 as Act 305, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 3296 as Act 306, entitled: "RELATING TO BURIALS";

House Bill No. 2582 as Act 307, entitled: "RELATING TO THE HOMELESS";

Senate Bill No. 3093 as Act 308, entitled: "RELATING TO THE HOMES REVOLVING FUND";

House Bill No. 2457 as Act 309, entitled: "RELATING TO AFFORDABLE HOUSING";

- House Bill No. 2458 as Act 310, entitled: "RELATING TO A RENTAL HOUSING TRUST FUND";
- House Bill No. 3111 as Act 311, entitled: "RELATING TO COOPERATIVE HOUSING";
- Senate Bill No. 2560 as Act 312, entitled: "RELATING TO PERSONS WITH PHYSICAL DISABILITIES";
- House Bill No. 2994 as Act 313, entitled: "RELATING TO OCEAN RECREATION";
- Senate Bill No. 3127 as Act 314, entitled: "RELATING TO PARKS";
- House Bill No. 3403 as Act 315, entitled: "RELATING TO FOREST RESERVES";
- House Bill No. 2388 as Act 316, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";
- House Bill No. 2751 as Act 317, entitled: "RELATING TO UNDERGROUND STORAGE TANKS";
- House Bill No. 1023 as Act 318, entitled: "RELATING TO ENVIRONMENTAL QUALITY"; and
- House Bill No. 3299 as Act 319, entitled: "RELATING TO ENERGY CONSERVATION".
- Gov. Msg. No. 250 informing the House that on July 6, 1990, he signed the following bill into law:
- Senate Bill No. 2294 as Act 320, entitled: "RELATING TO TAX ADMINISTRATION".
- Gov. Msg. No. 251 informing the House that on July 12, 1990, he signed the following bills into law:
- House Bill No. 2904 as Act 321, entitled: "RELATING TO PUBLIC ASSISTANCE";
- Senate Bill No. 2617 as Act 322, entitled: "RELATING TO PROTECTION AGAINST SPOUSAL IMPOVERISHMENT";
- House Bill No. 2046 as Act 323, entitled: "RELATING TO LONG-TERM CARE";
- Senate Bill No. 3146 as Act 324, entitled: "RELATING TO HOME AND COMMUNITY-BASED CARE";
- House Bill No. 2092 as Act 325, entitled: "RELATING TO A SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT";
- House Bill No. 2280 as Act 326, entitled: "RELATING TO PERINATAL CARE";
- House Bill No. 69 as Act 327, entitled: "RELATING TO CHILD CARE";
- House Bill No. 3355 as Act 328, entitled: "RELATING TO PROTECTIVE SERVICES";
- House Bill No. 2281 as Act 329, entitled: "RELATING TO FAMILY SUPPORT CENTERS";
- House Bill No. 3385 as Act 330, entitled: "RELATING TO LITERACY";
- House Bill No. 2645 as Act 331, entitled: "MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAMS FOR FAMILIES OF MENTALLY ILL PERSONS";
- House Bill No. 2985 as Act 332, entitled: "MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES";
- Senate Bill No. 3142 as Act 333, entitled: "RELATING TO UNIVERSITY OF HAWAII MINORITY STUDENTS: HAWAII OPPORTUNITY PROGRAM IN EDUCATION (HOPE)";
- House Bill No. 2299 as Act 334, entitled: "RELATING TO AN AFTER-SCHOOL PROGRAM";
- House Bill No. 3098 as Act 335, entitled: "MAKING AN APPROPRIATION FOR TOURISM TRAINING";
- Senate Bill No. 2596 as Act 336, entitled: "MAKING AN APPROPRIATION FOR COACHES";
- Senate Bill No. 2604 as Act 337, entitled: "ESTABLISHING A COMMISSION TO CELEBRATE THE YEAR OF THE FAMILY";
- House Bill No. 2089 as Act 338, entitled: "RELATING TO ADOPTION";
- House Bill No. 2789 as Act 339, entitled: "RELATING TO PENSIONERS' BONUS";
- House Bill No. 1631 as Act 340, entitled: "RELATING TO INCOME TAXATION";
- Senate Bill No. 3039 as Act 341, entitled: "RELATING TO CORRECTIONAL INDUSTRIES";
- House Bill No. 2950 as Act 342, entitled: "RELATING TO HIGHWAY SAFETY";
- Senate Bill No. 422 as Act 343, entitled: "RELATING TO PRECIOUS METALS";
- House Bill No. 2103 as Act 344, entitled: "RELATING TO ZIP CODES";
- Senate Bill No. 2600 as Act 345, entitled: "RELATING TO PUBLIC PROPERTY";
- Senate Bill No. 2835 as Act 346, entitled: "RELATING TO THE REGULATION OF REAL ESTATE APPRAISERS";
- Senate Bill No. 2338 as Act 347, entitled: "RELATING TO LEGISLATIVE MANAGEMENT"; and
- House Bill No. 2737 as Act 348, entitled: "RELATING TO LEGISLATIVE INFORMATION".
- In addition, after considerable study and reflection, and after hearing the impressive arguments of those who have favored, and those who have opposed them, he has permitted the following measure to become law on July 11, 1990, without his signature:
- Senate Bill No. 3236 as Act 349, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT".
- Gov. Msg. No. 252 transmitting copies of a report prepared and submitted by the University of Hawaii in response to HRS 304-8.4 (Act 40, SLH 1988), Annual Report on the University of Hawaii at Hilo Vocational and Technical Training Projects Revolving Fund.

Gov. Msg. No. 253 transmitting copies of the 1989 Annual Report prepared by the Executive Office on Aging, Office of the Governor, pursuant to Chapter 351, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 254 transmitting copies of the Report to the Governor 1987-1989, Volumes I and II, prepared by the Department of Land and Natural Resources, pursuant to Section 353, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 255 transmitting copies of the Annual Report to the Governor of activities under the Job Training Partnership Act as prepared by the Hawaii Job Training Coordinating Council for Program Year 1988 (July 1, 1988 to June 30, 1989).

**MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

Misc. Com. No. 2 from the Honorable Wayne Metcalf, Chairman, House Committee on Judiciary, acknowledging receipt of a copy of House Concurrent Resolution No. 292, SD 1, requesting interim hearings on the Legislative Access Committee's final action plan.

Misc. Com. No. 3 from Francis R. McMillen, Chairperson, Board of Education, acknowledging receipt of House Concurrent Resolution Nos. 110, HD 1, SD 1; 222, HD 1; and 320, HD 1, SD 1.

Misc. Com. No. 4 from Russell S. Kokubun, Chairman, Hawaii County Council, acknowledging receipt of House Resolution 171, HD 1, which requests DLNR and the County of Hawaii to assess the feasibility of establishing a community park at Kalaoa, North Kona.

Misc. Com. No. 5 from Goro Hokama, Council Chairperson, County of Maui, acknowledging receipt of House Concurrent Resolution No. 317, HD 1, SD 1.

Misc. Com. No. 6 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a resolution regarding the inspection of First Class parcels.

Misc. Com. No. 7 from Russell S. Kokubun, Chairman, Hawaii County Council, acknowledging receipt of House Concurrent Resolution 264, which requests a study to determine the feasibility of purchasing lands at Waipio Valley currently owned by Bishop Museum.

Misc. Com. No. 8 from Goro Hokama, Council Chairperson, County of Maui, acknowledging receipt of House Concurrent Resolution No. 60, HD 1, SD 1.

Misc. Com. No. 9 from Norman E. Scherstrom, Senior Specialist, United States Postal Service, acknowledging receipt of House Concurrent Resolution No. 42, requesting the issuance of a stamp honoring Duke Kahanamoku.

Misc. Com. No. 10 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a resolution regarding the Armed Services and the public school system.

Misc. Com. No. 11 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution 185, urging the Congress to adopt a United Nations convention on the enforcement of court-ordered family support payments, and asking for inclusion of at least the State of Hawaii in the Hague Convention.

Misc. Com. No. 12 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of copies of resolutions relating to the U.S. sugar industry, social security benefits, the proposed Veteran's Hospital site selection, and Hawaiian Airlines application for service of the route between Japan and Hawaii.

Misc. Com. No. 13 from Paul Alston, Hawaii State Bar Association, advising that James T. Paul will serve as HSBA's representative to discussions called for by House Resolution No. 176.

Misc. Com. No. 14 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Resolution No. 110 which deals with the issue of terrorism and the need to secure the release of those individuals still being held hostage by terrorists.

Misc. Com. No. 15 from the Honorable G.V. (Sonny) Montgomery, Chairman, Committee on Veterans' Affairs, acknowledging receipt of House Concurrent Resolution No. 280, HD 1, requesting the Congress of the United States and the Secretary of Veterans Affairs to eliminate the twelve and one-third acre site near Booth Road from the list of possible sites for the proposed veterans hospital in Hawaii.

Misc. Com. No. 16 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of resolutions relating to the eradication of the brown tree snake, the reversion of condemned property when it is taken out of public use, and direct airline routes between East Asian countries and Hawaii.

Misc. Com. No. 17 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Resolution No. 283, HD 1, requesting the United States Fish and Wildlife Service to use recovery teams in the development and implementation of recovery plans for endangered and threatened species.

Misc. Com. No. 18 from J.K. Jones, Inspector in Charge, United States Postal Service, acknowledging receipt of and responding to House Concurrent Resolution No. 195, HD 1, SD 1.

Misc. Com. No. 19 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 328 regarding the problems surrounding the brown tree snake on Guam.

Misc. Com. No. 20 from Marvin L. Plenert, Regional Director, United States Department of the Interior, Fish and Wildlife Service, acknowledging receipt of House Resolution No. 283, requesting that the Service reestablish the use of recovery teams that would include private landowners for developing and implementing recovery plans.

Misc. Com. No. 21 from Michael J. Montemurro, Chief, Branch 5, Internal Revenue Service, acknowledging receipt of House Concurrent Resolution No. 13, urging the Internal Revenue Service (IRS) and the U.S. Department of Housing and Urban Development (HUD) to increase for Hawaii the maximum loan values allowed for homes insured by the Federal Housing Administration (FHA) and the Veterans Administration (VA). It also urges the IRS and HUD to reclassify Hawaii as a high housing market area.

Misc. Com. No. 22 from Alfred J. Thiede, Director, Department of Transportation Services, City and County of Honolulu, acknowledging receipt of House Resolution No. 113, requesting the City and County of Honolulu to survey Waipahu Street between Kamehameha Highway and Kunia Road and develop a plan to improve conditions on this street, consistent with the increase in population and traffic in the area.

Misc. Com. No. 23 from JoElaine McKinney-Anderson, Manager, Stamp Administration and Advisory Branch, United States Postal Service, acknowledging receipt of House Resolution No. 42, which expresses support for a stamp to honor Duke Kahanamoku.

Misc. Com. No. 24 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 315, requesting the State Office of Children and Youth and the Executive Office on Aging to develop a federal perspective regarding

which national intergenerational program might best be applicable to the citizens of Hawaii.

Misc. Com. No. 25 from Masami Teraoka acknowledging receipt of and expressing appreciation for a House resolution congratulating him on being awarded a National Endowment of the Arts grant.

Misc. Com. No. 26 from John Barth, Director, Intergovernmental Affairs, United States Department of Education, acknowledging receipt of a copy of House Resolution No. 254, HD 1, commending the Armed Services personnel's contributions to the public education system.

Misc. Com. No. 27 from Steven Kleiman, Deputy Director, Base Closure and Utilization, The Office of the Assistant Secretary of Defense, acknowledging receipt of House Resolution No. 317, HD 1, requesting various U.S. agencies to terminate the use of 374 acres of Hawaiian Home Lands currently being leased for nominal rent.

Misc. Com. No. 28 from Dale V. Raebel, Captain, U.S. Navy, Director, Military Correspondence and Congressional Liaison Office, acknowledging receipt of House Resolution Nos. 254 and 241.

Misc. Com. No. 29 from R.E. Anderson, Jr., Administrator, United States Department of Agriculture, acknowledging receipt of House Concurrent Resolution No. 38, supporting Hawaii's congressional delegation in its efforts to maintain support for the U.S. sugar industry.

Misc. Com. No. 30 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 74, requesting that all reasonable steps be taken to see that the United States Travel and Tourism Administration and other United States government entities use maps that include Hawaii as part of the United States.

Misc. Com. No. 31 from Shirley M. Green, Special Assistant to the President for Presidential Messages and Correspondence, The White House, acknowledging receipt of various House resolutions.

Misc. Com. No. 32 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 74.

Misc. Com. No. 33 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of a House resolution concerning the 1956 United Nations ECOSOC Convention.

Misc. Com. No. 34 from Stella Guerra, Assistant Secretary, Territorial and International Affairs, United States Department of the Interior, acknowledging receipt of House Concurrent Resolution No. 328 and House Resolution No. 338, expressing support for Federal legislation to intensify efforts to eradicate the brown tree snake on Guam and prevent the snake from spreading to other Pacific islands.

Misc. Com. No. 35 from Peter J. Offringa, Major General, U.S. Army, Assistant Chief of Engineers, acknowledging receipt of a copy of House Resolution No. 317, HD 1, which requests that the Secretary of the U.S. Department of the Interior work with the U.S. Army, U.S. Navy and U.S. Attorney General in order to assist the Hawaiian Homes Commission to cancel the existing lease arrangements, negotiate for payment of fair compensation for the past period of use and negotiate either a fair land exchange to compensate the trust for the lands utilized or fair market rental for the continued use of these lands.

Misc. Com. No. 36 from JoElaine McKinney-Anderson, Manager, Stamp Administration and Advisory Branch, informing Mr. Gerald I. Miyoshi, Chief Clerk of the House, that the proposal to honor Mr. Kahanamoku has once again been brought before the Citizens' Stamp Advisory Committee and is now under consideration for issuance.