

## FORTY-SIXTH DAY

**Tuesday, April 12, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 10:21 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend John A.V. Strickland of the Unity Church of Hawaii, after which the Roll was called showing all members present with the exception of Representative Tanimoto, who was excused.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Forty-Fifth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 358 and 359) were read by the Clerk and were placed on file:

Sen. Com. No. 358, informing the House that the President discharged Senator Levin as Co-Chairman and has added Senator Levin as a member on the conference of Senate Bill 1593, SD 1, HD 2, on April 8, 1994.

Sen. Com. No. 359, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate bills on April 8, 1994:

S.B. No. 299, SD 1 (HD 1), "RELATING TO EXEMPTION OF DIRECT SELLERS FROM UNEMPLOYMENT COMPENSATION PAYMENTS AND BENEFITS";

S.B. No. 1586, SD 2 (HD 1), "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES";

S.B. No. 2366 (HD 1), "RELATING TO USE TAX";

S.B. No. 2378 (HD 1), "RELATING TO STATE BONDS";

S.B. No. 2591 (HD 1), "RELATING TO TAX CREDITS";

S.B. No. 2653, SD 1 (HD 1), "RELATING TO LIQUOR TAX LAW";

S.B. No. 2834, SD 1 (HD 1), "RELATING TO THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)";

S.B. No. 2913, SD 1 (HD 1), "RELATING TO CLAIMS ON WARRANTS NOT PRESENTED AND PROVIDING APPROPRIATIONS THEREFOR";

S.B. No. 2964 (HD 1), "RELATING TO THE GENERAL EXCISE TAX ON MANUFACTURING AND PRODUCING";

S.B. No. 2965 (HD 1), "RELATING TO A STATE GENERATION-SKIPPING TRANSFER TAX";

S.B. No. 2434, SD 1 (HD 1), "RELATING TO PUBLIC SAFETY";

S.B. No. 2724, SD 1 (HD 2), "MAKING AN APPROPRIATION TO FUND THE YOUTH GANG RESPONSE SYSTEM";

S.B. No. 2925, SD 2 (HD 1), "RELATING TO COUNTY CONTRIBUTIONS TO THE EMPLOYEES' RETIREMENT SYSTEM";

S.B. No. 3015, SD 2 (HD 1), "RELATING TO THE TRANSFER OF INMATES";

S.B. No. 256, SD 2 (HD 2), "RELATING TO SMOKING";

S.B. No. 1605, SD 1 (HD 1), "RELATING TO LIABILITY";

S.B. No. 1803, SD 1 (HD 1), "RELATING TO THE AUTOMATIC FINGERPRINT IDENTIFICATION SYSTEM";

S.B. No. 2294, SD 2 (HD 1), "RELATING TO THE JUDICIARY";

S.B. No. 2393, SD 1 (HD 1), "RELATING TO FIREARMS AND DANGEROUS WEAPONS";

S.B. No. 2513 (HD 1), "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE TERMS OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION";

S.B. No. 2515 (HD 1), "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION";

S.B. No. 2620, SD 2 (HD 1), "RELATING TO FIREWORKS";

S.B. No. 2722, SD 1 (HD 1), "RELATING TO TIME SHARES";

S.B. No. 2829, SD 1 (HD 1), "RELATING TO ELECTIONS";

S.B. No. 2880, SD 1 (HD 1), "RELATING TO THE LAND COURT"; and

S.B. No. 2949, SD 1 (HD 1), "RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION".

At 10:26 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:36 o'clock a.m.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following concurrent resolutions were disposed of as follows:

S.C.R. Nos.      Referred to:

6 Committee on Energy and Environmental Protection, then to the Committee on Finance

21 Committee on Transportation, then to the Committee on Legislative Management

22 Committee on Transportation, then to the Committee on Legislative Management

27 Committee on Transportation, then to the Committee on Legislative Management

120 Committee on Transportation, then to the Committee on Finance

184 Committee on Human Services, then to the Committee on Finance

226 Jointly to the Committees on Human Services and Health, then to the Committee on Legislative Management

281 Committee on Transportation, then to the Committee on Legislative Management

3258 Committee on Consumer Protection and Commerce, then to the Committee on Finance

3302 Committee on Judiciary, then to the Committee on Finance

3323 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

3427 Committee on Consumer Protection and Commerce, then to the Committee on Finance

3429 Committee on Consumer Protection and Commerce, then to the Committee on Finance

3445 Committee on Water and Land Use Planning, then to the Committee on Judiciary, then to the Committee on Finance

3446 Committee on Ocean Recreation and Marine Resources, then to the Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1663	Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
2272	Committee on Tourism, then to the Committee on Finance
2308	Committee on Judiciary, then to the Committee on Finance
2386	Committee on Judiciary, then to the Committee on Finance
2553	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2605	Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
2639	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
2928	Committee on Judiciary, then to the Committee on Finance
3156	Committee on Human Services, then to the Committee on Finance
3190	Committee on Judiciary, then to the Committee on Finance
3209	Committee on Consumer Protection and Commerce, then to the Committee on Finance
3210	Committee on Consumer Protection and Commerce, then to the Committee on Finance
3211	Committee on Consumer Protection and Commerce, then to the Committee on Finance

The following Senate bills were re-referred as follows:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2946	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
3068	Jointly to the Committees on Ocean Recreation and Marine Resources and Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

The following resolutions and concurrent resolutions were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-referred to:</u>
49	Committee on Intergovernmental Relations and International Affairs
104	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
126	Committee on Hawaiian Affairs
132	Committee on Education, then to the Committee on Finance
154	Committee on Hawaiian Affairs, then to the Committee on Finance
157	Committee on Hawaiian Affairs, then to the Committee on Finance
159	Committee on Intergovernmental Relations and International Affairs
162	Committee on Hawaiian Affairs, then to the Committee on Water and Land Use Planning, then to the Committee on Finance
195	Committee on Health, then to the Committee on Finance
230	Committee on Hawaiian Affairs, then to the Committee on Finance

- 259 Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs
- 274 Committee on Education, then to the Committee on Finance
- 283 Committee on Finance
- 289 Committee on Water and Land Use Planning, then to the Committee on Finance
- 295 Committee on Finance
- 307 Committee on Water and Land Use Planning, then to the Committee on Finance
- 344 Committee on Finance
- 348 Committee on Human Services, then to the Committee on Finance
- 359 Committee on Finance
- 363 Committee on Legislative Management
- 377 Committee on Judiciary, then to the Committee on Finance
- 392 Committee on Finance
- 396 Jointly to the Committees on Health and Human Services, then to the Committee on Finance
- 422 Committee on Water and Land Use Planning, then to the Committee on Finance
- 429 Committee on Finance
- 432 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 437 Committee on Water and Land Use Planning, then to the Committee on Finance
- 460 Committee on Finance
- 486 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 498 Committee on Finance
- 505 Committee on Human Services, then to the Committee on Finance
- 519 Committee on Finance
- 521 Committee on Housing, then to the Committee on Finance
- 526 Committee on Judiciary, then to the Committee on Legislative Management
- 550 Committee on Finance
- 567 Committee on Labor and Public Employment, then to the Committee on Legislative Management

**H.C.R. Nos.**

- 49 Committee on Intergovernmental Relations and International Affairs
- 115 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 137 Committee on Hawaiian Affairs
- 143 Committee on Education, then to the Committee on Finance
- 164 Committee on Hawaiian Affairs, then to the Committee on Finance
- 167 Committee on Hawaiian Affairs, then to the Committee on Finance
- 206 Committee on Health, then to the Committee on Finance
- 216 Committee on Higher Education and the Arts, then to the Committee on Finance
- 247 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 274 Committee on Hawaiian Affairs, then to the Committee on Finance
- 289 Committee on Legislative Management
- 296 Committee on Education, then to the Committee on Finance
- 311 Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs
- 315 Committee on Finance

- 470 Committee on Judiciary, then to the Committee on Finance
- 477 Jointly to the Committees on Health and Human Services, then to the Committee on Finance

**S.C.R. No.**

- 184 Committee on Finance

**COMMITTEE REASSIGNMENT**

H.C.R. No. 426 was re-referred to the Committee on Legislative Management

**SUSPENSION OF RULES**

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

**UNFINISHED BUSINESS**

**Stand. Com. Rep. No. 1317-94 on S.B. No. 2753, SD 1, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2753, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1421-94 on S.B. No. 2180, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2180, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1422-94 on S.B. No. 2041, SD 1, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.B. No. 2041, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO PSYCHIATRIC FACILITY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1423-94 on S.B. No. 2288, HD 1:**

Representative Ihara moved that the joint report of the Committees be adopted and S.B. No. 2288, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, the intent of this measure is to exempt transitional housing for abused families or household members from the residential landlord-tenant code. I think it is important for us to recognize that there are institutions and organizations that are willing to provide safe shelters for victims of domestic abuse and that where our codes and protections were intended for normal residential facilities, such is not the need in this particular case. That is why I am grateful that we are going to move the measure forward.

"Some of the language, as it relates to due process, may put an undue burden on these particular facilities, but we know with the cooperation of the Committee Chair and the Committee that that probably would be handled in conference. So I appreciate the support of this body on this measure and the intelligent protection that we give to victims of domestic violence.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 2288, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1424-94 on S.B. No. 2837, SD 1, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2837, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, what this does is undercut our historic preservation law. I think it's a bad step to take, Mr. Speaker, and for that reason I will be voting against the bill.

"What it is going to say is that we no longer can place school facilities on the historic register, the Hawaii Register of Historic Places. You know that we have a number of school buildings in our State, Mr. Speaker, that are truly classic examples of early architecture. It's important that we preserve these buildings.

"We have a strong historic preservation law that will preserve those buildings, but this bill now undercuts that. It says no longer are they going to follow the normal process to get onto the State Historic Register. They are going to have to go through a much more difficult process which will be subject to arbitration if the various entities dispute the placement of that building on the historic register. I think it's a step backward, Mr. Speaker, for historic preservation and the preservation of our cultural heritage.

"Thank you."

Representative Marumoto then rose to speak in favor of the bill, with reservations, stating:

"This proposal would exempt public schools from the historic preservation law. The bill would also prohibit the placement of public educational facilities on the State Register except when there's an okay by the Department of Education. Further, if there is no agreement, then the matter will be put to arbitration.

"The measure would also exempt school facilities from the law in cases of damage or destruction by natural disasters, and I was thinking that this is indeed a bad precedent. If schools are exempted, what will be next? What other buildings -- State buildings? Old buildings? Structures with true historic value?

"The natural disaster portion of this measure stems from an old frame building at Kapaa School which was seriously weakened during Hurricane Iniki. The problem arose when the State Office of Historic Preservation in the Department of Land and Natural Resources refused for over a year to allow the Department of Education to replace the structure with one that would be more useful to students.

"But recently, the Preservation Office has indicated that the building could be demolished after the required salvaging or photographing of the essential portions of the building which originally commended its placement on the register. In other words, this exemption may not be necessary because the Department of Education and the Preservation Office may allow its demolition.

"Many believe that preservation laws take away powers from landowners, but I would like you to know that Register properties, under certain conditions, can be demolished when there is a more valuable need for the area in question, or when there is no money for restoration.

"My remarks differ slightly from the previous speaker in that I feel that there is justification to tear down this building, and after salvaging that a more useful building can be put up for the students.

"Thank you."

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

"In the last year-and-a-half, we constantly heard this one phrase ... we need to have architecture in Hawaii that will give us a Hawaiian sense of place ... and I think it is an overly used phrase. It's a way of camouflaging the bad architecture we've had over the last ten years or

so, and probably the bad architecture we'll have for the next ten years. Quite frankly, you cannot have architecture with a Hawaiian sense of place unless you preserve the antecedents for that architecture -- the older buildings, some of the oldest buildings we have -- because it's from these buildings that new or present architects can then take the themes and the vocabulary of these buildings and to create buildings in the future that will have a Hawaiian sense of place.

"I find it very, very sad that in spite of the fact that we've had numerous architects come and go in Hawaii, that still the foremost architect in Hawaii is C.W. Dickey. In fact, he just came out with a book on his work last year. He is still the foremost architect although the last building I think he did was in the 1950s. What is even a greater tragedy is that the few buildings that we see, both private buildings and very few public buildings that have some creativity to it, are basically just a variation of his buildings. If that's all that we have, that's fine. We need to preserve these buildings and recreate them for the future.

"But what I am afraid of, and I think this is what some of the speakers are alluding to, is that if you destroy all of these buildings, you create a mentality that says that you can destroy these buildings and you can demolish them without making an attempt to preserve them. You create a mentality that says ... yes, let's just go ahead and wipe the slate clean like urban renewal programs of the 1960s, and we will create our own Hawaiian sense of place. And then you find that after you build these buildings that they don't really have a Hawaiian sense of place.

"Once again, I point out the most interesting building of this decade which is the Inter-Island Terminal Building that cost us tens of millions of dollars, and perhaps it is the one building that should have had a Hawaiian sense of place. It is the one building in this decade, maybe in this century, that totally lacks any sense of place in Hawaii. Unless we can develop this kind of frame of mind that says ... we need to know where we came from so we can know where we're going, we're not going to have the kind of architecture that all of us would like to have.

"Thank you."

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

"Mr. Speaker, this is not a bad bill because if we are to preserve some school buildings, it would be wise for us to just select certain buildings within a campus. But then to declare a whole campus as a preservation area, I think is an injustice, not only for the teachers but also for the students. I believe in preservation, Mr. Speaker, but please, do not declare the whole campus. Select some buildings that is worthy of preserving and preserve only that particular building and not all of it."

Representative Ward then rose and stated:

"Mr. Speaker, I was going to rise because some things had to be said about this bill and my colleague did say some good things, and I just want to say that I agree with the Hawaiian sense of place. It's very important. However, let us recall this is only for disaster situations that this would be taken.

"In view of the logic of the bill, when educational facilities are destroyed, we don't want to bureaucratize them to the extent they can't be rebuilt. And, Mr. Speaker, some of that bureaucracy, as we know, is one of the reasons why kids are studying now in toilets, in bathrooms, in closets.

"We need to preserve Hawaii's buildings, but we also need to first preserve Hawaii's brains, and that's where education's got to come first. Historical and other things are going to come second. First, it's the brains of our people, not the buildings. Even though this is a disaster, I think we ought to get our priorities straight on this.

"Thank you, Mr. Speaker."

Representative Thielen, in rebuttal, stated:

"Mr. Speaker, I just want to clarify one thing. I would not be as opposed to the bill if it only applied to instances where there has been a natural disaster. Unfortunately, the bill does not limit itself to that. The bill says that no public educational facility shall be placed on the Hawaii register of historic places unless they go through the process, and get the Department of Education and any other agency that may be involved with that parcel of land, get their prior approval.

"Well, we set up an historic preservation law that said, it's in the State's best interest to maintain our cultural heritage. We don't need to ask this person's permission, that person's permission, and all of these different agencies. What it does is it has a process under which buildings can go on the historic preservation register.

"Unfortunately, this creates a number of stumbling blocks which means that, as other speakers have alluded, we probably will see our cultural heritage being replaced because agencies were not able to come to agreement at the table.

"It's a bad bill, Mr. Speaker, and unfortunately, it is not limited to just instances where buildings are damaged by natural disasters."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2837, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," having been read throughout, passed Third Reading by a vote of 45 yeas to 5 noes, with Representatives Amaral, Hagino, Hirono, Shon and Thielen voting no, and Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 2753, 2180, 2041, 2288 and 2837 had passed Third Reading at 10:50 o'clock a.m.

**Stand. Com. Rep. No. 1425-94 on S.B. No. 2374, HD 1:**

Representative Ihara moved that Stand. Com. Rep. No. 1425-94 and S.B. No. 2374, HD 1, be recommended to the Committee on Consumer Protection and Commerce, seconded by Representative Thielen.

Representative Shon rose to speak in support of the motion, stating:

"Mr. Speaker, I am very grateful that the House has stepped back from the brink of what I think would be a terribly embarrassing action to pass a bill which, in my view, certainly would raise health care costs and impune the reputation of the State of Hawaii in its efforts to extend accessibility and affordability and primary care to all its residents.

"Mr. Speaker, I don't know if this was an attempt at humor or what but the notion that someone who is an expert in abdominal surgery be a primary care physician for pediatrics. . .

The Chair interrupted and stated:

"I'm sorry, Representative, in a motion to recommit, you need to speak on the merits of the particular motion at hand and not on the merits or demerits of the bill."

Representative Shon responded:

"I understand. I will reiterate, Mr. Speaker, that were we to seriously consider this bill, the reputation, I believe, of the State of Hawaii throughout the other states will be seriously damaged because this bill does not warrant our serious consideration, or anyone's serious consideration, with respect to any state that cares about its consumers -- the cost of health care.

"So I thank you very much for your leadership in putting this one to rest."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1425-94 and S.B. No. 2374, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were recommitted to the Committee on Consumer Protection and Commerce.

**Stand. Com. Rep. No. 1426-94 on S.B. No. 3180, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3180, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1427-94 on S.B. No. 3322, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3322, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII AIR CARRIERS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1428-94 on S.B. No. 2787, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.B. No. 2787, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1429-94 on S.B. No. 2923, SD 1, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2923, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AVIATION FUEL SET-ASIDE FOR EMERGENCY AND ESSENTIAL SERVICES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1430-94 on S.B. No. 1424, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 1424, SD 1, HD 2,

entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1431-94 on S.B. No. 2183, HD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2183, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this is a good bill. It is very earthshaking, and I don't think the Senate is willing to give us their consent on the advice of the Chief Justice. But then, looking at the past events in the Senate, Mr. Speaker, I think it is more prudent for the House to approve.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JUDGES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1432-94 on S.B. No. 2198, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2198, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDITORS' RIGHTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1433-94 on S.B. No. 2563, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1434-94 on S.B. No. 2630, SD 2, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2630, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1435-94 on S.B. No. 2663, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2663, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, the State has adopted a policy of requiring the counties to provide public access to beaches and right now, the law leaves the counties exposed to lawsuits for conditions along literally hundreds upon hundreds of miles of beaches. The counties can't be everywhere at all times along these beaches. It's ridiculous, Mr. Speaker, to expect the counties to defend themselves against every injury that occurs on every beach. What the counties need is some direction on how to fulfill their duty to warn beachgoers of hazardous conditions, and what hotels need is some idea of who it is they need to warn.

"Mr. Speaker, Senate Bill 2663, SD 2, HD 2, provides these guidelines and directions by focusing on public safety. It creates a system which provides an incentive for the counties to warn beachgoers of hazardous conditions through the use of warning signs with the further incentive to provide lifeguards at beaches where accidents are likely.

"The current law is so uncertain as to what an adequate warning should be that the counties find themselves defending lawsuits that could not have been reasonably prevented. This bill provides the counties with the guidelines that they can follow so that they know what their obligation is to the public.

"Mr. Speaker, the bill also clarifies the law with respect to hotels, providing that a hotel owes a duty to its guests but does not owe a warning duty to casual users of the beach who are not guests of the hotel.

"I believe that this bill is an excellent solution to the problem of liability for beach accidents and will mean a safer beach experience for both residents and visitors, and therefore, I urge my colleagues to vote up on this bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2663, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1436-94 on S.B. No. 2946, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2946, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1437-94 on S.B. No. 2954, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2954, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND FIRE PROTECTION LAW," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1438-94 on S.B. No. 2956, SD 1, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2956, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TREE

FARMS," having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Shon voting no, and Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 3180, 3322, 2787, 2923, 1424, 2183, 2198, 2563, 2630, 2663, 2946, 2954 and 2956 had passed Third Reading at 10:57 o'clock a.m.

**Stand. Com. Rep. No. 1439-94 on S.B. No. 3068, SD 2, HD 2:**

By unanimous consent, action was deferred to the end of the calendar.

At 10:58 o'clock a.m., Representative Tom asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:59 o'clock a.m.

**Stand. Com. Rep. No. 1462-94 on S.B. No. 475, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 475, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Pepper rose and requested a conflict ruling, saying that he is currently a recipient of benefits under the ERS but not eligible for bonus yet, and the Chair ruled "no conflict."

Representative Alcon then rose and requested a conflict ruling, saying that he is now receiving bonus from the bill, 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. 475, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1463-94 on S.B. No. 529, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 529, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1464-94 on S.B. No. 905, SD 1, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 905, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, there are a number of reasons why I stand to speak against this bill. The first is that when airport fees are going to be increased, the public should have a say. This bill, which started in the Transportation Committee, had public hearings. Now, that has been taken out of it, and I think that's a big mistake.

Eliminating public hearings will eliminate the whole voice of the people and those who have put us here.

"Secondly, we've taken legislative oversight out of the bill of which again the wise Chair of the Transportation Committee had put in, but we've taken that out. So, in effect, what we've done, Mr. Speaker, is that Mr. Johnson, a very capable man -- he alone, as the Director, has the say as to what these fees are at the airport. We know, Mr. Speaker, that part of our macro-economic policy of the State of Hawaii is now greatly linked to the arrivals and the departures of visitors at the airport. We can literally choke off our economy by controlling the fees at the airport of which this body and the public should have a say in.

"This bill, while trying to get rid of the gridlock and the deadlock at the airport, which is very well conceived, is trading it off to the extreme of getting rid of (1) public hearings, and (2) the input from this body to oversee it. We were said to be the ones who control the purse strings and the finances of this State in the Constitution. This bill surrenders that to the State departments. I think the Department of Transportation is very capable, however, it sets a precedent and in the long run is not going to be beneficial.

"If the visitor industry is important, if landing fees are going to encourage or discourage people from coming to Hawaii, this body, Mr. Speaker, needs to have a piece of that action, the public needs to have a piece of that action, and unfortunately, this bill kind of says ... well, no, we don't really need that. This is probably something we could do better with in the Conference Committee.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 905, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AIRPORT REVENUES," having been read throughout, passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Tam and Ward voting no, and Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1465-94 on S.B. No. 2020, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2020, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1466-94 on S.B. No. 2161, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2161, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Thielen rose to speak in "strong support" of the bill, stating:

"This is a bill that will provide for household hazardous waste collection and disposal.

"I particularly would like to thank, Mr. Speaker, the Kailua High School students that saw the problem with no household hazardous waste collection centers being in existence on Oahu for the last year, and did a survey of the community. They came out with very significant data showing that people need these centers, and will use these

centers. There have been other surveys of the Windward district, Mr. Speaker, that show that if the collection centers were available, people would use them to dispose properly of their household hazardous wastes.

"This makes good environmental sense, Mr. Speaker. We should have a program that is in operation on a regular basis that provides all of our residents the opportunity to take their old paint, used batteries, other items that should not go into a landfill and that could degrade our environment, and to take them to a collection center where they would be safely disposed of.

"I strongly urge everyone's strong support on this measure, and look forward to the time when we will have collection centers available on all islands.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2161, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1467-94 on S.B. No. 2162, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2162, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1468-94 on S.B. No. 2164, SD 1, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2164, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION MEDICAL FEE SCHEDULES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1469-94 on S.B. No. 2262, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2262, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1470-94 on S.B. No. 2272, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2272, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIKOLU WELL DEVELOPMENT PROJECT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1471-94 on S.B. No. 2648, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2648, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1472-94 on S.B. No. 2728, SD 2, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2728, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1473-94 on S.B. No. 2752, SD 2, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2752, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR RELATIONS APPEALS BOARD," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1474-94 on S.B. No. 2828, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2828, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS AND OTHER ELECTION DAY OFFICIALS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1475-94 on S.B. No. 2924, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2924, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER FUND," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1476-94 on S.B. No. 3012, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3012, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Arakaki rose and requested that his remarks, in strong support of the bill, be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Arakaki's remarks are as follows:

"Mr. Speaker, we stand at the doorstep of a historic benchmark in Hawaii's history. On May 7th, the island of Kaho'olawe will be returned to the State of Hawaii after over fifty years of use by the U.S. Army and Navy. After an Executive Order by President Dwight Eisenhower in 1953, the island was continually used for military

target practice until it was halted by Executive Order in 1990.

"The cessation of bombing and target practices represents the triumph of many individuals and organizations, most notably the Protect Kaho'olawe Ohana which linked three existing organizations. Aboriginal Lands of Hawaiian Ancestry, the Native Hawaiian Legal Corporation and Hui Aloha. The work of the Ohana and the activist created an awareness and enlightened both Hawaiians and non-Hawaiians of the importance of the tiny island of the indigenous people and the State of Hawaii for self determination and freedom from the yoke of military dominance.

"The Executive Order was followed by Senator Akaka's bill, S.3088, which established the Kaho'olawe Conveyance Commission to study and recommend terms and conditions for returning Kaho'olawe island.

"To many, the return of Kaho'olawe represents the return of 'Hawaii's soul' to the Hawaiian people, a symbol of Hawaiian sovereignty to come. It represents the spirit of Aloha Aina and Malama Aina, the need to love, cherish and care for the land, a fundamental concept to all Hawaiians.

"Mr. Speaker, we should let this bill stand in tribute to the many who have worked so hard for the return of Kaho'olawe and the many more who will continue to work to restore the 'ha' to Kaho'olawe.

"Mahalo nui."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3012, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO KAHO'OLAWA," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1477-94 on S.B. No. 3036, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3036, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH ALLIANCE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1478-94 on S.B. No. 3140, SD 2, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3140, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS ENFORCEMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1479-94 on S.B. No. 3179, SD 2, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3179, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SATELLITE OFFICES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1480-94 on S.B. No. 3292, SD 1, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3292, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT TAXI SERVICE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1481-94 on S.B. No. 3303, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3303, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1482-94 on S.B. No. 3309, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3309, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1483-94 on S.B. No. 3310, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3310, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1484-94 on S.B. No. 1249, SD 1, HD 3:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 1249, SD 1, HD 3, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Bainum rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, as you well know, the prescription issue, as it relates to nurse practitioners, has been a bitter issue here and has been discussed over a number of years. The bill that passed out of the Consumer Protection Committee the first time represented a true consensus, and it was all of six years of deliberations. The bill before us now does not contain all the elements that were in the original compromise.

"For those reasons, I will be supporting this measure with reservations, hoping that the Conference Committee will provide us with a good solution to this issue.

"Thank you, Mr. Speaker."

Representative Cachola then rose to speak in favor of the bill, with reservations, stating:

"This bill is the same as House Bill 3212, HD 1, and at that time, I made certain observations and my reservations lie on the following:

"One, the composition of the Formulary Council. The way I look at it, it is going to be appointed by the Board of Nursing. If that's the case, it's tilted towards the nurses. We wanted fairness and balance so that we can ensure quality health care.

"The other issue here is the lack of supervision of the nurses by the doctors. If we want to have quality health care, as well as ensuring public safety, we should put back supervision. Also, the scope of practice is statewide. If this is only a pilot program, we should look at limiting it.

"Hopefully, Mr. Speaker, this bill will go to Conference Committee and the leadership, as well as the chairmen of the different committees can look into this, more particularly quality health care, public safety, cost containment, as well as access. Is there any problem with access? If there's none, let's look into that.

"For these reasons, Mr. Speaker, I speak in support of this measure with reservations.

"Thank you."

Representative Stegmaier then rose to speak in favor of the bill, with reservations, stating:

"My reservation is a personal one in the sense that I just feel strongly that we already have too many drugs, including pharmaceuticals, circulating in our society. Of course, pharmaceuticals have beneficial and adverse effects on people, and I am concerned that a prescriptive authority bill of any kind will allow for greater distribution of pharmaceuticals to the exclusion of other means of treating illness and preventing illness. This runs against the grain of my own personal philosophy.

"In addition, I do share the same concerns as were raised by Representative Cachola and Representative Bainum, in particular the draft that we sent over to the Senate was useful in that it was a pilot project. We would have been able to evaluate the impact over a period of time and then make a determination about whether we wanted to make changes and implement a permanent program or not.

"This doesn't allow for that and I, too, am hopeful that perhaps in the conference draft, some of those provisions in our House draft will be included as well.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, it has been years of deliberation on this floor and in this body regarding the subject matter. I rise to speak in support of Senate Bill 1249.

"In reforming our health care delivery system, both on the local and national levels, there are several areas that we need to focus our attention on. These areas include: primary health care, primary promotion and prevention, and access to affordable, appropriate, and acceptable health care delivery and services.

"It is without a doubt that access to quality health care should be our main focus. Access has been and continues to be an obstacle, impacting on populations in rural and under-served areas of the nation, as well as under-served areas of our own State. It has always been difficult for such groups such as the elderly and the poor, two groups of people which are currently increasing in Hawaii, to achieve this access of care. Oftentimes, these patients, many of whom are on Medicaid, are denied access

because of the low reimbursement. They are then forced either to use emergency rooms as an alternative for routine care, or to wait until the problem requires hospitalization. Both of these alternatives prove very costly, both to the patient and the general population, not to mention that it restricts vital health care services for people who really need emergency or hospital care.

"As emphasis is being placed on primary health care in clinics and other community settings throughout the nation, Hawaii needs to take a step in this direction. For three years, going on four, now that we have debated an idea of allowing qualified nurse practitioners to perform a service which they are already allowed to perform in forty-three states, it is time for us to move on, Mr. Speaker. This should not be a question of doctors' rights nor should it be construed as a battle between nurses and doctors, and I say that over and over again. Rather, we should attempt to work together in an effort to alleviate health care costs while maintaining quality and access to health care. Although this is not the best bill we could have constructed -- I can admit that -- let us put aside our bickering.

"The United States has the best and highest quality of health care in the whole world. Let's improve this health care quality by improving its access, and it is time Hawaii moves on into the future. We need to pass Senate Bill 1249, Senate draft 1, House draft 3, and improve the best health care system in the world. We must do this for the people of the State of Hawaii.

"Thank you."

Representative Young then rose to speak in support of the bill, stating:

"I'd like to just highlight a comment made by the Chair of the Health Committee that providing advanced practice registered nurses with limited prescriptive authority, we will indeed be increasing access to high quality, safe, appropriate, and cost-effective primary health care services, and I urge the members to support this.

"I congratulate the Chairs of the Health Committee and the Finance Committee for working so hard on this bill.

"Thank you."

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

"I agree with the previous speakers who favor this bill that we need better health care, but then that is not the question before us, Mr. Speaker.

"The question before us is whether those nurses are qualified to prescribe or not. I know that some of those nurses don't have enough training in pharmaceuticals, but we need quality health care, as they have indicated, but this is not the way to go and have quality and available health care.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1249, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Alcon voting no, and Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1485-94 on S.B. No. 2141, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2141, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Santiago rose to speak in "very strong support" of the bill, stating:

"I do feel compelled, at this point, to get up and speak about this particular bill for a number of reasons.

"First of all, this bill would provide a small amount -- a drop in the bucket -- of funds that are needed to deal with spouse and child abuse. And I think during this session, it has come and occurred to me more so than ever before, when we deal with all kinds of issues -- the same sex issue as has been alluded to by the previous speaker, smoking bills, gun control bills -- I sometimes have to pause and ask myself ... what are the priorities that we have in our discussions?

"We are all aware -- everyone sitting here -- that there has been a tripling in the number of serious abuse cases ending up in Kapiolani Hospital. Recent headlines have shown a particular case which has caused an outpouring of community concerns, and yet this is all too short-lived. The headlines go away, people go back and assume that this is a part of life. I'm asking everyone to not accept the fact that child abuse needs to be a part of life.

"What this bill attempts to do is to supplement the existing amounts of funding -- the levels of funding -- because we already are underfunding these programs. We cannot allow the numbers of abuse cases to continue to rise, both for children and for spouses. If we were to look at the amount of energy that has been generated, vote on all the bills we just spoke about on this page, and even got one quarter of the amount of concern from the general public as it relates to child abuse, I think we'll get a lot more done.

"We do face a strong challenge in getting this bill through, and getting the necessary funds to continue the services of support out there for the State agencies mandated to deal with child abuse. But also, I must say, funding is not the only answer. We have lacked strong direction in this area for too long because, surely, we can no longer just throw money at a problem and think it's going to go away. As the seriousness of this problem increases, and as the long-term cost to our community becomes known to all of us sitting here, I think at some point in time we begin to realize, not only from a humanistic standpoint, but also from an economic standpoint, it makes sense for some of the discussions that we partake of during this session to be related to the need for us to stop seeing the children and our spouses abused at the levels that we have seen in the last two to three years.

"Thank you, Mr. Speaker."

Representative Arakaki then rose to speak in support of the bill, stating:

"I did want to highlight this bill because, number one, this month of April is Prevent Child Abuse, both nationally and in Hawaii, and the campaign is to raise the awareness of the need to find prevention measures to the horrors of abuse and neglect. I don't think there was any more compelling example of the horrors of child abuse and neglect in a recent case. . . actually two recent cases, involving military families resulting in the death of a two-year old girl and, most recently, a four-year old boy who was beaten and starved. I think these kinds of cases, like the previous speaker said ... they raise a sense of horror, outrage, sorrow, and also compassion. But I

think it is important for all of us to remember that they just represent the tip of the iceberg and just things that the media picks up on. And these cases of serious abuse are increasing every year and becoming a problem which is long-term and costly.

"I just wanted to make an observation because there is a sense of irony in this bill in that we are going to be tacking a surcharge on marriage licenses. We require a license for marriage but we don't require a license for parenting which has far more impact on the quality of life for the people of Hawaii. And we also have a surcharge on birth certificates and while children at birth come with certificates, they don't come with directions on how to raise them properly and how to treat them properly. Perhaps that's all the more reason why we need to really focus on prevention so that we can prevent long-term cost.

"Thank you, Mr. Speaker."

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

"I speak today in support of this in hopes that it will not go to conference and will be accepted by the Senate because the committees that have looked at this have looked at it very seriously and have listened to the testimony, and I think have fashioned what is now a very good bill.

"This bill increases the fee for marriage licenses by nine dollars, from sixteen to twenty-five dollars, and the fees for certified copies of birth, death and marriage certificates by three dollars, from two dollars to five dollars. This is not a tax, and this is not strictly a user fee because you hope that people don't use this on a regular basis but use it only on a few occasions. All revenues generated will go into the Spouse and Child Abuse Program Special Fund, and all moneys are reserved for use by the Department of Human Services for grants-in-aid to programs engaged in spouse or child abuse intervention or prevention. Again, these moneys will supplement and not supplant existing efforts, and for that I am really pleased that this is a bill whose time has come. . . unfortunately whose time has come, but it is a good bill.

"I think statistics show that the failure to adequately fund family violence programs and stop the cycle of violence has a significant negative impact on all of our communities. The impact is very real. All of you know in 1992, 29-year old Lynn Kotis was killed by a shotgun blast. The alleged murderer, her husband William Kotis, was in Family Court several months before the shooting for violating a restraining order and had a history of violent behavior. Senior Family Court Judge Frances Wong, in a *Star-Bulletin* interview, made the following observations about the death of Lynn Kotis. 'The Criminal Justice System didn't fail in its handling of murder victim, Lynn Kotis' domestic violence case.' The failure, she said, 'lies in the shortage of resources to prevent domestic abuse and in budget cuts that have reduced or eliminated counseling, nurturing, support and anger management programs.' While the need for and the effective impact of programs targeted at spouse and child abuse have become clear, the resources for supporting such programs have become scarce. Today's fiscal challenges make the provisions of this bill extremely palatable, especially if they can prevent another Lynn Kotis.

"This morning, I began my day at a meeting of the Windward Spouse Abuse Coalition and, of course, a bill like this will prevent people like Kathy Carvalho and all those hundreds of women and children who have died in

family violence cases, and I am pleased to be standing here before you now and asking for the passage of this bill and hoping that it moves speedily on its way.

"Thank you very much."

Representative Amaral then rose to speak in favor of the bill, with reservations, stating:

"As I noted yesterday in the caucus, I have some concerns about this bill. It has been an effort of the Women's Coalition -- the women's community -- to try to seek user fees through marriage licenses and the birth certificates and such things to supplement the moneys that went to domestic violence, and that's something we've worked on for many, many years. We're happy to see that some measure is moving forward.

"My reservations are, however, that we have chosen in our wisdom now to wed these spouse abuse needs with the child abuse needs. We have chosen, in our wisdom then, to designate one department to receive this money, and that is the Department of Human Services. The money we are talking about, in fact, is approximately \$762,000 annually. When you put that in the Department of Human Services, the major responsibility of the Department of Human Services goes to child abuse, and when child abuse is pitted against your spouse abuse programs in the Department of Human Services necessarily -- necessarily -- the program for child abuse is selected to be funded, not the domestic violence program. The programs that do fund domestic violence are in the Department of Health and the Judiciary. This will not go far to help those programs.

"I speak with great reluctance on this bill because I hate to be part of that grand conspiracy of us fighting for the last chair on the Titanic. You know the boat's going down and still the child abuse advocates and domestic abuse advocates are fighting for that last chair. Let it go.

"I am grateful that we're going to set aside some special moneys. I'm grateful that we are giving this some attention and that at some later date, we will try to get more moneys for these programs.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2141, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1486-94 on S.B. No. 2170, SD 2, HD 3:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2170, SD 2, HD 3, pass Third Reading, seconded by Representative Thielen.

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

"When I was pursuing my graduate degree at the University of Hawaii in public administration, we had to do a group project, and the project we worked on was on recycling, in particular glass recycling. In our report, we concluded and recommended precisely what is in this bill today so I am very happy to see it.

"One of the things that we found was that recycling in general is market driven. But in the case of glass, because of its weight and hazardous nature, it doesn't

really lend itself to easy recycling or shipping out of State, and besides, you have to separate it by color and so on.

"One of the requirements in this bill is that up to ten percent of crushed glass will be used in public highway and road construction projects beginning July 1, 1996, and this product which is called 'glassphalt' has a potential for using all the glass currently used in the State, so I think it's a good step forward in recycling the glass that we have. Other uses that we can consider should this prove successful, which I am confident it will, is it can also be used in basketball courts and even sand traps if it is crushed to a finer degree.

"So I really support this bill because it goes a long way to provide the needed framework for recycling our glass.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2170, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO RECYCLED MATERIALS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1487-94 on S.B. No. 2172, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2172, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Stegmaier rose to speak in support of the bill, stating:

"The purpose of this bill is the establishment of the Clean Hawaii Center within the Department of Business, Economic Development, and Tourism to develop local processing and manufacturing industries for collectible recyclables. I wanted to say that in support of this measure, certain changes that we have made make it a lot more palatable, I think, to the entire Legislature, especially given the challenge that you set out, Mr. Speaker, on Opening Day where we were to use fiscal frugality utilizing existing resources, prioritizing, and making the tough decisions between what works and what doesn't work in the work of our legislative session.

"The House Draft which we will be sending back to the Senate reflects this kind of standard. At one point, the companion bill and an earlier draft of this Senate bill had in it a surcharge, an increase in the tipping fee, for solid waste materials. It was the effort of the Environmental Committee, Economic Development and the Finance Committee to determine that there are presently existing loan funds, specifically the Capital Loan Fund and the Hawaii Innovative Development Fund, which are available to loan moneys for these fledgling recycling companies. Specifically concerning the Capital Loan Fund, a fund that's been in operation for some time, we now, through this bill, have an opportunity to establish some kind of purpose for that Capital Loan Fund and give it meaning -- a specific meaning for its existence -- which I think is very useful.

"The other aspects of the draft where the Department of Business, Economic Development and Tourism has pending an application before the Environmental Protection Agency for a \$400,000 grant for operating cost of this specific Center, and therefore, that aspect of the overall cost will be taken care of by the federal government and in cooperation with the Department of Health and the Department of Business, Economic

Development and Tourism, there should be satisfactory funding for operations from the very outset of the Center.

"One other aspect is that instead of adding a new program to the bureaucracy, we are ending the existence of this Center in five years and charging the Center with specific goals, diverting certain tons of material annually, establishing a cooperative marketing arrangements with foreign users, and specifying the number of new and expanded reuse and recycling businesses that would become fully operational within those five years. I am happy that we are specifying what the Center will do and asking that the entire work of the Center be completed within the five-year period.

"For these reasons, I am very strongly in support of this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2172, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1488-94 on S.B. No. 2377, SD 2, HD 3:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2377, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1489-94 on S.B. No. 2544, SD 1, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2544, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Thielen rose to speak in support of the bill, stating:

"It is a serious situation that those workers face so the extension of the unemployment insurance benefits seems to be warranted. I would, however, like to note that area within the twenty-mile radius, which is the definitive radius, 9.4 percent are unemployed. I would also like to note though, in contrast, on the island of Kauai, the unemployment percentage there for January 1993 was 16.4 percent, and for January 1994, it was 11.2 percent. It appears as if we have a significant unemployment problem on a neighbor island.

"Unfortunately, we are focusing only on one situation, and I do have concerns about that, Mr. Speaker."

Representative Tam then rose to speak in support of the bill, with reservations, stating:

"This bill will set a precedent for one specific group of priorities. I feel very strongly that it should be made in the general sense for any other companies with respect to our employees who are unemployed. Once again, it will set a precedent.

"Hopefully, in Conference Committee, the language would be made in terms of generalization rather than specific.

"Thank you."

Representative Herkes then rose to speak in "strong support" of the measure, stating:

"Those of us that represent very rural districts in the State will have one primary employer, and when that employer goes down and we are going through the transition period which, even though it has started, takes some time to use sixty to seventy to eighty thousand acres of sugar land. It is a formidable task and we need to keep those families together, and keep some sense of stability in those agricultural communities.

"For those reasons, I strongly support this bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2544, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DURATION OF UNEMPLOYMENT INSURANCE BENEFITS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1490-94 on S.B. No. 2751, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2751, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Tam rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker and fellow colleagues, as one who has echoed efficiency and the use of taxpayers' dollars and elimination of wasteful spending, I find it very necessary to register my vote with reservations. I feel that we can eliminate waste and have more efficiency by making sure that there is no stoppages, in terms of construction jobs on State facilities, and also no strikes.

"What happens, Mr. Speaker and fellow colleagues, when there's a strike or stoppage of work, it costs the taxpayers more dollars to finish the job and, therefore, I wish to register my reservations.

"Thank you."

Representative Ward then rose and stated:

"Mr. Speaker, I rise to speak with reservations on this bill which I call the 'Church of England' bill. This is the public contracts provision, Mr. Speaker, which nowadays we hear a lot about the term -- even playing field. No one has a leg up on the other and, historically, we even see Jeffersonian walls of separation for an even playing field between religions. One religion doesn't have a hand on the other.

"Mr. Speaker, this bill comes close to being the Church of England because, in its original draft, it said ... you will be a member of the union if you will do business with the State of Hawaii, i.e. the Church of England. The unfortunate thing is that it sent a message to the community, and I think it woke up a lot of our contractors and said ... hey, 80 percent of us are not members of the union. How do I get enfranchised by the State of Hawaii? And then they saw the provision that said, one, the union agreement will be necessary in order for you to do business because we don't want you to strike. Well, what does the record say about strikes on

government projects over the last ten years? ZERO! So what's the paper tiger? It's a tiger that looks like one that's not there because that's not one of the purposes of the bill even though that was why it was sold.

"The other benefit was saying ... well, we're going to make you pay prevailing union wages. All of us with the collective memory on the mini-Davis Bacon already know that if you have a State contract under the mini-Davis Bacon, you have to already pay union wages. . .

At this point, the Chair interrupted and asked:

"Excuse me, Representative, are you speaking on House Draft 1 or House Draft 2?"

Representative Ward responded:

"I'm speaking on House Draft 3, I believe, Mr. Speaker."

The Chair replied:

"It says House Draft 2."

Representative Ward continued, saying:

"I thought it was House Draft 3. We're going through so many drafts. I'm giving historically what this was drafted as and I'm working up to House Draft 3."

The Chair responded:

"Representative, we need to speak on the particular draft. Please proceed."

Representative Ward continued, saying:

"So what we get is no strikes but prevailing wages which, Mr. Speaker, I would submit probably is alright except that there's a puka (hole) now in House Draft 3, if I can leap from House Draft 1 to 3.

"We said the language of the bill. . .

At this point, Representative Young rose on a point of order and stated:

"He's speaking to House Draft 2. There's no House Draft 3."

Representative Ward continued, saying:

"I stand corrected. House Draft 2.

"Mr. Speaker, this is landmark legislation. I really don't want to trivialize it but there's something here that if this bill goes through, we're going to miss the point of what we've tried to do which we said we were going to do when we didn't. We said we're going to have no strikes and prevailing wages. Those are already in consideration. In House Draft 3, we said ... what about giving some language to assure that those who are non-union subcontractors -- all the manini guys out there who are not members of the union -- their bread and butter's at stake because the Committee Report doesn't say if they're a union bidder or a non-union bidder, do the subs also have to be members of the union? That language is not made clear, Mr. Speaker.

"If, in fact, the only point of the bill is for no strikes and wages, why does this kind of circumlocuted, skewed language have to be spoken of the way that this bill does if we really mean that those are the only two points of it? Even though I think in other parts of it, it says that we want to help local companies. Well, the bill already says

... if you're a local company, you've got a ten percent leg up than any of the other companies. You can go over by ten percent if you are a local company. If that's not a leg up, I don't know what is. So, why, Mr. Speaker, can we not clarify that those small contractors who were trying to get a piece of the action do or do not have to be members of a union? Others would say ... well, you don't have to be members of the union. But if you read it, the language is vague enough, or skewed enough, that it can be interpreted that they can be.

"Here's the bottom line of House Draft 2. We're sending three sets of messages, Mr. Speaker.

"The first one is that, as some contend, we're sending out waves of possible illegality. This may end up in court. We want it so badly, we are willing to twist and possibly break some national regulations in the process.

"Secondly, we're sending out a message that a lot of you disagree -- that we're not anti-business. This reputation, however, is still around our neck. Are we going to be, not only perceived as anti-business, but anti-business if you're a non-union business, on top of being anti-business as a State? What is the message we're going to send out? What about the message to local voters? I don't think any voter wants to see us as a Big Five -- the way we were before -- or Big Labor, the way that we're tending to get into. I don't think anybody wants to see that, and that's the direction we're going into. If you're one of these small contractors who are non-union, are we sending the message that you are a second-class citizen when it comes to do business with the State?

"And lastly, the message to taxpayers. Are we willing to enforce the bureaucracy to make sure that everybody is a member and kosher in this methodology, to see that we have won all the police state and all the bureaucracy to negotiate all these agreements? Are we willing, as taxpayers, to increase the cost of doing business with the State of Hawaii?

"Mr. Speaker, I contend that most of the people in the State of Hawaii neither want knee-jerk labor nor knee-jerk pro-business legislation. Possibly the Conference Committee can say with insight that the initial Chair's reaction to the House version of this bill, which came to Finance, and the reaction of that was to put it aside and not even consider it. Hopefully, there will be some consideration in the Conference Committee that's going to come up.

"Mr. Speaker, I'm not sure how much intimidation or spin is on this bill and how much may be said to it, but I think there's going to be enough that if we do pass it, the tyranny that it's going to result in with our sub and small contractors is going to be a real reverberation that's going to be sent through the business community here. And, Mr. Speaker, that will go back to where I said from the very beginning ... we go back to being the Church of England. Do you want to be enfranchised as the member of the State of Hawaii by being one who is a member of a union?

"As we look around us, Mr. Speaker, probably we are Buddhists, we are Jewish, we are Catholics, we are Protestants -- we are Hawaii's people that belong to everything. Why should we have to belong to the Church of England? I contend, Mr. Speaker, we should leave people in Hawaii the way they are, and leave them the freedom of choice to worship the way they want to do, and to work the way they want to do, with whom they want to do it with.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, when this bill came from the Senate, it was a very bad bill. It had several hearings here in the House and then it finally came to the Finance Committee. The previous speaker, Mr. Speaker, had an opportunity to make his input in the Finance Committee, and I don't know where the Church of England has come into this particular bill. There's no mention of any church whatsoever. It is a separation of power between the churches and the State.

"But, Mr. Speaker, when it came from the Senate, this bill was purely a union bill. The Chairman of the Finance Committee, the honorable Calvin Say, had put in language whereby the non-unions would also be accommodated. Now, what else can we do, Mr. Speaker? The previous speaker did not offer any solutions to this problem, and he keeps on criticizing it and equating it with the Church of England.

"For that, Mr. Speaker, I would urge every member of this House, except the Church of England, to vote for it."

Representative Thielen then rose and stated:

"I'm rising to speak in support of Senate Bill 2751 with the following caveat.

"Mr. Speaker, the way I read the bill, it states we are going to give a preference to local contractors and local subcontractors, unionized and non-unionized, providing that they pay the prevailing wage. That's what I see the bill as saying. To that extent, Mr. Speaker, and for the reasons I'll explain, I can support this measure.

"What happened with our State Capitol, Mr. Speaker, was that an out-of-state contractor won the award on that building. That out-of-state contractor brought in mainland laborers -- brought them from Utah, California, Arizona, you name it -- flew the men here, housed them, and had those laborers do carpenters' work and paid them laborers' wages. It wasn't until the whistle was blown on that out-of-state contractor that that contractor had to comply with local law.

"I don't see anything wrong with giving our local companies a preference. As I state, Mr. Speaker, I read the bill as saying that that preference is afforded both to unionized and non-unionized contractors and subcontractors. Because of that example of a flagrant abuse of our State laws by an out-of-state contractor, I certainly can support this measure."

Representative Marumoto then rose to speak in favor of the bill, with a few reservations, stating:

"I commend the Chairman of the Finance Committee for doing a fine job in making this measure far more equitable than when it first arrived in his Committee. But having been approached by contractors after it came out of the Finance Committee, my understanding is that there may be some rough edges still in this measure. On a day-to-day basis in the real world, in the workaday world, it may not run as smoothly, and it may lead to a lot of problems and litigation and increase cost, so I think we should look at this carefully as we proceed with this measure into conference committee.

"The Associated Builders and Contractors of Hawaii brought up some good points, and they feel that this would really put DAGS and the Procurement Officer into the position of negotiating a lot of contracts. This will lead to a large bureaucracy perhaps, and increase cost on

the part of the State. That must be something that we really have to look at.

"There may be other provisions besides the no-strike provision, or the no slowdown or stoppage agreements which are open to be negotiated, and I think that is a concern of mine. The CPO may be besieged by both sides -- management and labor -- in dealing with these negotiations.

"One of the speakers said that there was no constructive criticism, but the Associated Builders have come up with a suggestion that do shift the responsibility from DAGS to the contractors and hold the contractors responsible. So this is something we could look at to perhaps improve the bill.

"I think we will be dealing with this head-on. I understand the original bill, House Draft 1, has popped up, and two bills on the Senate side, so we will revisit this issue. But this measure is a big improvement from the previous draft, and I will vote for it.

"Thank you very much."

Representative Ward rose to clarify his remarks, stating:

"Mr. Speaker, what this bill calls for is a bit of Harry Truman's plain speaking. That's what I've been trying to say.

"The problem is vagueness. If it is what we say it is, let us call it what it is. It's like our legal lifestyle bill -- be it a smoking bill, be it heterosexual, or whatever kind of bill -- let us say what we mean and mean what we say, Mr. Speaker. That's the issue. If we say that that's what it is, it's not something that's going to be difficult for non-union contractors. Let us put it in the Committee Report. That's all that is needed to be said, and that's basically my reservations of it.

"If I didn't have reservations, I would say the bill is worth nothing and I would vote against it. It has merit. Who does not want to build Hawaii's construction industry for Hawaiians? Who does not want to do that? But let us do it fairly and equitably.

"Mr. Speaker, my plea is plain speaking. Harry Truman needs to write the next Committee Report.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2751, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS CONSTRUCTION CONTRACTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 475, 529, 905, 2020, 2161, 2162, 2164, 2262, 2272, 2648, 2728, 2752, 2828, 2924, 3012, 3036, 3140, 3179, 3292, 3303, 3309, 3310, 1249, 2141, 2170, 2172, 2377, 2544 and 2751 had passed Third Reading at 11:51 o'clock a.m.

At 11:52 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 12:14 o'clock p.m.

**Stand. Com. Rep. No. 1491-94 on S.B. No. 2875, SD 1, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2875, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Beirne rose to speak in "strong support" of the bill, stating:

"Mr. Speaker, I can't even start to tell you all about the need for an ambulance or ambulance services in my district -- Kahaluu, and especially Kaaawa.

"In the last couple of months, I have witnessed many deaths or near-deaths and the response time for ambulance services, or the ability to respond within the accepted medical response time of ten minutes, usually does not occur in my district because of the ambulance services coming all the way from Kahuku, if you will, and me being midway through Kahana, Kaaawa, Punaluu -- those areas. Mr. Speaker, it takes very long for services to be rendered.

"Last Thanksgiving, as explained earlier, we lost a seven-year old Mexican boy out in my district from enjoying the facility with his family and having gone through a drowning. Services were rendered as soon as possible but, of course, was not able to save this particular boy. Not even two months have passed and we had the passing of Gina Tulley right in the front of my yard. The ambulance services responded more than fifteen minutes, and I tried to, Mr. Speaker, address these concerns with the 911 service, with the ambulance and Fire Department, the provider of ambulance services, and the Police Department. Mr. Speaker, they cannot go through an exercise to tell us exactly how long it will take because they're all paid by tax dollars.

"But the matter of fact is that the need is there. We really need this. This bill is important. I speak very strongly in favor of it.

"Thank you."

Representative Stegmaier then rose and requested that his remarks, in favor of the bill, be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Stegmaier's remarks are as follows:

"Mr. Speaker, since I've spoken in favor of this bill earlier in the session, I just wanted to insert words of support.

"Twenty-four hour servicing of the Hawaii Kai community has been a long time in the making. As our population has grown, so, too, has our need for such service. The people of Hawaii Kai, as well as the other communities which will benefit from this bill, are very grateful. I thank my colleagues for their kokua."

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

"The previous bill was about long-term care. Well, if we want to start long-term care, we can start with this bill. All of our districts have an aging population and particularly in Hawaii Kai, we have a puka (hole), if you will. Mr. Speaker, between eleven at night and seven in the morning where there is no ambulance service. And what the statistics show is if we're going to have a heart attack, all of us aging individuals, if there's a heart attack, it's the highest probability of being in the

morning. So if we want to help the elderly, those who want and need long-term care, is in that morning hours that they need it most, and this bill speaks to that, Mr. Speaker. I know there's a lot of money it's asking for but at least one of our communities, hopefully, will end up getting that and each of us, I think, equally speak to the nature of the problem.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2875, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF AMBULANCE SERVICES ON OAHU," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1492-94 on S.B. No. 2908, SD 1, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2908, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII QUALIFIED HEALTH CENTERS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1493-94 on S.B. No. 3031, SD 2, HD 3:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3031, SD 2, HD 3, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Shon rose and stated:

"On Senate Bill 3031, House Draft 3, I rise with a sobering and heavy heart to speak against the bill. In doing so, Mr. Speaker, I have always been a very strong proponent of the efforts of our State to extend the best thinking we have for those who need long-term care. I have observed the development of our long-term care proposal over the years and I can tell you that among other states, when they look at the State of Hawaii, not only are they interested in our Prepaid Health Care Act, not only are they interested in the SHIP Program and other things we've done, the thing that puts us most in their consciousness these days is ... oh, and you're doing something about long-term care. That is what is exciting them right now. They know we've got the employer mandate and that's being debated, et cetera, et cetera, but the new wrinkle that has truly excited the imagination of some of the other states is that we had the courage and the resources to push forward a comprehensive plan to deal with long-term care, that we were not willing to sweep it under the rug.

"Now, Mr. Speaker, I have been very discouraged to see how this proposal has been whittled back. I have been very discouraged to see how the business community, for example, has attacked the proposal again and again with very little positive alternatives being put forward. I know that the plan originally conceived is troublesome, in terms of its cost, but I am puzzled that the cost of long-term care in an unchanged system does not trouble people even more. This is going through the roof, folks! And by not acting, I cannot see where we are doing a service for anyone. I was very much excited when a couple of weeks ago there was a great flurry of activity, both in the House and Senate. Meetings were held, once again briefings were held, and I thought ... well, maybe, just maybe, an actual commitment will be made by this Legislature this year. The form of this bill

today tells me that I'm really not voting on whether or not to keep alive a hollow shell to see if one more crumb can be added to our lack of commitment. I feel, sincerely, that this marks perhaps the end of Hawaii's concerted effort to make a commitment for long-term care.

"I was very fortunate to be able to sit during the interim, under the leadership of Representative Chun, to engage in and listen to the detailed discussions, the enormously complicated charts that were created to help us understand details of long-term care. Everyone who was anyone was at that table presenting their view, their point of view. Hours and hours and hours and hours of peoples' volunteer time were devoted to this. The notion that we need another year to sit around and tweedle our thumbs on this is just not acceptable to me.

"I'm not asking my fellow colleagues to vote no on this bill with me because there's always that outside hope that somehow lightning will strike during Conference Committee, and we will realize that the future of our seniors and the importance of long-term care deserves a real commitment, real dollars on the table, a real permanent commission. Many of us may take issue with this or that point in the Family Hope Program, but this bill takes issue with the whole notion of whether or not we're going to sit down, roll up our sleeves and do something about it.

"I'm very saddened to see how this has been watered down. I really wonder if a year from now, there will be the interest or commitment on the part of all that are necessary to put forth a very serious commitment for long-term care. And you know, if you ever wanted to make an argument that the federal government had better come down heavy-handed and make us do the right thing, or maybe this bill is it because it doesn't say we're going to forge the way and show other states and the federal government, it says explicitly ... we're not going to do anything until the federal government does it. Boy, that's leadership! I cannot see where this is a commitment to our seniors and to those in need of long-term care. I think it is a retreat, a major retreat.

"When this bill goes to conference, I beg all of you who have a say to try to make a difference with this. This may be our last chance, not only for the State of Hawaii, but for the State to lead the way on what the federal plan should be and what other states should be looking at. In the strongest possible way, the only way I know how to protest what has happened, I will vote no and hope and pray that we will come to our senses before the end of the session.

"Thank you."

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

"I regret that I must vote against this measure because it is a measure that seeks to give people the impression that we are addressing the problems of long-term care, but in fact, we're just marching in place because we are afraid to take that bold next step. It's unfortunate that we often fail to see beyond the end of our collective noses, and in the end it is the people who need our help the most who suffer from our myopia and lack of vision. But it's as plain as the noses on our faces.

"We have an aging population, a state where we proudly claim the longest life expectancy in the nation, indeed one of the longest in the world, yet we also have the fewest numbers of nursing home beds per capita in the country. We live in the state that proudly boasts of family and cultural values that allow many of our elderly and disabled to live at home or in our communities, yet

we fail to provide the needed respite care and chore services that give our families a support to carry on those traditions.

"Mr. Speaker and colleagues, this bill, in its present form, to establish a temporary long-term care advisory commission, I think, is an insult to those who have worked long and hard to develop a long-term care solution. And members of the Family Hope Coalition are understandably disappointed that we failed to give hope for our families in need. And my colleague on my right, despite her tender years, has shown extraordinary leadership in this area, not only during this session, but during the interim between last session as well.

"Personally, I have been involved in the long-term care debate for the last eight years and we've heard the tragic stories, we've heard the statistics, we've heard many analyses. We know in our hearts and in our minds what is right. We know, as a matter of public policy, that the need for long-term care belongs in the public domain because the need is truly in the public's best interest because it transcends all locales, all income categories, and all ethnic groups. A quality long-term care system will benefit all of us and there's no denying that, given our current state of health care, we can all expect to live a long, long time. Chances are, if not ourselves, then we will know someone very close to us who will need one or more of those long-term care services, that if we continue to drag our feet, will not be available unless we start to take action.

"Mr. Speaker, I know the 'T' word causes many of us to want to run and hide, especially during an election year. But indeed, it will take an extraordinary vision and courage to put together a long-term care plan, the kind of vision and courage that brought us the Prepaid Health Act that so many states now envy. For those who think that this bill is a light at the end of the tunnel, all I can say is, be wary. It may be the light of an oncoming train. Let's not fool ourselves by passing this measure.

"Mahalo."

Representative Pepper then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, I agree with all of the concerns expressed by the previous two speakers, but I come to a different conclusion. The conclusion I come to is that it is not time to give up. It is time to continue in whatever way we can.

"Mr. Speaker, the current version of the bill calls for further studies rather than action. Mr. Speaker, there is a demographic time bomb ticking. That demographic time bomb is the aging of our population. Mr. Speaker, it is not time for further study, it is time to act.

"As our nation's population ages, by the year 2030, twenty-five percent of the population will be sixty years or older. Our elderly population in Hawaii is growing at almost three times the national average. Where does this leave us? Obviously, it leaves us with a desperate need for a long-term care system, adequately funded.

"But it's not simply the elderly that this is an issue for. Forty percent of long-term care recipients are under age sixty-five and many of them will require twenty, thirty, forty or fifty more years of care. And it is not simply an issue for the disabled and for the elderly because the care givers are primarily women who are not only caring for children, not only trying to help support their families, but also are thrust into the care of the disabled and the elderly. Many of them are forced to quit their jobs in order to help provide such care.

"Mr. Speaker, again I say, we are faced with a demographic time bomb and we could use the image of the freight train coming at us, too. But whichever image we use, it is time for us to act on long-term care. We have spent an awful lot of time and an awful lot of money studying it. We do, in fact, have good information from the Executive Office on Aging on costs on needs, et cetera.

"The most positive part of the current bill, Mr. Speaker, is that it requires the Executive Office on Aging to get the word out. They, in fact, have the word. They have the information available and once, I think, our community understands what is going on, they will come to us and they will demand that we develop a system of long-term care. It's time to get started on it. I hope that in conference, we will be able to improve on this bill.

"Thank you, Mr. Speaker."

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

"I don't want to be redundant and repeat what everyone else has said, but I think it's important to note that I am voting no on this bill and to explain that no vote because, as some of the other speakers have also explained, I have long been a supporter of long-term care and I hate to vote no on a long-term care trust fund.

"However, as the measure started out as an attempt to administer a long-term care financing program, the measure that, in fact, is before us again calls for a study of how the long-term care trust fund will be funded, and again requests for a study of how the actuary or reports were prepared. It requests a study of financial ramifications. It requests a study of long-term care insurance. It requests a study of existing public and private employer initiatives, and it requests the development of a comprehensive community education program. I would assert that these studies have been done and accomplished and this is not the time for us to continue studying the matter. The time is for action.

"I have been cautioned by my colleagues that I shouldn't vote against this measure -- I should give it a chance and support it. But when I vote, I vote seriously, Mr. Speaker. I vote for the content of a measure and not for the anticipated benefit in the future. I see no potential benefit here, and I will be voting against it.

"I want to go on record, however, to note the intelligent and courageous efforts of Dr. Jeanette Takamura in trying to shepherd a decent measure forward.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, as you know, the issue of long-term care is becoming increasingly urgent. More and more people are living well into their eighties and beyond, and are in need of some type of medical care from family, friends, or the community.

"The cost of institutional care is astronomical and it can even bankrupt an individual or family in a few short years. Home care also has a cost attached to it as caregivers restrict their own earning capabilities, thereby becoming financially vulnerable themselves when they become elderly and also in need of care.

"Often, people in desperate need of care turn to the State for help, by applying for Medicaid after their family assets have been depleted. Sometimes, people divest their assets deliberately so they may qualify for Medicaid while still bequeathing some property to their families. Of course, the more that people turn to Medicaid to fund the expenses of long-term care, the more that all of us have to pay in taxes. And as the baby-boomers age and turn to the State for help with their long-term care needs, the proportion of our State budget dedicated to Medicaid would probably skyrocket. Other vital State programs that we have, such as education, may suffer the financial crunch. As you can see, the costs to every one of us will continue to increase, unless we take some action now.

"Action, however, Mr. Speaker, implies more than a simple policy solution when it comes to long-term care. It implies to all of you members a commitment on the part of individuals, the community, and the State, to maintain a living, working, trust to provide for the medical needs of the future. It implies a significant commitment of our resources -- both individually and State resources -- and a sound management strategy.

"That is why, Mr. Speaker and members of the House, I am speaking in support of this particular measure, as amended by the House Finance Committee, whereby we did establish an advisory commission within the State Department of Commerce and Consumer Affairs to study and review the long-term care financing options available to the State. It is essential that we, as policymakers, and the people of our State, as taxpayers, know exactly what benefits a long-term care plan will provide, and how much money will be saved in the long run through smaller Medicaid payments.

"Mr. Speaker and members of the House, in addition, this particular measure proposes a careful study of our current actuarial data. I've seen two, three, four different actuarial data in the past, and as a small businessman, I must be very honest with all of you that I don't really understand. I hope all of you here, as far as being members of the House, understand these actuarial data because I don't, and I'll be very honest.

"On the evaluation and cost of the availability of private long-term care insurance, what is private long-term care insurance? Any of us have bought long-term care insurance from the private sector? In an assessment of our current State efforts and a community education program, I think all of us should be aware of. . . yes, I've talked to leadership that I don't mind contributing, on a voluntary basis, a portion of my personal income tax. Are you all willing to do that?

"With these efforts, Mr. Speaker, we will have taken a giant step forward towards ensuring that all of Hawaii's residents are cared for in their old age, without the threat of impoverishment. At the same time, Mr. Speaker, we will see to it that public funds are used in the most efficient and effective way possible in getting it out to the long-term care individuals.

"And so, Mr. Speaker, it is vital that we must have this ongoing effort to provide medical care to all and try to stop the increase in Medicaid costs. And I ask that the members of this House unanimously pass this measure out today.

"Thank you."

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

"I would like to echo the Finance Chairman's comments also, and also state that I believe all of us here

recognize and support the need for a cost-efficient long-term care program. We do recognize that this is indeed a very important and necessary program, and I also agree with the Finance Chair that we need to enact, when we do, a very responsible program.

"This bill has a number of very positive provisions which I think are very important in carrying forth our responsibility. One of the most important provisions in the bill calls for the hiring of two independent, qualified actuaries to either validate or recommend improvements to the cost factors, or the actuarial data that the Executive Office on Aging has come up with, and I think this validation by the independent actuaries will assist us, as legislators, in enacting this program in the future.

"The other very important factor in this program is the educational component -- funding of moneys to educate the general public for which I believe most people do not really understand all of the provisions, the cost factors, the tax implications, et cetera.

"For these reasons, Mr. Speaker, I 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. 3031, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LONG-TERM CARE TRUST FUND," having been read throughout, passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Amaral, Arakaki, Shon and Takumi voting no, and Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1494-94 on S.B. No. 3045, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3045, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Beirne rose to speak in "strong support" of the bill, stating:

"Mr. Speaker, this bill relating to the agribusiness development, is to establish a public corporation to convert lands taken out of sugar and pineapple production into new, productive agricultural uses. It specifies certain things, Mr. Speaker, that the public corporation would do, things that are very, very important, especially where the development of these projects of large tracts of land will be utilized.

"I am particularly interested, Mr. Speaker, in not only the 75,000 acres of agricultural lands, but also the fifty million gallons per day of irrigation water -- water that is expected to be released by those plantations that now have them.

"Mr. Speaker, Kahana Valley was condemned in the middle 60s to become a State park and even that term, not really fitting in with the residential community, was more or less set aside because of water. Water coming over from Kahana Valley to the Waihole/Waikane ditch and over will be affected with this Senate Bill No. 3045, and just as well so, Mr. Speaker, because as plantation businesses go down, we're going to need just something like this -- a public corporation -- not only with public but private enterprises.

"I am very happy, Mr. Speaker, that many of those enterprises will again include some of those sugar people who know the water tunnels, who know how water has to

be taken care of, so that they might be able to teach those of us in the public how to handle the water.

"And so, Mr. Speaker, I speak in strong support, just because I know how important water is, and how important Kahana is to handling of those waters in our Hawaii Nei.

"Thank you very much."

Representative Hirono then rose and stated:

"I rise to speak in favor of Senate Bill 3045, but in doing so, I would like to express some strong reservations about what we are doing with this bill.

"There is no question that we are at a threshold in Hawaii, and that threshold is ... what is to be the future of agriculture in Hawaii? I think that the importance of that question means that we ought to discuss this issue and this question in as wide a forum and with as many different groups of people as possible.

"The creation of this Agribusiness Development Corporation is a response to the question of ... what is to be the future of agriculture in Hawaii? There have been many concerns expressed about doing this at this juncture. In particular, many of the small farmers on the neighbor islands and the Farm Bureaus of Maui, Kauai, the Big Island, I believe, have expressed some major concerns about doing this at this juncture. And the reason is that there are issues such as ... what is to be the emphasis in agriculture in Hawaii? Should it be on exporting which is the emphasis in this bill, if you look at page 13 of this bill. The goal of this corporation is to develop, promote, assist, and market export crops exclusively. Is that what we ought to be doing in agriculture, or should we also be talking about growing more of the food that we need to consume in state? We do import about 80 percent of all the foodstuff that we consume.

"There are major issues relating to the use of water that will be released by the plantations when they close. There are issues relating to the rights of the native Hawaiians to that water -- many, many other issues.

"I do think though that we need to address what is to become of agriculture, but as I say, perhaps creation of this governmental entity may be an idea that is not quite right. So although I will be voting on this measure today, I believe that we need to think very, very seriously about the implications of what we are doing.

"Thank you."

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

"I will be voting no on this bill and I am reluctant to do that but I know no other way to notify my colleagues of the need for caution and to proceed slowly on this issue.

"I represent an area that is heavily in agriculture. I represent an area in which sugar is going to be disappearing and in which pineapple, in the future, will be disappearing. I am very reluctant to turn over those agricultural lands to the control of some mega authority. I think that is something that we should maintain control over and watch very carefully and then be able to respond from the Legislature as new ideas develop and as new possibilities are brought to our attention, rather than stepping back from our authority and turning it over to someone else.

"It is because of that reason, Mr. Speaker, I will be voting no.

"Thank you."

Representative Tom then rose to speak in support of the bill, stating:

"Mr. Speaker, first of all, I wanted to state that this bill does establish a strong public/private partnership through the Agribusiness Development Corporation to assist in the transformation of agriculture from a mono-crop industry to one of diversification.

"You know, Mr. Speaker, first of all, I have to be very frank. I don't sit on Ag and I don't sit on the Finance Committee, but my concerns for the future of our State compels me to address this issue. Big changes are happening in agriculture -- bigger than any we have witnessed in the last hundred years. Lands will soon be opening up in Kunia, Kau and Hamakua with potentially more to follow in Waialua and Kekaha. Over 60,000 acres, Mr. Speaker, all across the State, may be taken out of sugar production. With so much land being taken out of sugar, we need a mechanism in place to aid in the transition, or we will face sure disaster, not just in the agricultural sector, but in our overall economy, and that is why I'm standing here now. We are not just talking about diversifying agriculture. We are talking about diversifying the economic base of our State. You know, many who criticize this bill do so because of either a lack of understanding, misinformation, or for personal reasons.

"But what alternatives do we have to offer? We have been presented with something that was developed over several years with input from both the public and the private sector of the agricultural industry. We have been presented an opportunity and a plan of action. We cannot just leave things to chance and hope that things will work out, or that we can just fix it later. It will be too late, Mr. Speaker. Past efforts such as the Kohala Task Force, for instance, failed because it was just government tossing money at projects they hope would work.

"One of the key features of this Corporation is the involvement of the private sector because they all realize the stake that they do have in this, and because this transition will impact them in a big way.

"Some see this as a bill that creates competition for our existing farmers. With so much land opening up, the competition is coming, with or without this Corporation. I see this Corporation as a way to help our local farmers stay in the game. Otherwise, the bulk of the 60,000 acres could go to outside interests. This Corporation itself is not going to buy up all of the land, as some would believe, and dictate what will be grown. But reserve is a catalyst in preserving the entity to help develop strong business plans based on marketing. It is a way to keep lands productive and protect the quality and the valuable infrastructure that is already in place. We all have to recognize that it cannot be business as usual.

"Mr. Speaker, farmers today grow crops and then worry about where to sell their products. Another key component of this bill is to examine potential markets for our products and grow to meet those needs, not the other way around.

"Therefore, I urge my colleagues to support this bill for our future.

"Thank you."

Representative Morihara then rose to speak in support of the bill, stating:

"This bill is not the end-all to the problems of agriculture. It's only a tool for the promotion of agriculture, and I would not like to see the Department of Agriculture or the Governor's Agricultural Coordinating Committee abdicate their responsibilities for the promotion of agriculture.

"Hopefully, with the proper provisions and direction, this bill and the Agribusiness Development Corporation can help agriculture. But this measure should be carefully watched because this Corporation should, as a public entity, serve the people and not itself.

"Thank you."

Representative Santiago then rose to speak in support of the bill, with some reservations, stating:

"I, too, represent a district that is largely in agriculture. I, too, see this bill as a vehicle, as Representative Morihara had just mentioned. It needs to be watched carefully. Those of us who will be impacted terribly shall and should have a very, very significant voice on its development.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3045, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS DEVELOPMENT," having been read throughout, passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Amaral, Hagino and Shon voting no, and Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1495-94 on S.B. No. 3315, SD 2, HD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3315, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION RATE FILING AND RATE MAKING," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**Stand. Com. Rep. No. 1496-94 on S.B. No. 3082, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3082, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, first of all, I would like to express my appreciation to the Chairman of the Finance Committee and to the members of the Finance Committee who were so supportive of this bill, and it's a new concept.

"It's a difficult time to stand for those that haven't been sitting on the Coalition with the homeless, but basically, the State of Hawaii and the Department of Health has been responsible for years for the mentally ill, but they've never seemed to come out with a program, or a way to address those that are deinstitutionalized and wandering around. So by having the Coalition meet on a regular basis, made up of about twenty-five different organizations which includes the State's Department of

Transportation, the county, Department of Health, Department of Human Services, and all kinds of groups, we've been able to come up with this 'Safe Haven.'

"I should mention to you that one of the biggest problems we have in the State with the homeless mentally ill happens to be at the airport, and the airport was very interested in getting something like this out because they have dozens of people who are wandering around and if any of you have been to the International Airport, I'm sure you have seen the homeless mentally ill. That's their home. And this is really a bothersome thing for the Department of Transportation, as well as for our visitors who are panhandled basically -- asked for donations -- and these people need a lot of help. But they also are all around us. I'm sure if any of you walked around in the evenings, or even in the daytime around our Capitol building, you will see the homeless mentally ill.

"What this will do then is to be a public/private partnership, and the Department of Health will be responsible to work with the private sector. The Coalition has gotten commitments from the First Hawaiian Bank, and this bill really is a catalyst. The First Hawaiian Bank has agreed to go through CRA -- the Committee Reinvestment Act -- which encourages them to help the community. And so they have pledged the money to help refurbish or prepare a place as a 'Safe Haven.' The Weinberg Foundation has also committed and said they would be willing to help. HUD has indicated that they will help in this homeless thing so what this really is is a very good consortium of organizations who are willing to put out their moneys and their help in kind as well to make this 'haven' for the homeless mentally ill.

"I would also like to mention to you that this way of reaching out is unique in that these people are difficult to reach through traditional services and they often are very suspicious of government motives and reluctant to participate in programs that require extensive counseling or a case plan.

"And so the purpose of this act is to appropriate funds for operating costs for this 'Safe Haven' which become very operational very soon. There is no organization in the State that is in a position to actually do this. That's why it's not a purchase of service, it's not a grant-in-aid, and it's not for an RSP. It's for the Department of Health to provide the leadership and figure a way to make all of this work as a consortium with all of these organizations, and they would run it something like the dental program which, as you know, on Oahu, for those who are on Medicaid, they provide dental clinics and they run those clinics -- the Department of Health -- and they contract with individuals as needed, so there's practically no overhead for administrative purposes.

"So I think that it is important that everyone understand how this works, but I really do appreciate the fact that we have it here before us and even a dollar is pretty good in this day and age to have in the bill. I realize that's a hundred pennies, but for the number of good things that will come from that, I want to congratulate the members who helped get this going -- the Department of Health, and also the Committee on Health who was very supportive of this, as well as the Committee on Human Services.

"So, thank you all very much for all your support, and I hope that this sees a bright light at the end of this tunnel which ends on May 2nd.

"Thank you very much."

Representative Pepper then rose to speak in support of the bill, stating:

"Mr. Speaker, what has come about with this bill represents a rather remarkable and rapid mobilization of private resources and the willingness of this Legislature to support the efforts of the Coalition in bringing this about, and I think that the members of the Coalition are to be commended. I think it is incumbent upon us to support their efforts.

"I can tell you the need for this bill, but I think that it is expressed most clearly in the words of one of the testifiers, Dr. Margaret Kabei, who works in the field with homeless and mentally ill individuals who are the most vulnerable part of the homeless population in the streets. The mentally ill are abused and injured by other homeless individuals. They are really having a terrible plight. What Dr. Kabei said was ... the least we can do is offer them asylum in the real meaning of the word -- refuge, safety, a safe haven from the dangerous world of the streets. And I don't think that anybody could put it more eloquently than that.

"These are terribly vulnerable folks who need our protection, and I urge the support of this bill.

"Thank you."

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

"Mr. Speaker, the title of the bill speaks for itself, and that this bill goes forward in building a relationship with the mentally challenged ... I really hate to use the word 'mentally ill.' In the true sense, this pilot program will bring a lot of good to this type of population.

"Thank you."

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

"I want to, first of all, commend the individual legislators in the House who worked so hard to get this passed and also to the Committee on Finance, the Chair of the Committee, for his wisdom in allowing this bill to go forward, knowing full well that it is a very difficult funding year.

"I wanted to point out one thing, however. Throughout the testimony, it was pointed out repeatedly by many people who came to testify in support of this measure that, in fact, a bill like this will save the State millions of dollars in the long run. Presently, many of this homeless population end up either in our prisons or in our hospitals in a revolving door, and as they go through they are costing us many, many more amounts of money than is necessary.

"A 'Safe Haven' pilot project like this which I know, after a short time, will no longer be a pilot, will show that we can provide a place for these individuals to come that is much more humane and economically makes a lot more sense.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, true, if this is a bill of compassion for the helpless, the hopeless, the schizophrenic, if we didn't pass the bill, Mr. Speaker, we wouldn't have a conscience.

"And in thanking people, I think there was one person who was overlooked because I think a lot that she said

made the difference. That is, Representative Isbell was there in the Finance Committee, Mr. Speaker, and I think it sends a message to those who show up from the public at public hearings that you being there, being able to respond to questions, because we almost lost it in the Finance Committee because of the implementation. Well, what about the 501C3? Who is going to receive the money? Who is going to process the money? And she was right there responding ... well, we can do it this way, we can do it that way. So a lot of this credit goes to Representative Isbell for her perseverance, persistence, and blockbusting. I think, through some of the bureaucracy.

"So, Mr. Speaker, if we don't pass a compassionate bill, we'll have no heart, but if the bureaucracy doesn't implement it, they will equally be accused of that.

"Thank you, Mr. Speaker."

Representative Hagino then rose and stated:

"I would like to echo the prior speaker ... this is a bill for the helpless, the homeless, and the other wards of the State, so I support it."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3082, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOUSING THE HOMELESS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 2875, 2908, 3031, 3045, 3315 and 3082 had passed Third Reading at 1:07 o'clock p.m.

At 1:08 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 2:00 o'clock p.m., the Chair introduced to the members of the House a former colleague, Whitney Anderson.

#### STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1497-94) recommending that S.B. No. 2151, SD 1, pass Third Reading.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2151, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1498-94) recommending that S.B. No. 2404, SD 1, pass Third Reading.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2404, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1499-94) recommending that S.B. No. 2921, SD 2, HD 1, pass Third Reading.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2921, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1500-94) recommending that S.B. No. 3249, SD 1, HD 2, pass Third Reading.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3249, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF DEGREE-GRANTING EDUCATIONAL INSTITUTIONS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1501-94) recommending that S.B. No. 2661, HD 1, pass Third Reading.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2661, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING AND PROMOTION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 2151, 2404, 2921, 3249 and 2661 had passed Third Reading at 2:01 o'clock p.m.

### THIRD READING

The following bills, which were on the calendar for Third Reading, were read throughout and the following actions taken:

#### S.B. No. 3133, SD 1, HD 1:

Representative Ihara moved that S.B. No. 3133, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Morihara rose and stated:

"I would just like the Journal to note my reservations on this bill."

The motion was put by the Chair and carried, and S.B. No. 3133, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Chumbley and White voting no, and Representative Tanimoto being excused.

#### S.B. No. 2402, HD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2402, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CREATION OF MORE PARKING SPACES," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

#### S.B. No. 2406, SD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2406, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

#### S.B. No. 2605, SD 1, HD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2605, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

#### S.B. No. 3302, SD 1, HD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 3302, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," passed Third Reading by a vote of 50 ayes, with Representatives Tanimoto being excused.

#### S.B. No. 2607, SD 1, HD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2607, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Hirono, Takumi, Tam and Shon voting no, and Representative Tanimoto being excused.

#### S.B. No. 3096, SD 1, HD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 3096, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

#### S.B. No. 556, SD 1, HD 1:

Representative Ihara moved that S.B. No. 556, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Marumoto rose and requested that her remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Marumoto's remarks are as follows:

"The intent of this bill is to combat public prostitution activity in the Waikiki area.

"What are we trying to do?

"Clean up Waikiki?"

"If we are attempting to make Waikiki an attractive tourist destination where vacationers are protected from aggressive solicitation, then we already have Act 275 (HRS 712-1206) which was passed in 1991 to protect unwilling victims from repeated harassment, interference and assault by aggressive prostitutes in public places.

The penalty is a mandatory fine up to \$1,000 and imprisonment up to 30 days.

"If this law is ineffective, then why should a stiffer penalty make it more effective? To the contrary, a stiffer penalty would create more problems than it would solve. The bill before us will give the defendant a right to jury trial, which would add to the backlog of jury trials in the circuit courts, and defeat prior legislative intent for a desire for speedy resolution for offenses of this nature.

"Our prisons are already overcrowded. Warehousing women in prison to set an example will not solve the problem.

**"Curb Prostitution?"**

"The bill before us will do little to curb prostitution in Hawaii. It applies only to public prostitution in the Waikiki area. It ignores the offense of prostitution in other areas of the State. It ignores prostitution by call girls or illegal activities in 'hostess bars,' giving the impression that the offense of prostitution will be overlooked if it is done discretely. It ignores the customers.

"The bill before us will target certain women for punishment and will offer them no hope for rehabilitation or recovery. It will hide prostitution from public view, but will not diminish this social ill. It is only a band-aid, not a cure."

The motion was put by the Chair and carried, and S.B. No. 556, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Amaral and Marumoto voting no, and Representative Tanimoto being excused.

**S.B. No. 2182, SD 1, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2182, SD 1, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR CONSENT OF THE SENATE TO THE APPOINTMENT OF DISTRICT COURT JUDGES," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**S.B. No. 1628, SD 2, HD 1:**

Representative Ihara moved that S.B. No. 1628, SD 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"The purpose of this bill is to appropriate funds for the Department of Land and Natural Resources to dredge Maunalua Bay at the main entrance channel to the Hawaii Kai marina.

"Among the reasons that I support this bill, first that the channel does lie within public waters and it is becoming impassable due to the buildup of sand. A rounding of the vessels becomes imminent and the liability to the State and to the taxpayers also becomes imminent the longer we hold off on doing this dredging.

"The marina, despite the fact that it is a private marina, serves as a haven for vessels in distress. It serves as a mobilization site and passageway for emergency equipment in the event of an environmental or

any other kind of disaster, and it serves many other public purposes for which the public benefits.

"For these reasons, I would ask my colleagues to support this bill.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 1628, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DREDGING OF MAUNALUA BAY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**S.B. No. 3307, SD 2, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 3307, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**S.B. No. 2249, HD 1:**

Representative Ihara moved that S.B. No. 2249, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, I would not only call this a good but an excellent bill. It's renaissance legislation for the future of reinventing government, re-establishing how we do things, how they should be done more efficiently, and the best way.

"However, Mr. Speaker, I have my remarks for the Journal, if I may."

The Chair, noting that there were no objections, "so ordered."

Representative Ward's remarks are as follows:

"Mr. Speaker, I rise to speak in strong support of Senate Bill 2249 which establishes a system of fiscal and personnel controls for the allotment of State funds by Executive departments and agencies.

"This bill provides that when the Director of Finance determines that a program objective can be reached through more efficient management of resources, the affected department or agency is granted the responsibility and authority to determine budget priorities. In effect, Senate Bill 2249 will allow departments and agencies faced with Governor or Budget and Finance-mandated cuts to reshuffle resources according to their own priorities so long as the budgeted programs's objectives are reached.

"Mr. Speaker, Senate Bill 2249 is renaissance legislation. It reawakens, in Hawaii, an awareness of and respect for a valuable component of the performance budget. It is cutting edge legislation in that it moves Hawaii in the direction of a budgeting process which emphasizes measurable objectives, manager flexibility, past performance, and program-specific evaluation. In a time when legislators face difficult budget decisions and increasing pressure from taxpayers who feel that they don't get what they pay for, the performance budget aspect of Senate Bill 2249 is exciting and encouraging.

"So often I am critical of this State's budgeting process because I believe it to be, frankly, professionally processed baloney (although we call it PPB). Mr. Speaker, Senate Bill 2249 gives me some hope. It shows that the Legislature isn't afraid to take bold action to bring greater accountability to the execution of the State budget. It demonstrates that we are willing to grant managers flexibility to set priorities and to reallocate money to reach program objectives. I hope it also means that having granted them the flexibility, we won't hesitate to hold them accountable for their decisions.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 2249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

**S.B. No. 576, HD 1:**

Representative Ihara moved that S.B. No. 576, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"I'm very happy to see that we are removing the tax on hospitals of four percent. However, I wish that this bill went all the way and also remove the tax on nursing homes. That tax is six percent. Of course, it does drop dead in a year or so so it isn't that much to be concerned about, but anytime we do tax sickness and old age, I'm against it.

"So that is my reservation as to this measure. However, I will be voting aye.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 576, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. Nos. 3133, 2402, 2406, 2605, 3302, 2607, 3096, 556, 2182, 1628, 3307, 2249 and 576 had passed Third Reading at 2:07 o'clock p.m.

**MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

**Stand. Com. Rep. No. 1439-94 on S.B. No. 3068, SD 2, HD 2:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3068, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"Mr. Speaker, the bill before us is quite a unique bill in that it starts us on the track to preserve some of the resources along our shorelines.

"I think a lot of us are aware of the continuing depletion of our shoreline fisheries, and this is an exciting

bill, in my mind, because we're not only setting aside an area of Molokai in particular for subsistence fishing, and while this is being set aside as an area in which Hawaiian fishing practices will be utilized, it will be open to all members of the community and, of course, we do have some opposition from commercial fishermen, but this is the direction that I feel we need to be going if we are going to maintain the resources along our shoreline. It's a direction that I think we should support, and I appreciate your giving me the opportunity to speak on this measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3068, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSISTENCE FISHING," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Tanimoto being excused.

The Chair directed the Clerk to note that S.B. No. 3068 had passed Third Reading at 2:10 o'clock p.m.

At 2:11 o'clock p.m., Representative Taniguchi asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:13 o'clock p.m.

**STANDING COMMITTEE REPORTS**

Representative Hiraki, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1502-94) recommending that H.R. No. 234 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 234, entitled: "HOUSE RESOLUTION REQUESTS THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE STATEWIDE BOATING PROGRAM," was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1503-94) recommending that H.C.R. No. 252 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE STATEWIDE BOATING PROGRAM," was referred to the Committee on Finance.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1504-94) recommending that H.C.R. No. 448, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 448, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CANADIAN GOVERNMENT TO INVESTIGATE LOGGING POLICIES AND SUBSEQUENT ENVIRONMENTAL IMPACTS," was referred to the Committee on Consumer Protection and Commerce.

Representatives Arakaki and Lee, for the Committees on Hawaiian Affairs and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1505-94) recommending that H.R. No. 345, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.R. No. 345, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES AS OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," was referred to the Committee on Finance.

Representatives Arakaki and Lee, for the Committees on Hawaiian Affairs and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 1506-94) recommending that H.C.R. No. 399, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.C.R. No. 399, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES AS OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1507-94) recommending that H.C.R. No. 313, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 313, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL STATE AND COUNTY DEPARTMENTS AND AGENCIES TO IMPOSE A MORATORIUM ON THE SALE OR EXCHANGE OF CEDED LANDS UNTIL THE YEAR 2004," was referred to the Committee on Water and Land Use Planning.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1508-94) recommending that H.R. No. 303, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 303, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP 'REQUEST FOR PROPOSALS' FOR THE ALTERNATIVE MANAGEMENT OF PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1509-94)

recommending that H.C.R. No. 337, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 337, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP 'REQUEST FOR PROPOSALS' FOR THE ALTERNATIVE MANAGEMENT OF PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1510-94) recommending that H.R. No. 384 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 384, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY WAYS OF EXPANDING THE USE OF CLOSE-CAPTIONS IN EDUCATIONAL AND COMMERCIAL PROGRAMMING," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1511-94) recommending that H.C.R. No. 461 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 461, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY WAYS OF EXPANDING THE USE OF CLOSE-CAPTIONS IN EDUCATIONAL AND COMMERCIAL PROGRAMMING," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1512-94) recommending that H.R. No. 146, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 146, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION FOR A NEW ELEMENTARY SCHOOL IN KIHEI, MAUI," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1513-94) recommending that H.C.R. No. 156, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 156, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION FOR A NEW ELEMENTARY SCHOOL IN KIHEI, MAUI," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1514-94) recommending that H.R. No. 365 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and H.R. No. 365, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A COMPREHENSIVE REPORT ON ITS TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1515-94) recommending that H.C.R. No. 432 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 432, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A COMPREHENSIVE REPORT ON ITS TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1516-94) recommending that H.R. No. 22, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 22, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO COLLABORATE WITH THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO ESTABLISH FAMILY-CENTERED PROGRAMS AND ACTIVITIES IN THE PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1517-94) recommending that H.C.R. No. 26, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 26, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO COLLABORATE WITH THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO ESTABLISH FAMILY-CENTERED PROGRAMS AND ACTIVITIES IN THE PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1518-94) recommending that H.C.R. No. 141 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO CONSIDER THE FEASIBILITY OF VARIABLE RATE FEES OR UNIT-BASED PRICING TO ENCOURAGE CONSUMERS TO REDUCE WASTE AND RECYCLE," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1519-94) recommending that H.C.R. No. 30 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO CONSIDER THE FEASIBILITY OF VARIABLE RATE FEES OR UNIT-BASED PRICING TO ENCOURAGE CONSUMERS TO REDUCE WASTE AND RECYCLE," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1520-94) recommending that H.R. No. 204 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted, and notwithstanding the recommendation of the Committee report, H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST COST EFFECTIVE OPTIONS THE LEGISLATURE MAY USE TO DEVELOP ENHANCED INTERGOVERNMENTAL RELATIONS WITH THE FEDERAL GOVERNMENT," was adopted.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1521-94) recommending that H.C.R. No. 215 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST COST EFFECTIVE OPTIONS THE LEGISLATURE MAY USE TO DEVELOP ENHANCED INTERGOVERNMENTAL RELATIONS WITH THE FEDERAL GOVERNMENT," was referred to the Committee on Legislative Management.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1522-94) recommending that H.R. No. 263, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 263, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE RESOLUTION OF TRADE NEGOTIATIONS BETWEEN THE UNITED STATES OF AMERICA AND JAPAN," was adopted.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1523-94) recommending that H.C.R. No. 282, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 282, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE RESOLUTION OF TRADE NEGOTIATIONS BETWEEN THE UNITED STATES OF AMERICA AND JAPAN," was adopted.

Representatives Bunda and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1524-94) recommending that H.C.R. No. 222 be adopted.

Representative Ihara moved that the joint report of the Committees be adopted and H.C.R. No. 222 be adopted, seconded by Representative Thielen.

Representative Bainum rose to speak in favor of the concurrent resolution, stating:

"Mr. Speaker, first, I would like to thank the Chair people of both the Consumer Protection and the Judiciary Committees concerning this concurrent resolution. This concurrent resolution asks that those who rent or sell video movies to voluntarily label these items for specific content, and that content is violence.

"We now have a large body of studies, Mr. Speaker, that show that watching violence in the media does influence people, particularly young people, to do violence. This is a very powerful medium, and I think that parents deserve the right to know what kind of content is in these video movies because it is a fact, Mr. Speaker, that many people use these video rentals as baby-sitters in this day and age.

"We are behind West Virginia that already has labeling of content of video movies. I think that Hawaii needs to join those ranks so that parents can know exactly what their children are watching, and if they choose not to let their children watch violent videos, then they'll have that knowledge.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL PERSONS WHO RENT OR SELL VIDEO MOVIES TO VOLUNTARILY LABEL, FOR SPECIFIC CONTENT, ALL VIDEO MOVIES RENTED OR SOLD," was adopted.

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1525-94) recommending that H.R. No. 328, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 328, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR COLLABORATION AMONG STATE AGENCIES AND FOR PUBLIC-PRIVATE PARTNERSHIPS BETWEEN THE STATE AND PROVIDERS OF HUMAN SERVICES IN FURTHERING FAMILY PRESERVATION AND SUPPORT," was adopted.

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1526-94) recommending that H.C.R. No. 243, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 243, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE EMPLOYEES TO DONATE TO THE HAWAII FOODBANK STATE EMPLOYEES' FOOD DRIVE," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1527-94) recommending that H.R. No. 290, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 290, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DETERMINE THE COST OF ESTABLISHING A PICK-UP PROGRAM FOR UNUSED OR UNWANTED PESTICIDE PRODUCTS, AND A RECYCLING PROGRAM FOR PESTICIDE PRODUCT CONTAINERS," was referred to the Committee on Finance.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1528-94) recommending that H.C.R. No. 323, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 323, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DETERMINE THE COST OF ESTABLISHING A PICK-UP PROGRAM FOR UNUSED OR UNWANTED PESTICIDE PRODUCTS, AND A RECYCLING PROGRAM FOR PESTICIDE PRODUCT CONTAINERS," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1529-94) recommending that H.R. No. 32, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 32, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ACTIVATE A COMMITTEE TO PLAN, COORDINATE, AND OVERSEE THE IMPLEMENTATION OF ARRANGEMENTS FOR THE OBSERVANCE OF THE FIFTIETH ANNIVERSARY OF THE END OF WORLD WAR II," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1530-94) recommending that H.C.R. No. 35, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 35, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ACTIVATE A COMMITTEE TO PLAN, COORDINATE, AND OVERSEE THE IMPLEMENTATION OF ARRANGEMENTS FOR THE OBSERVANCE OF THE FIFTIETH ANNIVERSARY OF THE END OF WORLD WAR II," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1531-94) recommending that H.R. No. 331 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 331, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO REVIEW AND REVISE REAL PROPERTY TAX ORDINANCES TO SUPPORT AGRICULTURAL POLICIES," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1532-94) recommending that H.C.R. No. 392 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 392, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO REVIEW AND REVISE REAL PROPERTY TAX ORDINANCES TO SUPPORT AGRICULTURAL POLICIES," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1533-94) recommending that H.R. No. 140, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 140, HD 1, entitled: "HOUSE RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1534-94) recommending that H.C.R. No. 31, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 31, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1535-94) recommending that H.C.R. No. 257, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 257, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSIST THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF WASTEWATER MANAGEMENT, WITH THE IDENTIFICATION OF THOSE CESSPOOLS ON THE NORTH SHORE AREA OF THE ISLAND OF OAHU THAT ARE FAILING OR ARE PRONE TO REPEATED FAILURE," was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Public Safety and Corrections and Judiciary, presented a joint report (Stand. Com. Rep. No. 1536-94) recommending that H.R. No. 312 be referred to the Committee on Intergovernmental Relations and International Affairs.

Representatives Menor and Tom, for the Committees on Public Safety and Corrections and Judiciary, presented a joint report (Stand. Com. Rep. No. 1537-94) recommending that H.C.R. No. 349 be referred to the

Committee on Intergovernmental Relations and International Affairs.

Representative Ihara moved that the joint reports of the Committees be adopted and H.R. No. 312 and H.C.R. No. 349 be referred to the Committee on Intergovernmental Relations and International Affairs, seconded by Representative Thielen.

Representative Amaral rose to speak in opposition to H.R. No. 312 and H.C.R. No. 349, stating:

"Mr. Speaker, these resolutions refer to the siting of secure residential drug treatment center at the Barbers Point Naval Air Station, and as it winds its way over to the ever Intergovernmental Relations and International Affairs Committee, I would simply note for the information of the Committee that is about to receive it that where there was testimony stating that because Barbers Point is going to be closing down, we may be able to avail ourselves of cheap land and existing facilities and save the State a great deal of money. In fact, in our Corrections Committee, as we received testimony, the information we received was turned around. We discovered instead that the barracks that they thought were going to be available are no longer available, that there may be the possibility of paying for the land. What looks to be a magnificent idea on the face of it probably deserves closer scrutiny and good questioning, so I would urge the Committee to do so.

"Thank you, Mr. Speaker."

Representative Menor then rose to speak in favor of the resolutions, stating:

"I wasn't going to be speaking today on these resolutions but I believe that Representative Amaral's comments impel me to say a few words about these resolutions.

"I would strongly urge my colleagues at this time to support these resolutions because there are certain compelling reasons that justify their enactment.

"First of all, I would like to point out to my colleagues that if these resolutions are adopted and the Governor successfully negotiates the use of Barbers Point for the development of a secure residential drug treatment facility, that the State would have a low cost way of being able to address prison overcrowding in the future without the expenditure of millions of dollars to construct a new prison facility. This is because, during the Committee hearing itself, people who testified in favor of these resolutions indicated that the land could be made available at minimal or no cost to the State, and in addition to that the Base already contains a complete infrastructure with existing facilities that can be renovated for the purposes of providing the badly needed drug treatment programs within our correctional system. Given the fact that these resolutions propose a cost-effective way of dealing with prison overcrowding, it is my contention that these proposals would also free up scarce resources which could be used for other important areas such as education, social services, that are also considered to be important societal goals.

"I would also like to point out that these proposals are consistent with public safety to the extent that if the State would move ahead with this particular project, it would allow for the continued incarceration of drug offenders instead of having to release them into the community to alleviate prison overcrowding. I know that there are a number of members here in this body who have expressed concerns about just simply releasing inmates into the community. I believe the representative from Makakilo

has also expressed those concerns in the past. I say to them that if we're going to be reluctant to place inmates in community-based alternatives, then what we need to do is to move ahead with cost-effective, innovative proposals such as these that will address that particular issue.

"Finally, I just want to point out the fact that these resolutions also address the very important problem that exist within our correctional institutions of substance abuse. We had testimonies received from the Department of Health and other important agencies that clearly indicated that substance abuse is a major problem within our correctional system, and that there is a definite correlation between substance abuse and the commission of many crimes in our communities.

"I believe by adopting these resolutions, we would be establishing a policy statement to the effect that if we are going to address the problems of crime, the problem of prison overcrowding, then what we need to do is to address their underlying causes, one of which is substance abuse.

"One additional point, Mr. Speaker, before I sit down. Subsequent to the hearing on these resolutions, and these comments are made for the benefit of the next Committee to which these resolutions are going to be referred, I had discussions with officials from the Office of State Planning which is involved in the evaluation process to determine the appropriate future uses for Barbers Point. And I have been told that there is definitely still a good chance that the Department of Public Safety's proposal to develop a drug treatment facility at Barbers Point could be accepted by the Secretary of Defense. I've also been told that if this body were to adopt these resolutions, that it would enhance the State's position to make that kind of a facility a reality at Barbers Point.

"For all of these reasons, I would respectfully request this body to support these resolutions in question.

"Thank you very much."

Representative Amaral then rose and stated:

"Mr. Speaker, I rise on a point of brief rebuttal and simply to correct some information.

"Having attended numerous community meetings on what is to be the future use of Barbers Point, and being intimately aware of the time schedule now involved, the process is, Mr. Speaker, that those federal agencies that are going to be making the proposal for the use of land have to submit that proposal to the Secretary of Navy by June 1st. The next level that gets to request the use of land are those that come under the Stewart-McKinney Act for the purpose of siting housing for the homeless. The third group then is the State organizations, or State departments, of which I believe the Department of Public Safety and Corrections is one.

"While this is well-intentioned and while hoping to address some of the needs of the community is not -- is not -- the panacea to save us all from substance abuse problems and the problems of prison overcrowding, we will not see this move forward in a very short future. In fact, the Base will not close until 1997 and will not be available for use until the year 2000.

"Thank you, Mr. Speaker."

Representative Menor, in rebuttal, stated:

"Let me point out the fact that the Office of State Planning has indicated that, notwithstanding the various competing proposals and uses that have been submitted

by the various federal agencies to the Secretary of Defense that are now being considered, that the reason why this particular proposal to develop a secure residential drug facility still has a chance is because the Secretary of Defense is not going to be accepting each and every proposal that is submitted by the federal agencies. So by the time those proposals are accepted, there is still a good chance that the Department of Public Safety's proposal, as encompassed in these resolutions, will be accepted.

"Lastly, I would like to point out that there is existing federal law; for example, the Federal Property and Administration Services Act of 1949, as amended, that indicates a clear congressional intent that federal surplus lands be considered for the very kinds of uses that are being envisioned and contemplated by these resolutions for prison space and drug treatment programs.

"So, it is my contention that given the existence of these federal statutes, it gives me a clear legislative intent that while there is no guarantee that these resolutions will result in the conversion of Barbers Point to a drug treatment facility, that it is still worth pursuing at this point in time.

"Thank you very much."

The motion was put by the Chair and carried, and the joint reports of the Committees were adopted and **H.R. No. 312, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO NEGOTIATE ON BEHALF OF THE STATE OF HAWAII TO DEVELOP A SECURE RESIDENTIAL DRUG TREATMENT CENTER AT THE BARBERS POINT NAVAL AIR STATION,"** and **H.C.R. No. 349, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO NEGOTIATE ON BEHALF OF THE STATE OF HAWAII TO DEVELOP A SECURE RESIDENTIAL DRUG TREATMENT CENTER AT THE BARBERS POINT NAVAL AIR STATION,"** were referred to the Committee on Intergovernmental Relations and International Affairs.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1538-94) recommending that H.C.R. No. 474, as amended in HD 1, be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 474, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO FACILITATE THE CREATION OF A KA'U COORDINATING COMMITTEE," was referred to the Committee on Intergovernmental Relations and International Affairs.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1539-94) recommending that H.R. No. 202, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 202, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF TOURISM OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII VISITORS BUREAU TO DEVELOP LONG-TERM PROGRAMS AND STRATEGIES TO FURTHER PRESERVE, NURTURE, AND SPREAD KNOWLEDGE OF HAWAIIAN CULTURE AND TO DEVELOP AND FOSTER ONE OF

ITS MOST COMMON MANIFESTATIONS, THE EXPRESSION OF THE SPIRIT OF ALOHA," was referred to the Committee on Finance.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1540-94) recommending that H.R. No. 335, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 335, HD 2, entitled: "HOUSE RESOLUTION RELATING TO TRAFFIC CONGESTION," was referred to the Committee on Legislative Management.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1541-94) recommending that H.C.R. No. 387, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 387, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO TRAFFIC CONGESTION," was referred to the Committee on Legislative Management.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1542-94) recommending that H.R. No. 310, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 310, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONTRACT THE SERVICES OF THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO ASCERTAIN THE EFFECTS ON THE HOUSING MARKET IF A SINGLE RESIDENTIAL REAL ESTATE PROPERTY THAT WAS THE DECEASED'S PRINCIPAL RESIDENCE IS EXCLUDED FROM THE 'GROSS ESTATE' FOR STATE ESTATE TAX FILING PURPOSES," was referred to the Committee on Finance.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 1543-94) recommending that H.C.R. No. 347, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 347, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONTRACT THE SERVICES OF THE HAWAII REAL ESTATE RESEARCH AND EDUCATION CENTER TO ASCERTAIN THE EFFECTS ON THE HOUSING MARKET IF A SINGLE RESIDENTIAL REAL ESTATE PROPERTY THAT WAS THE DECEASED'S PRINCIPAL RESIDENCE IS EXCLUDED FROM THE 'GROSS ESTATE' FOR STATE ESTATE TAX FILING PURPOSES," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1544-94) recommending that H.R. No. 383 be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 383, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL TO CREATE AN INFORMATIONAL RECORD ON BREACHES OF THE HAWAIIAN HOME LANDS TRUST THAT OCCURRED PRIOR TO AUGUST 21, 1959 AFFECTING INDIVIDUAL BENEFICIARIES," was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1545-94) recommending that H.C.R. No. 460 be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 460, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL TO CREATE AN INFORMATIONAL RECORD ON BREACHES OF THE HAWAIIAN HOME LANDS TRUST THAT OCCURRED PRIOR TO AUGUST 21, 1959 AFFECTING INDIVIDUAL BENEFICIARIES," was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1546-94) recommending that H.R. No. 187, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 187, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RECOMMENDATIONS OF THE HUI 'IMI TASK FORCE REPORT BY AUTHORIZING THE REINSTATEMENT OF THE HUI 'IMI TASK FORCE," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1547-94) recommending that H.C.R. No. 199, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 199, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RECOMMENDATIONS OF THE HUI 'IMI TASK FORCE REPORT BY AUTHORIZING THE REINSTATEMENT OF THE HUI 'IMI TASK FORCE," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1548-94) recommending that H.R. No. 268, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 268, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, AS NATIONAL HISTORIC LANDMARKS," was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1549-94) recommending that H.C.R. No. 290, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 290, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, AS NATIONAL HISTORIC LANDMARKS," was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1550-94) recommending that H.C.R. No. 456 be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 456, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A CHANGE IN THE OFFICE OF MANAGEMENT AND BUDGET'S RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING UNDER DIRECTIVE NO. 15 TO CATEGORIZE HAWAIIANS SEPARATELY FROM PACIFIC ISLANDERS," was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1551-94) recommending that H.R. No. 363, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 363, HD 1, entitled: "HOUSE RESOLUTION URGING THE MEDIA OF THE STATE OF HAWAII TO DEMONSTRATE THEIR AWARENESS AND SENSITIVITY TOWARD ALL OF HAWAII'S PEOPLE AND THEIR DIFFERENT CULTURES," was referred to the Committee on Judiciary.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1552-94) recommending that H.C.R. No. 213, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 213, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF TOURISM OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII VISITORS BUREAU TO DEVELOP LONG-TERM PROGRAMS AND STRATEGIES TO FURTHER PRESERVE, NURTURE, AND SPREAD KNOWLEDGE OF HAWAIIAN CULTURE AND TO DEVELOP AND FOSTER ONE OF ITS MOST COMMON MANIFESTATIONS, THE EXPRESSION OF THE SPIRIT OF ALOHA," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1553-94) recommending that H.R. No. 286 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 286, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FACTORS INVOLVED IN THE DEVELOPMENT OF A TROPICAL/ORNAMENTAL FISH AQUACULTURAL PARK," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1554-94) recommending that H.C.R. No. 320 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FACTORS INVOLVED IN THE DEVELOPMENT OF A TROPICAL/ORNAMENTAL FISH AQUACULTURAL PARK," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1555-94) recommending that H.C.R. No. 170, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 170, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE CONCEPT OF EXCHANGING STATE LANDS AT PUANAHULU WITH LAND AT KEAHOLE OWNED BY HAWAII ELECTRIC LIGHT COMPANY," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1556-94) recommending that H.R. No. 122 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTS THE BOARD OF DIRECTORS OF THE HAWAII HURRICANE RELIEF FUND TO DISCUSS THE MERITS OF EXPANDING THE AUTHORITY OF THE RELIEF FUND TO PROVIDE PROPERTY INSURANCE AGAINST OTHER TYPES OF CATASTROPHES," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1557-94) recommending that H.C.R. No. 130 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE BOARD OF DIRECTORS OF THE HAWAII HURRICANE RELIEF FUND TO DISCUSS THE MERITS OF EXPANDING THE AUTHORITY OF THE RELIEF FUND TO PROVIDE PROPERTY INSURANCE AGAINST OTHER TYPES OF CATASTROPHES," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 1558-94) recommending that H.R. No. 168 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 168, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII HURRICANE RELIEF FUND TO DEVELOP A PROGRAM TO PROVIDE PROPERTY INSURANCE DISCOUNTS TO HOMEOWNERS WHO MODIFY THEIR BUILDINGS TO REDUCE THE RISK OF HURRICANE DAMAGE," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1559-94) recommending that H.C.R. No. 179 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII HURRICANE RELIEF FUND TO DEVELOP A PROGRAM TO PROVIDE PROPERTY INSURANCE DISCOUNTS TO HOMEOWNERS WHO MODIFY THEIR BUILDINGS TO REDUCE THE RISK OF HURRICANE DAMAGE," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1560-94) recommending that H.R. No. 200, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 200, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1561-94) recommending that H.C.R. No. 211, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 211, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1562-94) recommending that H.R. No. 248, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 248, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1563-94) recommending that H.C.R. No. 231, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1564-94) recommending that H.R. No. 179 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 179, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION THAT PROVIDES AN INCOME TAX CREDIT FOR HAZARD MITIGATION RETROFITS," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1565-94) recommending that H.C.R. No. 191 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION THAT PROVIDES AN INCOME TAX CREDIT FOR HAZARD MITIGATION RETROFITS," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1566-94) recommending that H.R. No. 169 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 169, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PHYSICAL THERAPY ASSISTANTS," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1567-94) recommending that H.C.R. No. 180 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PHYSICAL THERAPY ASSISTANTS," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1568-94) recommending that H.C.R. No.

190 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF RESPIRATORY CARE," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1569-94) recommending that H.C.R. No. 327 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 327, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF ELECTRONIC SURVEILLANCE DETECTION," was referred to the Committee on Legislative Management.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1570-94) recommending that H.C.R. No. 230, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 230, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE PROFESSION OF AUTOMOBILE ADVISERS," was referred to the Committee on Legislative Management.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1571-94) recommending that H.R. No. 377, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 377, HD 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII CENTER FOR PEACE TO MOVE FORWARD WITH PLANS TO INCREASE HAWAII'S PROMINENCE AS A WORLDWIDE CENTER FOR PEACE ACTIVITIES," was referred to the Committee on Tourism.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1572-94) recommending that H.C.R. No. 470, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 470, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CENTER FOR PEACE TO MOVE FORWARD WITH PLANS TO INCREASE HAWAII'S PROMINENCE AS A WORLDWIDE CENTER FOR PEACE ACTIVITIES," was referred to the Committee on Tourism.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1573-94) recommending that H.R. No. 277, as amended in HD 1, be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 277, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO PLAN AND IMPLEMENT AN ENFORCEMENT PROGRAM TO ENFORCE THE STATE LAW PERTAINING TO THE SALE OF TOBACCO PRODUCTS TO MINORS," was referred to the Committee on Intergovernmental Relations and International Affairs.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1574-94) recommending that H.C.R. No. 299, as amended in HD 1, be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 299, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO PLAN AND IMPLEMENT AN ENFORCEMENT PROGRAM TO ENFORCE THE STATE LAW PERTAINING TO THE SALE OF TOBACCO PRODUCTS TO MINORS," was referred to the Committee on Intergovernmental Relations and International Affairs.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1575-94) recommending that H.R. No. 88, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 88, HD 2, entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF CURRENT PHYSICAL EDUCATION ACTIVITIES IN THE PUBLIC SCHOOLS PRIOR TO THE DEVELOPMENT OF A COMPREHENSIVE PHYSICAL EDUCATION PROGRAM," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1576-94) recommending that H.C.R. No. 97, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 97, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF CURRENT PHYSICAL EDUCATION ACTIVITIES IN THE PUBLIC SCHOOLS PRIOR TO THE DEVELOPMENT OF A COMPREHENSIVE PHYSICAL EDUCATION PROGRAM," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1577-94) recommending that H.R. No. 138, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 138, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO ESTABLISH TECHNOLOGY AND TELECOMMUNICATION DEMONSTRATION MODELS FOR PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1578-94)

recommending that H.C.R. No. 150, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 150, HD 1, entitled: "HOUSE CONCURRENT REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO ESTABLISH TECHNOLOGY AND TELECOMMUNICATION DEMONSTRATION MODELS FOR PUBLIC SCHOOLS," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1579-94) recommending that H.R. No. 318, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 318, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON AN APPROPRIATE MEDIA LITERACY EDUCATION PROGRAM FOR THE STATE OF HAWAII," was referred to the Committee on Legislative Management.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1580-94) recommending that H.C.R. No. 363, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 363, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON AN APPROPRIATE MEDIA LITERACY EDUCATION PROGRAM FOR THE STATE OF HAWAII," was referred to the Committee on Legislative Management.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1581-94) recommending that H.R. No. 112, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 112, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP VARIOUS PLANS OF ACTION FOR TEMPERATURE AND VENTILATION CONTROL FOR CLASSROOM FACILITIES," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1582-94) recommending that H.C.R. No. 123, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 123, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP VARIOUS PLANS OF ACTION FOR TEMPERATURE AND VENTILATION CONTROL FOR CLASSROOM FACILITIES," was referred to the Committee on Finance.

Representatives D. Ige and Lee, for the Committees on Education and Higher Education and the Arts, presented

a joint report (Stand. Com. Rep. No. 1583-94) recommending that H.C.R. No. 248, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.C.R. No. 248, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF STATE POLICIES TO PROMOTE ENVIRONMENTAL EDUCATION INITIATIVES AND PROGRAMS WITHIN THE STATE," was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1584-94) recommending that H.C.R. No. 192, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 192, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE METHODS OF IMPROVING THE MANAGEMENT OF HAWAII'S BEACHES AND SHORELINE AREAS, AND TO INVESTIGATE COASTAL HAZARD MITIGATION MEASURES," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1585-94) recommending that H.C.R. No. 366, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 366, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESOLVE THE PROBLEMS FACING THE NINE HUNDRED NINETY-NINE YEAR HOMESTEAD LESSEES," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1586-94) recommending that H.C.R. No. 443, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 443, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A PLAN, INCLUDING FUNDING PROPOSALS, TO ENABLE THOSE LEASING LAND FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN MAUNALAHA, MAKIKI HEIGHTS, ON OAHU, TO IMPROVE THEIR EXISTING HOMES OR TO CONSTRUCT NEW HOMES IN AN ENVIRONMENTALLY SENSITIVE MANNER," was referred to the Committee on Finance.

At 2:24 o'clock p.m., Representative Stegmaier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:29 o'clock p.m.

**RECONSIDERATION OF  
ACTION TAKEN**

Representative Ihara moved that the House reconsider its action taken earlier in adopting Stand. Com. Rep. Nos. 1520-94 and 1521-94, and referring H.R. No. 204 and H.C.R. No. 215 to the Committee on Legislative Management, seconded by Representative Thielen and carried.

On motion by Representative Ihara, seconded by Representative Thielen and carried, Stand. Com. Rep. Nos. 1520-94 and 1521-94 were adopted, and notwithstanding the recommendations of the Committee that H.R. No. 204 and H.C.R. No. 215 be referred to the Committee on Legislative Management, **H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST COST EFFECTIVE OPTIONS THE LEGISLATURE MAY USE TO DEVELOP ENHANCED INTERGOVERNMENTAL RELATIONS WITH THE FEDERAL GOVERNMENT,"** and **H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST COST EFFECTIVE OPTIONS THE LEGISLATURE MAY USE TO DEVELOP ENHANCED INTERGOVERNMENTAL RELATIONS WITH THE FEDERAL GOVERNMENT,"** were adopted.

**ANNOUNCEMENT**

Representative Stegmaier rose and requested waiver of the 48-hour hearing notice requirement for decision-making purposes only on H.R. No. 352 and H.C.R. No. 410 tomorrow morning at 10:00 o'clock, and the Chair "so ordered."

**ADJOURNMENT**

At 2:32 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 13, 1994.

## FORTY-SEVENTH DAY

**Wednesday, April 13, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:44 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Daiva Das of the Bhaktivedanta Mission, after which the Roll was called showing all members present with the exception of Representatives Duldulao, M. Ige, Kanoho, Tajiri and Tanimoto, who were excused.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Forty-Sixth Day was approved.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 160 and 161) were read by the Clerk and were placed on file:

Gov. Msg. No. 160, informing the House that on April 12, 1994, he signed the following bills into law:

House Bill No. 2279 as Act 3, entitled: "RELATING TO COASTAL ZONE MANAGEMENT";

House Bill No. 2326 as Act 4, entitled: "RELATING TO THE JURISDICTIONAL LIMIT OF THE DISTRICT COURTS";

House Bill No. 2784 as Act 5, 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 AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2818 as Act 6, entitled: "RELATING TO THE UNIFORM SIMULTANEOUS DEATH ACT";

House Bill No. 2968 as Act 7, entitled: "RELATING TO THE JUDICIARY HISTORY CENTER";

House Bill No. 2986 as Act 8, entitled: "RELATING TO NOTICE OF ADOPTION";

House Bill No. 2988 as Act 9, entitled: "RELATING TO SERVICE OF PROCESS";

House Bill No. 3192 as Act 10, entitled: "RELATING TO A TAX ADMINISTRATION FUND";

House Bill No. 3406 as Act 11, entitled: "RELATING TO NAME CHANGES FOR HILO AND KONA HOSPITALS"; and

House Bill No. 3417 as Act 12, entitled: "RELATING TO CERTAIN REVOCABLE TRUSTS".

Gov. Msg. No. 161, informing the House that on April 12, 1994, he signed the following bill into law:

Senate Bill No. 2963 as Act 13, entitled: "RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE":

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 360 to 566) were read by the Clerk and were placed on file:

Sen. Com. No. 360, transmitting S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE EXPANSION OF THE FOOD SAFETY CONSULTATIVE AND EDUCATION PROGRAM OF THE DEPARTMENT OF HEALTH," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 361, transmitting S.C.R. No. 60, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE LAND ALONG WAILUA RIVER," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 362, transmitting S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A LEGAL OPINION AND A STUDY ON THE ADVISABILITY OF MODIFYING THE VOTE ENTITLEMENT OF LAND OCCUPIERS OF A SOIL AND WATER CONSERVATION DISTRICT," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 363, transmitting S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REVIEW PROJECT MA'ALO AND MAKE RECOMMENDATIONS WHETHER IT SHOULD BE ESTABLISHED AT THE UNIVERSITY OF HAWAII AT HILO OR ELSEWHERE," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 364, transmitting S.C.R. No. 132, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-29, 'AUDIT OF THE STD/AIDS PREVENTION PROGRAM IN THE DEPARTMENT OF HEALTH'," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 365, transmitting S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE EMPLOYEES TO DONATE TO THE HAWAII FOODBANK STATE EMPLOYEES' FOOD DRIVE," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 366, transmitting S.C.R. No. 149, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CHANGE ITS POLICIES AND PROGRAMS IN REGARD TO CHILDREN WITH CANCER AND THEIR FAMILIES," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 367, transmitting S.C.R. No. 165, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH A PHYSICIAN ASSISTANT PROGRAM AT THE SCHOOL OF PUBLIC HEALTH," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 368, transmitting S.C.R. No. 169, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ENCOMPASSING THE MEDICAL COMMUNITY, THE BUSINESS COMMUNITY, THE VISITOR INDUSTRY AND CERTAIN AGENCIES OF STATE GOVERNMENT, TO UNDERTAKE A HEALTH NEEDS ASSESSMENT OF THE PACIFIC RIM, TO DETERMINE THE ECONOMIC FEASIBILITY OF THE PRIVATE SECTOR BUILDING A WORLD CLASS HEALTH FACILITY IN HAWAII TO SERVE ASIA AND THE PACIFIC RIM," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 369, transmitting S.C.R. No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE ADMINISTRATIVE STAFF OFFICES OF THE DEPARTMENT OF TRANSPORTATION," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 370, transmitting S.C.R. No. 179, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII TO FOLLOW THE RECOMMENDATIONS OF THE AUDITOR," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 371, transmitting S.C.R. No. 213, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION EXAMINE WAYS THAT THE LAND BETWEEN, UNDER, AND SURROUNDING HIGHWAY INTERCHANGES AND INTERSECTIONS CAN BE BEAUTIFIED," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 372, transmitting S.C.R. No. 237, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROCEED EXPEDITIOUSLY WITH EFFORTS TO CLEAR ITS PRESENT BASEYARD OPERATIONS FROM THE KAKAOKO PENINSULA AND KOKEA STREET AREAS," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 373, transmitting S.C.R. No. 239, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THROUGH LAND EXCHANGE, LANDS IN PAHOA, HAWAII, FOR COMMUNITY USES," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 374, transmitting S.C.R. No. 273, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 375, transmitting S.C.R. No. 275, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE 'DESIGN AND BUILD' CONCEPT FOR SELECTED HIGHWAYS PROJECTS," which was adopted by the Senate on April 12, 1994.

Sen. Com. No. 376, transmitting S.C.R. No. 276, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF

DEMOLISHING THE OLD ANAHOLA STREAM BRIDGE, KAUAI," which was adopted by the Senate on April 12, 1994.

By unanimous consent, further action on S.C.R. Nos. 58; 60, SD 1; 80; 100; 132, SD 1; 146; 149, SD 1; 165, SD 1; 169, SD 1; 171, SD 1; 179, SD 1; 213, SD 1; 237, SD 1; 239, SD 1; 273, SD 1; 275, SD 1; and 276, SD 1, was deferred until later in the calendar.

Sen. Com. No. 377, returning House Bill No. 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 378, returning House Bill No. 65, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 379, returning House Bill No. 740, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 380, returning House Bill No. 929, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 381, returning House Bill No. 1046 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 382, returning House Bill No. 1241, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 383, returning House Bill No. 1317, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURES IN REAL ESTATE TRANSACTIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 384, returning House Bill No. 1332, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 385, returning House Bill No. 1627, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT PAYMENTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 386, returning House Bill No. 1649, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 387, returning House Bill No. 1663 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 388, returning House Bill No. 1712, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 389, returning House Bill No. 1733, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 390, returning House Bill No. 1999 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 391, returning House Bill No. 2027, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN ENVIRONMENTAL HEALTH PROGRAM ENHANCEMENT AND EDUCATION FUND," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 392, returning House Bill No. 2075 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT-OWNED HAWAIIAN FISH PONDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 393, returning House Bill No. 2177, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FISHING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 394, returning House Bill No. 2181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 395, returning House Bill No. 2186, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 396, returning House Bill No. 2190 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 397, returning House Bill No. 2192, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SMOKING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 398, returning House Bill No. 2197, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 399, returning House Bill No. 2220, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 400, returning House Bill No. 2221, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 401, returning House Bill No. 2234, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 402, returning House Bill No. 2235, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX OF SALES AND GROSS PROCEEDS OF SALES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 403, returning House Bill No. 2238, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 404, returning House Bill No. 2259, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON GOVERNMENT ORGANIZATION AND EFFICIENCY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 405, returning House Bill No. 2272, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO STATE TOURISM PROMOTION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 406, returning House Bill No. 2274 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 407, returning House Bill No. 2284 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PRIVATIZATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 408, returning House Bill No. 2285, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 409, returning House Bill No. 2287, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 410, returning House Bill No. 2294 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 411, returning House Bill No. 2308, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 412, returning House Bill No. 2309, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 413, returning House Bill No. 2312 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 414, returning House Bill No. 2327, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

LICENSE PLATES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 415, returning House Bill No. 2333, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 416 returning House Bill No. 2334, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 417, returning House Bill No. 2344, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 418, returning House Bill No. 2361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 419, returning House Bill No. 2386, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 420, returning House Bill No. 2391, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 421, returning House Bill No. 2419, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PSYCHIATRIC FACILITIES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 422, returning House Bill No. 2449, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 423, returning House Bill No. 2450, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT THE PROJECTS OF THE WEST MAUI WATERSHED MANAGEMENT PLAN," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 424, returning House Bill No. 2461, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 425, returning House Bill No. 2462, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 426, returning House Bill No. 2490 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE PRESCRIPTIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 427, returning House Bill No. 2491, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE DISPENSING OF PRESCRIPTION

DRUGS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 428, returning House Bill No. 2500, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 429, returning House Bill No. 2515, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 430, returning House Bill No. 2553, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 431, returning House Bill No. 2590, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 432, returning House Bill No. 2599, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 433, returning House Bill No. 2605, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 434, returning House Bill No. 2623 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 435, returning House Bill No. 2631, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 436, returning House Bill No. 2639, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 437, returning House Bill No. 2640, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE BROKERS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 438, returning House Bill No. 2641 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 439, returning House Bill No. 2642 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 440, returning House Bill No. 2644, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 441, returning House Bill No. 2647, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL EDUCATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 442, returning House Bill No. 2680, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 443, returning House Bill No. 2690, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LEASES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 444, returning House Bill No. 2692, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 445, returning House Bill No. 2718, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE JUDICIARY FOR THE PROVISION OF DOMESTIC VIOLENCE EDUCATION, COUNSELING, LEGAL REPRESENTATION, AND TECHNICAL ASSISTANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 446, returning House Bill No. 2730, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 447, returning House Bill No. 2735 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ETHICS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 448, returning House Bill No. 2746, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AN INDUSTRIAL ENTERPRISE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 449, returning House Bill No. 2822, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE TAXATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 450, returning House Bill No. 2825, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 451, returning House Bill No. 2851, HD 2 (SD 2), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPECIAL PROSECUTION UNITS AND WITNESS VICTIM PROGRAMS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 452, returning House Bill No. 2882 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 453, returning House Bill No. 2897, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 454, returning House Bill No. 2909, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO GOING OUT OF BUSINESS SALES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 455, returning House Bill No. 2912 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 456, returning House Bill No. 2913, HD 3 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 457, returning House Bill No. 2919, HD 2 (SD 2), entitled: "A BILL FOR AN ACT TO CONTINUE AND EXPAND THE PILOT PROGRAM TO CREATE AND TEST A MODEL OF WATER QUALITY SURVEYING AND SAMPLING USING VOLUNTEERS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 458, returning House Bill No. 2921, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EQUINE ACTIVITIES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 459, returning House Bill No. 2925, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 460, returning House Bill No. 2928, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 461, returning House Bill No. 2944, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 462, returning House Bill No. 2945, 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," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 463, returning House Bill No. 2965, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW COMMISSION ON THE STATE WATER CODE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 464, returning House Bill No. 2985, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 465, returning House Bill No. 3003, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 466, returning House Bill No. 3017 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 467, returning House Bill No. 3106, HD 4 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOUNT OLOMANA," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 468, returning House Bill No. 3132, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE NONPRESENTMENT OF WARRANTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 469, returning House Bill No. 3133, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 470, returning House Bill No. 3134, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 471, returning House Bill No. 3135, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUVENILE JUSTICE INFORMATION SYSTEM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 472, returning House Bill No. 3137 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 473, returning House Bill No. 3144 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 474, returning House Bill No. 3149, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 475, returning House Bill No. 3150, entitled: "A BILL FOR AN ACT RELATING TO MILITARY JUSTICE TRAINING FOR MEMBERS OF THE STATE MILITARY FORCES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 476, returning House Bill No. 3151, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 477, returning House Bill No. 3153, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 478, returning House Bill No. 3155, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 479, returning House Bill No. 3156 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 480, returning House Bill No. 3158, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR CHORE SERVICES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 481, returning House Bill No. 3159 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 482, returning House Bill No. 3164, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 483, returning House Bill No. 3165, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE BENEFITS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 484, returning House Bill No. 3169 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 485, returning House Bill No. 3170, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 486, returning House Bill No. 3171, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 487, returning House Bill No. 3176, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 488, returning House Bill No. 3179, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 489, returning House Bill No. 3180 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PERSONNEL SERVICES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 490, returning House Bill No. 3190, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC DISCLOSURE OF WRITTEN OPINIONS BY THE DEPARTMENT OF TAXATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 491, returning House Bill No. 3191, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF EMPLOYEE BENEFIT PLANS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 492, returning House Bill No. 3194, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 493, returning House Bill No. 3195 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 494, returning House Bill No. 3198, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII INTERCOLLEGIATE ATHLETIC PROGRAMS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 495, returning House Bill No. 3199, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 496, returning House Bill No. 3208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 497, returning House Bill No. 3209, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 498, returning House Bill No. 3210, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 499, returning House Bill No. 3211, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 500, returning House Bill No. 3212, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NURSES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 501, returning House Bill No. 3213, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 502, returning House Bill No. 3253 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 503, returning House Bill No. 3255, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 504, returning House Bill No. 3258, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE, ANNUITIES AND SECURITIES ACTIVITIES OF BANKS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 505, returning House Bill No. 3290, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE STATE ETHICS CODE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 506, returning House Bill No. 3300, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 507, returning House Bill No. 3302 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 508, returning House Bill No. 3303, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO USED MOTOR VEHICLES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 509, returning House Bill No. 3304, entitled: "A BILL FOR AN ACT RELATING TO THE TRAVEL AGENCY EDUCATION FUND," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 510, returning House Bill No. 3305, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF OSTEOPATHS," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 511, returning House Bill No. 3306, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PRIVATE DETECTIVES AND GUARDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 512, returning House Bill No. 3307, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REQUIREMENTS FOR OPTOMETRY LICENSE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 513, returning House Bill No. 3308, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF ACADEMIC DESIGNATIONS IN THE PRACTICE OF ACUPUNCTURE," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 514, returning House Bill No. 3309, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING REQUIREMENT FOR A PHOTOGRAPH," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 515, returning House Bill No. 3310, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," which passed Third

Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 516, returning House Bill No. 3312, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 517, returning House Bill No. 3321 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 518, returning House Bill No. 3323 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 519, returning House Bill No. 3324, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PERMANENT AUTONOMY FOR HILO AND MAUI MEMORIAL HOSPITALS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 520, returning House Bill No. 3326, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS DIVISION'S PILOT AUTONOMY PROJECT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 521, returning House Bill No. 3327, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF AN AGENCY FOR COMMUNITY HOSPITALS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 522, returning House Bill No. 3329 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE LIBRARY FOUNDATION CONCESSIONS AT PUBLIC LIBRARY FACILITIES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 523, returning House Bill No. 3333, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE PANAEWA RESIDENTIAL LOTS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 524, returning House Bill No. 3383, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS FOR AFFORDABLE HOUSING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 525, returning House Bill No. 3400, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 526, returning House Bill No. 3416 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 527, returning House Bill No. 3425, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH

FUND," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 528, returning House Bill No. 3426, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 529, returning House Bill No. 3427 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 530, returning House Bill No. 3428, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 531, returning House Bill No. 3429, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 532, returning House Bill No. 3430, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REGULATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 533, returning House Bill No. 3431 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSUMER ADVOCACY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 534, returning House Bill No. 3432, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY RATEMAKING PROCEDURES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 535, returning House Bill No. 3433, HD 2 (SD 1), entitled: "A BILL FOR AN ACT APPROVING THE ADVISORY OPINIONS OF THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 536, returning House Bill No. 3440, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 537, returning House Bill No. 3443, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 538, returning House Bill No. 3445, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION DISTRICT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 539, returning House Bill No. 3446, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SUBSISTENCE FISHING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 540, returning House Bill No. 3447, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 541, returning House Bill No. 3451, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PUBLIC UTILITIES REGULATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 542, returning House Bill No. 3453, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 543, returning House Bill No. 3456, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EXEMPTIONS FOR THE COMMUNITY HOSPITALS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 544, returning House Bill No. 3458, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 545, returning House Bill No. 3461, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF CORRECTIONAL MENTAL HEALTH EMPLOYEES FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF PUBLIC SAFETY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 546, returning House Bill No. 3465, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 547, returning House Bill No. 3466, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 548, returning House Bill No. 3472, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 549, returning House Bill No. 3484, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 550, returning House Bill No. 3491, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 551, returning House Bill No. 3506, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 552, returning House Bill No. 3513, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO OVERSIGHT," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 553, returning House Bill No. 3520, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 554, returning House Bill No. 3585, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 555, returning House Bill No. 3600, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 556, returning House Bill No. 3602, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 557, returning House Bill No. 3607, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ASSISTANCE," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 558, returning House Bill No. 3609, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE FEES," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 559, returning House Bill No. 3610, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 560, returning House Bill No. 3625 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 561, returning House Bill No. 3630, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 562, returning House Bill No. 3637, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL SUPPLEMENTAL FOOD PROGRAMS FOR WOMEN, INFANTS, AND CHILDREN," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 563, returning House Bill No. 3657, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 564, returning House Bill No. 3676, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE

BONDS," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

Sen. Com. No. 565, returning House Bill No. 3729, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE," which passed Third Reading in the Senate on April 12, 1994.

Sen. Com. No. 566, returning House Bill No. 3742 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUNG SCHOLARS PROGRAM," which passed Third Reading in the Senate on April 12, 1994, in an amended form.

By unanimous consent, H.B. Nos. 2; 65, HD 1; 740, HD 1; 929, HD 1; 1046; 1241, HD 2; 1317, HD 2; 1332, HD 2; 1627, HD 1; 1649, HD 1; 1663; 1712, HD 1; 1733, HD 1; 1999; 2027, HD 1; 2075; 2177, HD 2; 2186, HD 2; 2190; 2192, HD 1; 2197, HD 2; 2220, HD 1; 2221, HD 2; 2235, HD 1; 2238, HD 1; 2259, HD 2; 2272, HD 1; 2274; 2284; 2285, HD 2; 2294; 2308, HD 1; 2309, HD 2; 2312; 2333, HD 2; 2344, HD 1; 2386, HD 1; 2391, HD 1; 2419, HD 2; 2449, HD 1; 2450, HD 1; 2461, HD 1; 2490; 2491, HD 2; 2500, HD 1; 2515, HD 1; 2553, HD 2; 2590, HD 1; 2599, HD 1; 2605, HD 2; 2623; 2631, HD 2; 2639, HD 1; 2640, HD 2; 2641; 2642; 2644, HD 1; 2647, HD 2; 2680, HD 1; 2690, HD 1; 2692, HD 2; 2718, HD 1; 2730, HD 1; 2735; 2746, HD 2; 2822, HD 1; 2851, HD 2; 2882; 2897, HD 2; 2909, HD 2; 2912; 2913, HD 3; 2919, HD 2; 2921, HD 1; 2925, HD 1; 2928, HD 1; 2944, HD 1; 2945, HD 2; 2965, HD 1; 2985, HD 1; 3003, HD 1; 3017; 3106, HD 4; 3132, HD 1; 3133, HD 2; 3134, HD 2; 3135, HD 1; 3137; 3144; 3149, HD 1; 3151, HD 1; 3153, HD 2; 3156; 3158, HD 2; 3159; 3164, HD 2; 3165, HD 2; 3169; 3170, HD 2; 3176, HD 2; 3179, HD 1; 3180; 3190, HD 1; 3191, HD 1; 3194, HD 2; 3195; 3198, HD 1; 3199, HD 2; 3209, HD 1; 3210, HD 1; 3211, HD 1; 3212, HD 1; 3253; 3255, HD 2; 3258, HD 1; 3290, HD 1; 3300, HD 1; 3302; 3303, HD 1; 3306, HD 1; 3307, HD 1; 3309, HD 1; 3310, HD 1; 3321; 3323; 3324, HD 2; 3326, HD 2; 3327, HD 3; 3329; 3333, HD 2; 3383, HD 1; 3400, HD 1; 3416; 3425, HD 1; 3426, HD 1; 3427; 3428, HD 2, SD 1; 3429, HD 1, SD 1; 3430, HD 2, SD 2; 3431, SD 1; 3432, HD 2, SD 1; 3433, HD 2, SD 1; 3440, HD 2; 3443, HD 1; 3445, HD 2; 3446, HD 2; 3447, HD 1; 3451, HD 2; 3453, HD 2; 3456, HD 2; 3458, HD 2; 3458, HD 1; 3461, HD 1; 3465, HD 2; 3466, HD 2; 3472, HD 1; 3484, HD 2; 3491, HD 2; 3506, HD 2; 3513, HD 3; 3520, HD 1; 3585, HD 1; 3600, HD 1; 3602, HD 1; 3607, HD 2; 3609, HD 2; 3625; 3630, HD 3; 3637, HD 1; 3657, HD 2; 3676, HD 1; and 3742, as amended by the Senate, were placed on the Clerk's desk, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 2, SD 2; 65, HD 1, SD 2; 740, HD 1, SD 2; 929, HD 1, SD 1; 1046, SD 1; 1241, HD 2, SD 2; 1317, HD 2, SD 2; 1332, HD 2, SD 2; 1627, HD 1, SD 2; 1649, HD 1, SD 1; 1663, SD 2; 1712, HD 1, SD 1; 1733, HD 1, SD 1; 1999, SD 1; 2027, HD 1, SD 2; 2075, SD 2; 2177, HD 2, SD 1; 2186, HD 2, SD 1; 2190, SD 1; 2192, HD 1, SD 1; 2197, HD 2, SD 2; 2220, HD 1, SD 1; 2221, HD 2, SD 2; 2235, HD 1, SD 1; 2238, HD 1, SD 1; 2259, HD 2, SD 2; 2272, HD 1, SD 1; 2274, SD 1; 2284, SD 2; 2285, HD 2, SD 1; 2294, SD 2; 2308, HD 1, SD 1; 2309, HD 2, SD 1; 2312, SD 1; 2333, HD 2, SD 2; 2344, HD 1, SD 2; 2386, HD 1, SD 1; 2391, HD 1, SD 2; 2419, HD 2, SD 1; 2449, HD 1, SD 1; 2450, HD 1, SD 1; 2461, HD 1, SD 1; 2490, SD 1; 2491, HD 2, SD 1; 2500, HD 1, SD 1; 2515, HD 1, SD 2; 2553, HD 2, SD 2; 2590, HD 1, SD 1; 2599, HD 1, SD 1; 2605, HD 2, SD 2; 2623, SD 1; 2631, HD 2, SD 1; 2639, HD 1, SD 2; 2640, HD 2, SD 1; 2641, SD 1; 2642, SD 1; 2644, HD 1, SD 2; 2647, HD 2, SD 2; 2680, HD 1, SD 1; 2690, HD 1, SD 1; 2692, HD 2, SD 2; 2718, HD 1, SD 1; 2730, HD 1, SD 2; 2735, SD 1; 2746, HD 2, SD 2; 2822, HD 1, SD 1; 2851, HD 2, SD 2; 2882, SD 1;

2897, HD 2, SD 2; 2909, HD 2, SD 1; 2912, SD 2; 2913, HD 3, SD 1; 2919, HD 2, SD 2; 2921, HD 1, SD 1; 2925, HD 1, SD 1; 2928, HD 1, SD 1; 2944, HD 1, SD 1; 2945, HD 2, SD 1; 2965, HD 1, SD 2; 2985, HD 1, SD 1; 3003, HD 1, SD 1; 3017, SD 1; 3106, HD 4, SD 1; 3132, HD 1, SD 1; 3133, HD 2, SD 1; 3134, HD 2, SD 2; 3135, HD 1, SD 1; 3137, SD 1; 3144, SD 2; 3149, HD 1, SD 1; 3151, HD 1, SD 1; 3153, HD 2, SD 1; 3156, SD 2; 3158, HD 2, SD 2; 3159, SD 2; 3164, HD 2, SD 1; 3165, HD 2, SD 2; 3169, SD 2; 3170, HD 2, SD 1; 3176, HD 2, SD 1; 3179, HD 1, SD 2; 3180, SD 1; 3190, HD 1, SD 1; 3191, HD 1, SD 2; 3194, HD 2, SD 1; 3195, SD 1; 3198, HD 1, SD 1; 3199, HD 2, SD 2; 3209, HD 1, SD 1; 3210, HD 1, SD 1; 3211, HD 1, SD 1; 3212, HD 1, SD 1; 3253, SD 1; 3255, HD 2, SD 1; 3258, HD 1, SD 1; 3290, HD 1, SD 1; 3300, HD 1, SD 2; 3302, SD 1; 3303, HD 1, SD 2; 3306, HD 1, SD 1; 3307, HD 1, SD 1; 3309, HD 1, SD 1; 3310, HD 1, SD 1; 3321, SD 1; 3323, SD 2; 3324, HD 2, SD 2; 3326, HD 2, SD 1; 3327, HD 3, SD 2; 3329, SD 1; 3333, HD 2, SD 2; 3383, HD 1, SD 1; 3400, HD 1, SD 1; 3416, SD 1; 3425, HD 1, SD 2; 3426, HD 1, SD 1; 3427, SD 1; 3428, HD 2, SD 1; 3429, HD 1, SD 1; 3430, HD 2, SD 2; 3431, SD 1; 3432, HD 2, SD 1; 3433, HD 2, SD 1; 3440, HD 2, SD 2; 3443, HD 1, SD 2; 3445, HD 2, SD 2; 3446, HD 2, SD 2; 3447, HD 1, SD 2; 3451, HD 2, SD 2; 3453, HD 2, SD 2; 3456, HD 2, SD 2; 3458, HD 1, SD 2; 3461, HD 1, SD 1; 3465, HD 2, SD 2; 3466, HD 2, SD 1; 3472, HD 1, SD 2; 3484, HD 2, SD 1; 3491, HD 2, SD 2; 3506, HD 2, SD 2; 3513, HD 3, SD 2; 3520, HD 1, SD 1; 3585, HD 1, SD 1; 3600, HD 1, SD 2; 3602, HD 1, SD 2; 3607, HD 2, SD 2; 3609, HD 2, SD 1; 3625, SD 1; 3630, HD 3, SD 2; 3637, HD 1, SD 2; 3657, HD 2, SD 1; 3676, HD 1, SD 1; and 3742, SD 1, were made available to the members of the House at 11:30 o'clock a.m.

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

Representative Chumbley introduced a group of eighth grade students from Haleakala Waldorf School from Upcountry, Maui. They were accompanied by their teacher, Mr. Keith McCrary, and a parent, Mrs. Pam Russell.

Representative Morihara then rose and extended his warmest welcome to the students from Haleakala Waldorf School, their teacher, and parent.

## ORDER OF THE DAY

### DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

#### S.C.R. Nos. Referred to:

58 Committee on Health, then to the Committee on Finance

60 Jointly to the Committees on Water and Land Use Planning and Ocean Recreation and Marine Resources, then to the Committee on Finance

80 Committee on Water and Land Use Planning, then to the Committee on Judiciary, then to the Committee on Finance

100 Committee on Higher Education and the Arts, then to the Committee on Finance

132	Committee on Health, then to the Committee on Finance	32	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce
146	Committee on Human Services	48	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Labor and Public Employment
149	Committee on Health, then to the Committee on Finance	66	Committee on Health, then to the Committee on Consumer Protection and Commerce
165	Committee on Higher Education and the Arts, then to the Committee on Finance	116	Committee on Health, then to the Committee on Legislative Management
169	Committee on Health, then to the Committee on Finance	154	Committee on Human Services, then to the Committee on Finance
171	Committee on Transportation, then to the Committee on Legislative Management	207	Committee on Health, then to the Committee on Consumer Protection and Commerce
179	Committee on Higher Education and the Arts, then to the Committee on Finance	239	Committee on Health, then to the Committee on Finance
213	Committee on Transportation, then to the Committee on Finance	266	Committee on Education, then to the Committee on Consumer Protection and Commerce
237	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance	345	Committee on Hawaiian Affairs, then jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection
239	Committee on Water and Land Use Planning, then to the Committee on Finance	349	Jointly to the Committees on Public Safety and Corrections and Judiciary, then to the Committee on Intergovernmental Relations and International Affairs
273	Committee on Finance	417	Committee on Higher Education and the Arts, then to the Committee on Intergovernmental Relations and International Affairs
275	Committee on Transportation, then to the Committee on Finance	458	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
276	Committee on Transportation, then to the Committee on Finance		

#### COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred as follows:

#### H.R. Nos.      Re-referred to:

48	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Labor and Public Employment
105	Committee on Health, then to the Committee on Legislative Management
196	Committee on Health, then to the Committee on Consumer Protection and Commerce
222	Committee on Health, then to the Committee on Finance
312	Jointly to the Committees on Public Safety and Corrections and Judiciary, then to the Committee on Intergovernmental Relations and International Affairs
343	Committee on Hawaiian Affairs, then jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection
357	Committee on Higher Education and the Arts, then to the Committee on Intergovernmental Relations and International Affairs
381	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance

#### H.C.R. Nos.

#### INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 414 and 415) were read by the Clerk and were disposed of as follows:

H.R. No. 414, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING CALVIN PANG, ESQ.; PATRICIA BRADY, ESQ.; ALSTON HUNT FLOYD & ING, ATTORNEYS-AT-LAW, A LAW CORPORATION; WILLIAM BOYKIN, PARALEGAL; EDWIN K. JENKINS, ESQ.; AND MARGARET K. MASUNAGA, ESQ., FOR THEIR OUTSTANDING CONTRIBUTION TO THE DELIVERY OF PRO BONO LEGAL SERVICES," was jointly offered by Representatives Chun and Arakaki.

Representative Chun moved that H.R. No. 414 be adopted, seconded by Representative Arakaki.

Representative Chun rose to speak in favor of the resolution, stating:

"It's a great honor and privilege to be recognizing individuals and a law corporation that has provided outstanding pro bono legal services to our community. Many of them served for many years to help those that cannot afford legal services. I wanted to go in depth a little bit with some of the individuals that we will be honoring.

"With regards to Calvin Pang, he is a graduate of the William S. Richardson School of Law, and his selfless commitment is reflected in the exceptional pro bono work that he has provided. He is very conscientious and has been acknowledged as helping to acknowledge volunteers who often go unrecognized by creating new ways for members of the private bar to carry out their pro bono obligations. He goes that extra mile by helping his clients, often on the spur of the moment, and that is an exceptional characteristic. Calvin is to be greatly commended for that.

"Patricia Brady is not with us. She is in trial at this point. She has provided services since 1992 to the Hawaii Lawyers Care, providing advice and consultation, facilitating uncontested divorce cases, guardianship workshops, assisting pro se divorce workshops through the Neighborhood Legal Clinic, and is currently serving as the pro bono notary public for the Hawaii Lawyers Care clients.

"Mr. William Boykin. He is the unique volunteer, 78 years of age. He served with the Hawaii Lawyers Care organization since 1989, and he has taken a lot of his personal time to understand his clients' legal problems and makes the time to help them understand the legal process. He has undertaken nine Hawaii Lawyers Care cases since the beginning of this year and also finds the time to seek volunteers to supervise his work. Mr. Boykin, we would also like to greatly thank you for the contributions that you've made to our community.

"Edwin Jenkins is a former United States Army Captain, and currently a Major in the U.S. Army Reserves. He is a graduate of Georgetown University School of Law, and has volunteered his leadership and professional skills by providing pro bono cases, facilitating pro se divorce clinics through the Neighborhood Legal Clinic, and actively works to change the rules of governing military attorneys practicing in Hawaii. And I really would like to thank Mr. Jenkins for all he has done for our community.

"Margaret Masunaga. She is a graduate of McGeorge Law School at the University of the Pacific, and the University of California, Berkeley, and is deputy attorney with the County Office of the Corporation Counsel, and this is the Family Support Division in Kailua, Kona. She volunteered her leadership and professional skills with HLC by having recruited over fifty Kona attorneys to handle cases, facilitating Kona's pro se divorce clinics, and presenting seminars and workshops on child support and paternity issues. We would really like to thank you for all you've done for the Big Island.

"And then we have a corporation, a law corporation, that has put a really big commitment into providing legal services for the indigent. Alston Hunt Floyd & Ing is the organization that was the recipient of the Lawyers Care President's Award. These individuals with the firm have provided their selfless commitment in providing exceptional pro bono legal services, providing contributions towards clothing drives for the homeless, and monetary donations towards clinics and workshops, and I would like to recognize Mae Nakamoto. Mae, thank you very much, and please express to the attorneys at the firm our appreciation for all that you are doing."

Representative Isbell then rose and stated:

"I would like to make just a few comments about Margaret Masunaga of Kailua, Kona.

"Anyone that can recruit fifty lawyers to give their free time should have a special recognition, so that is why we have this especially for her this morning. But I would

also like to say that I have found that the lawyers are very caring people, and this is a wonderful award. The Spirit of Hawaii Lawyers Care is finally recognizing those people who give of themselves and put out a lot of effort, and these fifty attorneys that she has recruited give workshops, all kinds of leadership and professional skills, opportunities for people, and I really want to recognize her and thank her very much for all her work.

"Mahalo."

Representative Shon then rose and stated:

"Mr. Speaker, I would like to add a few words of praise for our honorees today, and especially to thank William Boykin for his tremendously energetic efforts. I think it's very symbolic that he gets The Quest for Justice Award, which reminds us all that the pursuit of justice is not simply the purview of a few thousand in a profession but it is the avocation of every single one of us in this Legislature and in this society, and it is someone who is not a lawyer but a volunteer, a paralegal who is much older than most of us, but also much more energetic, I must say, than most of us in this quest for justice. I am reminded of part of a debate I heard recently with our colleagues in the Senate and one Senator who was chiding his colleagues, apparently for not pursuing justice enough, and quoting the last words of the Pledge of Allegiance -- 'With Liberty and Justice for All' -- and wondering what part of 'All' some people didn't understand. Well, it's very clear that Mr. Boykin and our other honorees understand 'All' means all, that the quest for justice is not just for some, it is for every single individual in this society to be a recipient of justice, and also to pursue justice for each other.

"To Mr. Boykin and the other honorees, I thank you for reminding us that justice is not the purview of merely a profession but the avocation of our entire society.

"Thank you."

Representative Stegmaier then rose to speak in favor of the resolution, stating:

"I am very pleased to speak in support of this resolution. I know from speaking with Calvin Pang only recently, and with others, that Hawaii Legal Services, serving the poor, are having major difficulties with their financing. Even in maintaining present levels of funding to deal with growing demands, our honorees today show us one way, in my estimation the most principled way, of addressing the problem of indigent people not being able to obtain legal help by doing pro bono work.

"Mr. Speaker, I would suggest that if each member of the profession -- lawyers and paralegals alike -- would only be willing to take on a tiny fraction of the overall demand for legal help, the legal services organizations would be able to do the rest.

"To the honorees, thank you again for showing the way.

"Thank you."

Representative Hirono then rose to speak in support of the resolution, stating:

"I think there are two professions in particular where the demands on time are just incredible, and those two professions are doctors and attorneys.

"A couple of weeks ago, we congratulated and commended doctors who have really exemplified the

caring of that profession, and to Dr. Bainum, our colleague, thank you for bringing those doctors here.

"For my colleagues here, it is true that attorneys do give of their time, and our honorees this morning certainly exemplify that.

"I would like to add some personal remarks regarding Margaret Masunaga whom I had breakfast with this morning, and usually when she comes to town, which is quite often, we try to get together. I have gotten to know Margaret and her family these last few months, and I must say that Margaret is one of the most enthusiastic people that I have met. I have a three-page resume of all of the community activities Margaret has done in conjunction with her work at the Corporation Counsel. She goes all over, including to the mainland, giving speeches about the work of the lawyers and the legal profession and child care, and all of those kinds of issues, so Margaret -- congratulations!

"For the law firm of Alston Hunt Floyd & Ing, the individual members of that firm have really extended themselves, and although I don't see Louise Ing here, I think most of us know her. I would like to, in absentia, just commend the firm and the individual members, and to Louise for all of the work that she has continued to do and, of course, the firm, in giving to this community.

"To all of our guests, thank you very much."

Representative Thielen then rose and stated:

"I also would like to express my sincere thanks, not only to the people that are sitting here today on the floor, but to all of those other attorneys and paralegals who participate in Hawaii Lawyers Care, and even outside of the Hawaii Lawyers Care operation. I think that these people do more than anyone to correct the image of lawyers in the community, because there are a significant number of lawyers who really do care.

"I thank all of you for being here today."

The motion was put by the Chair and carried, and H.R. No. 414 was adopted.

At this time, Representative Chun introduced the honorees who were seated on the House floor, and asked them to stand to be recognized, as follows: Calvin Pang; Mr. William Boykin, representing Patricia Brady; Edwin Jenkins; Margaret Masunaga; and Mae Nakamoto, representing the law firm of Alston Hunt Floyd & Ing.

Representative Chun then introduced and asked the following persons, who were seated in the gallery, to stand to be recognized: Mrs. Kerry Jenkins, wife of Edwin Jenkins, and daughter, Laura; Sheila Foreman, Board member of the Hawaii Lawyers Care; Judy Sobin, Executive Director; Valerie Tavai, Pro Bono Coordinator; Christine Berry and Brenda Hino, Paralegals; Evette Ortiz, Receptionist; and Stella Katada, Office Manager for Hawaii Lawyers Care.

At this time, Certificates of Recognition and floral leis were presented to the honorees by Representatives Isbell, Taniguchi, Shon, Tam, Say, Hirono, Stegmaier, Kawakami, Takumi, Okamura and Young.

H.R. No. 415, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING SENIORS ACTIVELY VOLUNTEERING IN EDUCATION PROJECT (SAVE) FOR ITS CONTRIBUTIONS TO PUBLIC EDUCATION IN HAWAII ON THE OCCASION OF ITS 5TH ANNIVERSARY," was jointly offered by Representatives Nekoba and Ihara.

Representative Nekoba moved that H.R. No. 415 be adopted, seconded by Representative Ihara.

Representative Nekoba rose to speak in support of the resolution, stating:

"Mr. Speaker, it certainly is an honor to take the time to recognize the wonderful people of the SAVE program. The seniors of Hawaii have so many wonderful things to share with us and teach us -- the youth of Hawaii -- and I think Representative Alcon will agree with that one. I have to say that I do wish that I had a program like this when I was going to school, especially the tutoring part of the program.

"In a time of diminishing family unity and lack of role modeling that the youth of today are exposed to, and in a time of increased volunteerism from senior citizens, there exists a calling for a plan of action to increase cooperation, interaction and exchange between generations to bridge the gap and, together, improve the quality of life for both groups by placing emphasis on human and community development.

"To assist in the improvement of Hawaii's public school system, seniors actively volunteering in education -- or SAVE -- was established in 1989 to provide support services to students, teachers and parents. Three hundred senior citizen volunteers, servicing thirty-four public schools on Oahu, share life experiences, person and cultural family values, talents, skills, knowledge, and resources to empower and enlighten today's youth.

"This intergenerational educational program increases cooperation, interaction, and exchange between two generations and provide reciprocal opportunities for both senior citizens and students.

"This year marks the fifth year that the SAVE project has been working to ensure excellence in education and lifelong learning in Hawaii. This project has been nationally recognized by President Clinton in 1992 as the 887th point of light.

"The SAVE project has come a long way in its efforts to provide for the public educational system, and we are glad to announce that the SAVE project will be starting its next growth phase in July when they will be broadening their services to not only assist teachers, but will be sending SAVE volunteers through literacy training to learn to teach youth how to read.

"Happy 5th Anniversary to the SAVE project and all of the volunteers who contributed their time and support. We wish you continued success in your endeavors to provide the youth of Hawaii with direction and purpose through your love and aloha."

Representative Ihara then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I've had the honor of having one of the State's first pilot schools in my district at King Liloihi Elementary School, and there I've seen the enthusiasm of fourth graders reading to a SAVE volunteer. I've seen the appreciation teachers have expressed to senior citizens who help with class preparation. I've seen the excitement of students listening to a retiree share about their travels to faraway places, and I've seen the love and admiration that children have for these 'adopted' grandparents. And, Mr. Speaker, I've seen the glow of self-satisfaction that SAVE volunteers show when they arrive in the morning on these public school campuses. To me, this SAVE project demonstrates the contribution and power of community involvement in our public schools.

"To our honorees on the floor today, as well as in the gallery, I applaud you and honor you and ask that you take back to your volunteers, many of whom are in school today, the message that we appreciate them for all the work that they do for our public schools.

"Mr. Speaker, the SAVE project, as Representative Nekoba mentioned, is building on their success and will be starting their next phase by expanding their partnership with the Department of Education to now include the Pizza Hut and Governor's Council on Literacy and Lifelong Learning to help fund the training program for SAVE volunteers. Hawaii Literacy will also be a partner. They will be providing the training of these volunteers to become master tutor trainers who will then be able to provide individual assistance to students to improve their reading skills.

"I would also like to express my thanks to the Liholihi SAVE volunteers who joined us in the gallery today.

"Thank you."

Representative Chun then rose and stated:

"I just wanted to also extend my congratulations to the SAVE project. I've seen the program grow, and I've seen the volunteers under the leadership of Meriel Collins and the Executive Office on Aging, Joan Nague and others really flourish, and I know that they are making a very invaluable contribution to the children. Again, I would like to say ... congratulations, and happy 5th birthday!"

Representative Ward then rose and stated:

"Like the doctors and the lawyers that were commended for their long hours, there are those with the PhD, and the head of the Office on Aging who also work long hours as a commonplace event. As a constituent of mine, I commend her for her long hours, and I, in the Legislature, Dr. Takamura, will always have long-term care for you.

"Thank you."

Representative Apo then rose and stated:

"Mr. Speaker, I just want to take this opportunity to thank both groups for their pro bono work, and I wanted to make the point, Mr. Speaker, you know, as a government, there's no way that we have or ever will have resources to solve all the problems of the world and in fact, as time goes by, it gets worse and worse. And I think the down side of government is that we have really failed to reach out and empower the tremendous amount of people resources that we have out in the community to help us solve our problems.

"We have two very diverse groups here, one group with a well-defined profession, and the other a collection from various walks of life -- seniors -- both engaged in very important public service. Sometimes I think we get in their way. We seem to throw up all these barriers that sort of discourage people, so it takes some fortitude on the part of all those out in the public who want to give service. And I would point out, Mr. Speaker, that what doesn't show up in our budget is what I would guess amounts to millions and millions of dollars of public service that the taxpayer is not paying for and does not show up on our budget sheets.

"So I want to thank both of you and all those people out there who do come forward to really help us do our job and make us look good.

"Thank you."

Representative Hirono then rose and stated:

"It's a banner day for me, Mr. Speaker. I wanted to add my commendation and acknowledgement to Jeanette Takamura. There are many of us here who have known Jeanette for many, many years -- Representative Okamura, Representative Ihara, certainly myself. I've known Jeanette for over twenty years -- hard to believe!

"I wanted to say that we really appreciate all the work that she has done. Jeanette is, I would say, one of the people who exemplifies the best of public service, and I have seen Jeanette Saturdays and Sundays ... she's available to meet with community groups to talk about long-term care. She definitely is not a nine to five lady, and if I don't have any other opportunity to thank Jeanette for all of the work that she is doing, I'm happy to do that this morning. Thank you, Jeanette."

The motion was put by the Chair and carried, and H.R. No. 415 was adopted.

At this time, Representative Nekoba rose and introduced the honorees seated on the House floor and asked them to stand to be recognized, as follows: Lori Priore, volunteer representative member on the Advisory Council for SAVE; Ms. Meriel Jane Collins, Project Coordinator for SAVE; Dr. Jeanette C. Takamura, Director of the Executive Office on Aging. "The SAVE project recognizes the value of public/private partnerships and community involvement. The State Executive Office on Aging will be providing half of the funding for the SAVE project;" and Sue Berg, State Literacy Director with the Governor's Council on Literacy and Lifelong Learning, "and also representing Pizza Hut, a private corporation which will be subsidizing the other half of the funding for Project SAVE."

Representative Nekoba then asked the following members who were seated in the gallery to stand to be recognized, as follows: Janet Morris with Hawaii Literacy; Miss Kathy Mau, Principal of Lanakila Elementary School; Mildred Kaneshiro, volunteer; and Mr. John White, a member of the Council and a volunteer.

Representative Nekoba continued, saying:

"Mr. Speaker, I would be remiss if I didn't mention that Representative Les Ihara was also very, very instrumental in the starting of this program because he was the original author of the bill that became the SAVE project, so I would like to recognize him also."

Representative Ihara rose to be recognized.

Certificates of Recognition and floral leis were presented to the honorees by Representatives Nekoba, Takamine, Santiago, Oshiro, Suzuki and Chun.

At 12:25 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.

#### STANDING COMMITTEE REPORTS

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1587-94) recommending that H.R. No. 239, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Ward and carried, the report of the Committee was adopted and H.R. No. 239, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSIST THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF WASTEWATER MANAGEMENT, WITH THE IDENTIFICATION OF THOSE CESSPOOLS ON THE NORTH SHORE AREA OF THE ISLAND OF OAHU THAT ARE FAILING OR ARE PRONE TO REPEATED FAILURE," was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1588-94) recommending that H.R. No. 381, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Ihara, seconded by Representative Ward and carried, the report of the Committee was adopted and H.R. No. 381, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXAMINE THE FEASIBILITY OF CONVERTING RECREATIONAL SMALL BOAT FACILITIES INTO INDEPENDENTLY MANAGED MARINAS AND SMALL BOAT HARBORS," was referred to the Committee on Tourism.

Representative Hiraki, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1589-94) recommending that H.C.R. No. 458, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Ihara, seconded by Representative Ward and carried, the report of the Committee was adopted and H.C.R. No. 458, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXAMINE THE FEASIBILITY OF CONVERTING RECREATIONAL SMALL BOAT FACILITIES INTO INDEPENDENTLY MANAGED MARINAS AND SMALL BOAT HARBORS," was referred to the Committee on Tourism.

#### INTRODUCTION OF RESOLUTION

H.C.R. No. 490, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING HIS HOLINESS TENZIN GYATSO, THE FOURTEENTH DALAI LAMA OF TIBET, FOR HIS STEADFAST COMMITMENT TO PROMOTING PEACEFUL SOLUTIONS TO THE WORLD'S PROBLEMS BASED ON TOLERANCE AND MUTUAL RESPECT," was offered by Representative Souki, and was read by the Clerk.

Representative Okamura moved that H.C.R. No. 490 be adopted, seconded by Representative Ward.

Representative Ward rose to speak in favor of the concurrent resolution, stating:

"Mr. Speaker, I rise in lieu of tomorrow not having an opportunity to say anything, being that there is a question and answer in the beginning, but I think we are really honored and really privileged to have a man of such high caliber in standing in the international scene.

"I had the privilege of knowing his followers as I traveled in Butung and Tibet. Quite frankly, the whole eyes of the world, particularly those of mainland China, will be upon us as he is here in Hawaii.

"Mr. Speaker, I thank you and for those who arranged for the concurrent resolution and for his presence tomorrow. I think it's a great boon for the internationalization of Hawaii.

"Thank you."

The motion was put by the Chair and carried, and H.C.R. No. 490 was adopted.

#### ANNOUNCEMENTS

Representative Lee: "I would just like to remind those who have signed up for the tour of Hawaii Theater that we can proceed directly after session to Bethel and Pauahi Streets."

Representative D. Ige: "I just wanted to announce to the members that this morning's front page article dealing with the Auditor's report, I have circulated and distributed that memo to all of you. I did want to thank you, Mr. Speaker, and Chairman Say for your support in requesting that the Auditor do the analysis. I think it's just the demonstration of why I think the Legislature needs to show leadership in trying to empower schools and really allow them to be innovative and flexible."

Representative Say: "On behalf of Representative Kawakami, for the Neighbor Island Caucus, your lunch is being served in Room 1310."

Representative Okamura: "The Speaker sent out a memo on the protocol regarding the Dalai Lama and would just like to encourage members to please review it for our meeting tomorrow with him."

#### ADJOURNMENT

At 12:38 o'clock p.m., on motion by Representative Ihara, seconded by Representative Ward and carried, the House of Representatives adjourned until 3:00 o'clock p.m. tomorrow, Thursday, April 14, 1994.

## FORTY-EIGHTH DAY

Thursday, April 14, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 3:12 o'clock p.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Father Manuel Guico of the Hickam Air Force Base, after which the Roll was called showing all members present with the exception of Representatives Chumbley, Hagino, Hiraki, Marumoto, Stegmaier, Tajiri and Tanimoto, who were excused.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Forty-Seventh Day was approved.

## SENATE COMMUNICATION

Sen. Com. No. 567, returning House Concurrent Resolution No. 490, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING HIS HOLINESS TENZIN GYATSO, THE FOURTEENTH DALAI LAMA OF TIBET, FOR HIS STEADFAST COMMITMENT TO PROMOTING PEACEFUL SOLUTIONS TO THE WORLD'S PROBLEMS BASED ON TOLERANCE AND MUTUAL RESPECT," which was adopted by the Senate on April 14, 1994, was read by the Clerk and was placed on file.

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

Representative Isbell introduced Mr. Nakaniale Nawa, Chairman and Chief of Fiji; and Honorary Mata Haa, Secretary of the Foundation of Indigenous People of Fiji, Ltd.

Representative Kanoho, on behalf of Representatives Ishii-Morikami, Kawakami and himself, introduced a group of students from Kapaa Intermediate School.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1317	Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Finance
1627	Committee on Judiciary, then to the Committee on Finance
3429	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
3625	Jointly to the Committees on Consumer Protection and Commerce and Judiciary
3657	Jointly to the Committees on Education and Judiciary, then to the Committee on Finance

The following concurrent resolutions (H.C.R. Nos. 223 and 413) were re-referred as follows:

<u>H.C.R. Nos.</u>	<u>Re-referred to:</u>
223	Committee on Labor and Public Employment
413	Committee on Ocean Recreation and Marine Resources, then to the Committee on Agriculture

## STANDING COMMITTEE REPORTS

Representatives Stegmaier and M. Ige, for the Committees on Economic Development and Business Concerns and Agriculture, presented a joint report (Stand. Com. Rep. No. 1590-94) recommending that H.R. No. 352, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.R. No. 352, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO UNDERTAKE A COOPERATIVE REGIONAL PLANNING PROGRAM TO RESPOND TO SOCIAL, ECONOMIC, AND PHYSICAL CHANGES THAT ARE PRESENTLY OCCURRING, AND THAT MAY EVENTUALLY OCCUR, IN THE NORTH SHORE REGION OF THE ISLAND OF OAHU," was referred to the Committee on Water and Land Use Planning.

Representatives Stegmaier and M. Ige, for the Committees on Economic Development and Business Concerns and Agriculture, presented a joint report (Stand. Com. Rep. No. 1591-94) recommending that H.C.R. No. 410, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.C.R. No. 410, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO UNDERTAKE A COOPERATIVE REGIONAL PLANNING PROGRAM TO RESPOND TO SOCIAL, ECONOMIC, AND PHYSICAL CHANGES THAT ARE PRESENTLY OCCURRING, AND THAT MAY EVENTUALLY OCCUR, IN THE NORTH SHORE REGION OF THE ISLAND OF OAHU," was referred to the Committee on Water and Land Use Planning.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1592-94) recommending that H.R. No. 39 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO EXPEDITE TRIAL SETTINGS WHERE A CHILD VICTIM OR WITNESS IS INVOLVED," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1593-94) recommending that H.C.R. No. 42 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO EXPEDITE TRIAL SETTINGS WHERE A CHILD VICTIM OR WITNESS IS INVOLVED," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1594-94) recommending that H.R. No. 319 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 319, entitled: "HOUSE RESOLUTION RELATING TO RESIDENTIAL DETENTION FOR PRE-TRIAL DETAINEES," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1595-94) recommending that H.C.R. No. 364 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 364, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RESIDENTIAL DETENTION FOR PRE-TRIAL DETAINEES," was adopted.

Representative Menor, for the Committee on Public Safety and Corrections, presented a report (Stand. Com. Rep. No. 1596-94) recommending that H.R. No. 358, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 358, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE VALUE OF THE PROPERTY THAT CURRENTLY SUPPORTS THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY," was referred to the Committee on Finance.

Representative Menor, for the Committee on Public Safety and Corrections, presented a report (Stand. Com. Rep. No. 1597-94) recommending that H.C.R. No. 418, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 418, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE VALUE OF THE PROPERTY THAT CURRENTLY SUPPORTS THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1598-94) recommending that H.C.R. No. 144, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 144, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ASSIST THE KING KAMEHAMEHA CELEBRATION COMMISSION IN DEVELOPING PLANS FOR ENHANCING OPERATIONS, ADMINISTRATION AND FUNDING," was referred to the Committee on Legislative Management.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1599-94) recommending that H.R. No. 133, HD 1, as amended in HD 2, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 133, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ASSIST THE KING KAMEHAMEHA CELEBRATION COMMISSION IN DEVELOPING PLANS FOR ENHANCING OPERATIONS, ADMINISTRATION AND FUNDING," was referred to the Committee on Legislative Management.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1600-94) recommending that H.C.R. No. 317, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 317, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF AN ONGOING EFFORT TO COORDINATE AND FACILITATE TRADE BETWEEN HAWAII AND THE PACIFIC ISLANDS," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1601-94) recommending that H.R. No. 185, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 185, HD 1, entitled: "HOUSE RESOLUTION REQUESTING TRUSTS AND FOUNDATIONS WHOSE BENEFICIARIES ARE HAWAIIANS TO COLLABORATE AND COORDINATE SERVICES," was adopted.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1602-94) recommending that H.C.R. No. 197, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 197, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING TRUSTS AND FOUNDATIONS WHOSE BENEFICIARIES ARE HAWAIIANS TO COLLABORATE AND COORDINATE SERVICES," was adopted.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1603-94) recommending that H.R. No. 343, as amended in HD 1, be referred to the Committees on Water and Land Use Planning and Energy and Environmental Protection.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 343, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES OF AMERICA TO PRESERVE AND PROTECT MAKUA MILITARY RESERVATION," was referred jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1604-94) recommending that H.C.R. No. 345, as amended in HD 1, be referred to the Committees on Water and Land Use Planning and Energy and Environmental Protection.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 345, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES OF AMERICA TO PRESERVE AND PROTECT MAKUA MILITARY RESERVATION," was referred jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1605-94) recommending that H.R. No. 378, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 378, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE INCLUSION OF KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, ON THE HAWAII REGISTER OF HISTORIC PLACES AND THE INCLUSION OF MAHUKONA HISTORICAL SITE ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1606-94) recommending that H.C.R. No. 472, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 472, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INCLUSION OF KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, ON THE HAWAII REGISTER OF HISTORIC PLACES AND THE INCLUSION OF MAHUKONA HISTORICAL SITE ON THE NATIONAL REGISTER OF HISTORIC PLACES," was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1607-94) recommending that H.C.R. No. 73, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 73, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HUI IMI TASK FORCE TO STUDY THE FEASIBILITY OF AMENDING CHAPTER 571, HAWAII REVISED STATUTES, TO PROTECT THE BEST INTERESTS OF NATIVE HAWAIIAN AND HAWAIIAN CHILDREN," was referred to the Committee on Judiciary.

At 3:20 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 3:27 o'clock p.m.

## ANNOUNCEMENTS

Representative Takamine rose and requested waiver of the 48-hour hearing notice requirement for the purpose of hearing H.C.R. 290, HD 1; H.R. 268, HD 1; H.C.R. 472 and H.R. 378, which will be added to the agenda of the Committee on Water and Land Use Planning scheduled for tomorrow morning at 9:00 a.m. in Conference Room 1310, and the Chair "so ordered."

Representative Tom then rose and requested waiver of the 48-hour hearing notice requirement to hear H.C.R. 263 tomorrow at 2:00 p.m., jointly with Judiciary and Consumer Protection and Commerce, and the Chair "so ordered."

Representative Kanohe then rose and requested waiver of the 48-hour hearing notice requirement for the purpose of hearing H.C.R. Nos. 287 and 426 at 2:00 p.m. tomorrow afternoon in Conference Room 1206, and the Chair "so ordered."

Representative Isbell: "There is a continuation of the briefing we started on Tuesday and ran out of time, tomorrow at 8:30 in Room 1111."

At 3:29 o'clock p.m., Representative Beirne asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:32 o'clock p.m.

Representative Arakaki: "I would like to send out a strong request, reminder, beseech everyone, beg everyone ... don't forget the Hawaii Foodbank Food Drive all of us are participating in, members as well as staff people, and tomorrow is the deadline. We're not doing quite as well as we did last year, and I would like to urge everyone to please participate and contribute to this very worthy cause for the many people who are hungry and homeless."

At 3:34 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

## JOINT SESSION

The Joint Session of the House of Representatives and the Senate was called to order at 4:10 o'clock p.m. by the Honorable Joseph Souki, Speaker of the House of Representatives, who stated:

"The purpose of this Joint Session of the Seventeenth Legislature is to honor His Holiness the Dalai Lama of Tibet, and to welcome His Holiness to Hawaii."

At this time, the House Clerk read House Concurrent Resolution 490, embodying the sentiments and official greetings of the Seventeenth Legislature, on behalf of the House and Senate.

The Speaker then presented His Holiness the Dalai Lama of Tibet to the members of the Seventeenth Legislature of the State of Hawaii.

Senate President Norman Mizuguchi presented an orchid plant; Representative Jackie Young presented a House Certificate; and Senator Malama Solomon presented a Senate Certificate to His Holiness the Dalai Lama of Tibet.

The Speaker then stated:

"His Holiness the Dalai Lama of Tibet is in Hawaii under the auspices of the Matsunaga Institute for Peace; the East-West Center; the School of Hawaiian, Asian and Pacific Studies of the University of Hawaii; the State Office of International Relations; and local corporate sponsors and supporting organizations.

"Members of the Seventeenth Legislature, it is my distinct honor to call upon His Holiness the Dalai Lama of Tibet to address us today."

His Holiness the Dalai Lama of Tibet addressed the members of the Seventeenth Legislature (through an interpreter):

"Honorable President and Speaker, His Excellency the Governor, and members of the Legislature, and friends who have gathered here, I am very happy to have this opportunity to address the Joint Session of the Legislature. It is also a great honor for me, and I would particularly like to express my deep thanks for the warm words of welcome which you have given to me, and also the support that you have given to my work and myself. Thank you.

"I learned that in this island of Hawaii, there is a collection or gathering of many diverse people from diverse communities, cultures and races, and religion, and in spite of that diversity, the community as a whole lives in great harmony and understanding of each other. And this in fact gives me great pleasure, and I would like to express my admiration for this.

"Just as the external physical environment of this place is so pretty and beautiful, so is the richness which has been contributed by the diversity of people who are living here, especially when this diversity which has been used in the positive direction, bringing out its best and definitely it gives an added color and enrichment to the whole place.

"It is both my hope and also my wish and prayer that the harmony, the spirit of harmony, and co-existence which we find here, could be extended towards further directions so that it could be experienced and enjoyed by other parts of the country as well." (End interpreter)

"Now, let me speak in my broken English a few sentences.

"I always believe, as a real human life, there is something really, as they say, that is not only precious, but something very, actually interesting because of human intelligence. So we human beings, we can visualize or can imagine, not only temporary situation, or temporary fact, or temporary thing, but we can think many years into the future, even in some cases a hundred years or a thousand years. With that intelligence, we also have the, I think, special ability and on top of that, I think due to science and technology, human ability now becomes very, very strong. So in a way, the person or the thing which have more influence, or influential, or is more powerful, is also automatically the one most with the responsibility.

"So sometimes, unfortunately, the human intelligence has the human ability, sometimes also it creates an unnecessary or some other unfortunate things also happen. So here, while we are acquiring our knowledge, our information, we must check oneself ... our motivation -- how our motivation is. That is very, very important. So long as the intelligence and ability go with sincere motivation, motivation which is based on the sense of responsibility, usually I describe as a sense of global responsibility or universal responsibility, which essentially very much in the spirit of compassion of himself or non-

violence, now with that, then our future will truly be brighter and a happy one.

"I always stress the importance of the development of the spiritual side -- this compassion and forgiveness of these things because it seems to me, generally speaking, it seems that people, I think, are too much concerned or too much care about the brain development. Sometimes little bit neglect about the basic human spiritual development and meantime when I say spiritual -- spirituality -- not necessarily religious faith. Of course, any individual who believe any religion or any major world religion, of course good. But even without religion, we can live, we can survive, we can manage. But as a human being without human compassion, then that person I think has no depth as a person, has no human affection. That is almost like a half human being -- half. So that person himself or herself will not be a happy person and also should that person, wherever that person lives, all it is is some kind of something, some kind of uncomfortable thing always happens so, therefore, the other side, the human side, has deep spirituality that means more to human feeling or human affection or compassion. These things are very, very important.

"Now, with these things -- human intelligence, good education, and in the meantime with a good heart, good things that go together -- then they blossom like a flower. When we have gotten only one kind of flower and the same color, one color, then that garden may not be so attractive. More variety, more different colors, more different shapes, that becomes more attractive. Similarly, on this planet, human beings have evolved five billions of human beings. If all is the same culture, same race, same pattern of life, if it's the same religion, then that may not be so attractive. So it is better to have variety. But at the same time, if all belongs to one that is human being, everyone belongs to one human family. Actually, we all belong to one human family.

"So I think the spirit of today is humanity -- spirit of oneness. Within there is the variety, diversity. All this can go well if we have intelligence, knowledge. In the meantime, a sense of involvement, a sense of responsibility. So wherever I go, I always share with other people this as my firm conviction. Another reason why I am stressing with you today conviction, is basically I believe human nature is gentleness. Of course, in the ancient mind, there are a lot of negative things that these boggle our minds. However, I think one dominant ideal force of human life is the basic foundation I consider human affection, gentleness, so therefore, if we take care and involve these in the development, there is possibility to increase, so the more the positive side increase, then the negative side automatically can be less effective.

"So once more I very much appreciate, as I mentioned earlier, the multi-culture of this small island with spiritual oneness, which is a spirit of one human form so that is very, very important, very good. So thank you.

"Lastly, I would like to express my special thank you for the orchid. It is very attractive, very, very beautiful, and I especially love that kind of color. So very, very good, but also that gives me a little worry because in Dharamsala where I live, the rest of the year, except during moonsoon, the rest of the year very dry. So in the past I tried, on many occasions, to keep or to survive, and also with a great expectation of a good flower next year, but always fail because of the dry climate. So I am afraid this flower also I think will not survive. I feel it gives me some more trouble, but anyway, I am very, very happy.

"Thank you very much."

President Mizuguchi then stated:

"Your Holiness, Hawaii is deeply honored by your presence in the islands. You have known much adversity, yet retain the spiritual sense that guides your actions. We are deeply impressed by the wisdom of your example and hope that it will yield hope for you and your countrymen.

"Please accept our sincerest appreciation for sharing your insights with us. We will long remember your visit.

"Thank you very much.

"Members of the House and Senate, and members of the audience, after adjournment, I ask that you rise and remain standing at your seats until after His Holiness and the official party depart from the floor.

"There being no further business, I declare this Joint Session of the Seventeenth State Legislature to be adjourned."

At 4:30 o'clock p.m., the President declared the Joint Session adjourned.

#### **ADJOURNMENT**

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, August 15, 1994.

## FORTY-NINTH DAY

Friday, April 15, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:44 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Bishop George N. Crabbe, Jr., of the Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all members present with the exception of Representatives Amaral, Marumoto, Stegmaier, Takamine and Tanimoto, who were excused.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Forty-Eighth Day was approved.

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

Representative Hagino, on behalf of Representatives Ihara, Hirono and himself, introduced 49 senior citizens from the Kapahulu Senior Center who are residents of the Kapahulu/Moiliili area.

Representative Ihara rose and acknowledged the presence of the Kapahulu seniors, "whom I have represented in my district prior to reapportionment. I have spent many, many hours and many affectionate events with them. . . and appreciate all the times we spent together."

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
2641	Committee on Energy and Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
2692	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
3212	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
3429	Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Finance
3432	Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
3625	Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Finance

The following resolutions (H.R. Nos. 212 and 216) were re-referred as follows:

<u>H.R. Nos.</u>	<u>Re-referred to:</u>
212	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce
216	Committee on Labor and Public Employment

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 416 and 417) were read by the Clerk and were disposed of as follows:

H.R. No. 416, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING RICHARD DAVI, PRESIDENT AND CHIEF EXECUTIVE OFFICER OF KAPIOLANI HEALTH CARE SYSTEM," was jointly offered by Representatives Hirono, Duldulao, D. Ige, Arakaki, Alcon, Bainum, Beirne, Bunda, Cachola, Chang, Isbell, Kawakami, Lee, Nekoba, Okamura, Oshiro, Pepper, Santiago, Say, Shon, Suzuki, Takumi, Taniguchi, Ward, Yonamine and Young.

Representative Hirono moved that H.R. No. 416 be adopted, seconded by Representative Duldulao.

Representative Hirono rose to speak in support of the resolution, stating:

"There's nothing like bringing people to this body for introduction to find out all kinds of really interesting things about their background.

"There are some people in this community who are very much identified with the institutions that they either work for or head, and Richard Davi certainly is one of those people. He has been identified with Kapiolani Medical Center for over thirty years, and has had such an illustrious career that I think that maybe some of us don't know some personal things about him, and it took me two tries at calling his office to find out some personal information that humanizes this man for us. For example, did you know that he is known as 'Mr. Mom'? There is going to be a dinner for him soon, and I understand that there's going to be a film entitled, 'Mr. Mom', and it doesn't star Michael Keaton. So those of you who can attend that dinner, I think that you will be vastly entertained by that short subject presentation.

"Mr. Davi has been involved with Kapiolani, as I said, for so many years that when he first got involved with Kapiolani, it did not have very much money so I understand that he literally took mop in hand, paintbrush in hand to spruce up the facility until such time as they were able to raise money to renovate the facility. And he's been at the forefront in bringing in some very special programs to be administered there such as the Sex Abuse Treatment Center which our colleague, Duke Bainum, is involved with and many other people in this community. He has been involved with the Pacific In Vitro Fertilization Institute, bringing that group to the Center, the Teen Intervention Program, the Pediatric Arthritis Center, and I think true to the predictions when Mr. Davi was growing up in California, that this man was known even then as a very extroverted, energetic person, and he's brought all of those qualities to him in his many years administrating Kapiolani.

"He loves to play golf so I think that's going to be on his agenda now that he is going to retire, but I understand that, you know, you can't keep a good man down or at home so he's going to continue as a health care consultant, and he is going to be involved in some of the major issues relating to what Hawaii can become as a health care center for the Pacific Rim.

"At this time, it gives me great pleasure to introduce our honoree, Richard 'Mr. Mom' Davi."

Mr. Davi then rose to be recognized.

Accompanying Mr. Davi on the House floor was his lovely wife, Janine Davi, who then rose to be recognized.

Representative Arakaki then rose to speak in support of the resolution, stating:

"First of all, I need to put to rest the rumor that Queen Kapiolani personally made her last will and request to Dick Davi to establish Kapiolani Hospital. Even though by his own admittance, he's been around what seems like over a hundred years -- he's not that old -- but he has been around in the health care business longer than many of the health care facilities and programs here in the State. And indeed, he's recognized and acknowledged as a pioneer in the health care field. He's been an integral leader, mover and an architect of a health care system that the rest of the country is envious of.

"It should be noted that the reason we can proudly point to all of the positive health status indicators is a particular attention that we, as a State, have paid to the needs of women and children. The Hawaiians have a saying -- Nana i ke kumu, or, look to the source.

"Healthy women as childbearers, and healthy children as a source of a healthy future for Hawaii has always been the focus of attention for Dick Davi and Kapiolani Medical Center for Women and Children. Even in the face of poor economic returns from serving this population, Mr. Davi has always put the health needs of women and children and not the profit margin as a primary consideration for programs and facilities. I can personally attest to that as a health care planner for Kapiolani Health Care System.

"Mr. Davi, I want to let you know I appreciated those times when we could stop to exchange our views about health care and about Hawaii's future. It's been a blessing to me to learn from someone with vision and a commitment to Hawaii's future.

"Mr. Speaker and colleagues, I would like to read an excerpt from a February 1978 **Advertiser** column called, 'Hawaii's Future', in which Mr. Davi is quoted as saying: 'As Hawaii progresses technologically, there is going to be a need for more professionally-trained personnel. Jobs for the unskilled and semi-skilled in the future may be both non-existent or disappearing. The vast education and training of personnel will be vital and necessary for our continued growth. Hence, it will not be surprising in the future to see an extraordinary rise in the number of local students pursuing graduate studies in highly specialized fields.' The article goes on to say, 'It is extremely important that we give appropriate attention to the problems in our schools and get across to everyone concerned that the preservation of the aloha spirit is not automatic. It is going to take a lot of cooperative effort to continue to attract visitors to Hawaii. Other places have palm trees and beaches ... our aloha spirit is what makes Hawaii unique.' And in conclusion, he says, 'Hawaii's future success will depend primarily on the initiative and energy of its people in fully developing and utilizing available resources to promote a better quality of

life throughout the islands. Whether we are successful depends on all facets of our community, government, labor, business and the public working together to build an even better Hawaii.'

Even though he was quoted sixteen years ago, the message, I think everyone realize, still applies. And it's a testament to the kind of vision that he has had. I only hope, as he retires, that as a legacy to his efforts, we can continue to hold to that vision and commitment that he set forth for Hawaii's women and children and for our future.

"In closing, even though Dick Davi was not there during Queen Kapiolani's time, he embodied and epitomized her words -- Kulia i ka nuu, or to strive for the highest.

"Mahalo, Dick Davi, for striving for and achieving the highest for the people of Hawaii."

Representative Arakaki then introduced some special guests of Mr. Davi who were seated in the gallery, and asked them to stand to be recognized, as follows: Mr. Roger Drew, current President and CEO of Kapiolani Health Care System; Mr. Paul Finazzo, Vice Chairman of the Board, Kapiolani Health Care System; Fran Hellenquist, Executive Vice President and CEO for Kapiolani Medical Centers; and Mr. Bill Chang, Vice President of Kapiolani Health Care System.

Representative D. Ige then rose and stated:

"Mr. Speaker, I just wanted to wish my aloha and best wishes to Mr. Davi. My wife, Dawn, had the privilege of working for him, starting as a planner and she left there as Marketing Director, and she just wanted me to express my thanks to Mr. Davi on her behalf.

"Dawn was in public relations at work with the company to bring and establish Pali Momi in the Leeward area, and she had the opportunity, under Mr. Davi, to come full circle to help him make that hospital successful. Now, she's a full-time Mom and a part-time teacher, but she really sends her aloha.

"Thank you."

Representative Thielen then rose and stated:

"I would also like to say a personal 'thank you' to my friend, Dick Davi, and to thank him, on behalf of all of the people of Hawaii, for his outstanding work for decades, and I think he's not going to stop. I know he will continue to help the people in Hawaii.

"Thank you."

Representative Kanoho then rose to speak in favor of the resolution, stating:

"Before the session began, Dick and I were talking about old times, reminiscing of the years past when we were both active in the Chamber ... I was President of the Kauai Chamber then and I think he held the same position for the State Chapter, and we were comparing notes. I told him of the programs we were both introducing. He was responsible for the introduction of the very successful Crime Stoppers Program which is such an aid to the Police Department. But I told him it was a shame that he was retiring, but after establishing 67 as a criteria, we determined that he was not quite that young. But that is intended to be a compliment, Dick, because you look very good.

"But, Mr. Speaker and members, I can think of no one who is as impressive a gentleman as Dick is a professional, someone who is more caring than he is. It seems that he was trying to be President of every organization possible, being so active in the community, but certainly he is most deserving of the recognition, and we wish him our aloha.

"Thank you."

Representative Pepper then rose and stated:

"Mr. Speaker, it is a privilege and a pleasure to add my words of thanks to Mr. Davi. I would cite particularly the expansion and increased accessibility of health services in our area, particularly with respect to the hospital at Pearlridge and to the newly-opened Counseling and Rehabilitation Center in Aiea. This makes the fine services of Kapiolani more accessible to people in my area, and I thank you."

Representative Okamura then rose and stated:

"Mr. Speaker, I also would like to extend my personal mahalo to Mr. Davi. It is very difficult for me to believe that he is actually retiring from Kapiolani. He's like an institution there. When anyone thinks of Kapiolani Hospital, they think of Richard Davi.

"A few years back, when I served as a big brother to an eight-year old boy who had terminal cancer, at various times during that period Kapiolani Hospital became my second home, and I really got to appreciate the quality care and deep sensitivity that the personnel there demonstrated, and this is all a testament to Mr. Davi.

"Also for the people of Aiea, a number of years ago, Pali Momi Hospital was built by a different company. That company went bankrupt and, thankfully, through Richard Davi's vision, foresight and courage, Kapiolani purchased Pali Momi Hospital and everyone really had doubts that the hospital was going to be able to make it, and they have. Today, they are serving at almost a hundred percent capacity, and this has been a tremendous asset to the people of the Aiea and Pearl City communities, and we truly appreciate that.

"So I just wanted to say again ... thank you very much for all the years that I've known you, Richard. You've always been a tremendous gentleman with a great sense of humor, and we certainly are going to miss you.

"Thank you very much."

Representative Bainum then rose to speak in support of the resolution, stating:

"I would like to say that there's been tremendous change over the last few years in regards to the health field. I think the proof of excellent leadership has been Mr. Davi's anticipation of that change, and what he leaves in Kapiolani is an excellent health care system. I want to thank him for the establishment of such a fine organization. He certainly can be proud of it, and certainly as a State, we are grateful.

"Thank you very much for your leadership."

The motion was put by the Chair and carried, and H.R. No. 416 was adopted.

Representative Hirono presented Mr. Davi with a Certificate of Recognition while floral leis were presented to the honorees by Representatives Chun, D. Ige, Duldulao and Arakaki.

At 12:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

H.R. No. 417, entitled: "HOUSE RESOLUTION HONORING AND RECOGNIZING SERVCO PACIFIC, INC. FOR ITS CONTRIBUTIONS TO THE STATE OF HAWAII ON THE OCCASION OF ITS 75TH ANNIVERSARY," was jointly offered by Representatives Ihara and Bunda.

Representative Ihara moved that H.R. No. 417 be adopted, seconded by Representative Bunda.

Representative Ihara rose to speak in favor of the resolution, stating:

"Mr. Speaker, Peter Fukunaga's dream, which started 75 years ago in Haleiwa, has grown throughout our State and the Pacific Basin through his and others hard work and concern for their customers in the community.

"Today, Servco Pacific's notable operations include the oldest General Motors/Chevrolet dealership west of the Rockies, the exclusive Toyota distribution franchise acquired in 1958, and franchises for other makes such as Lexus, Mazda, Suzuki, Ford, Lincoln/Mercury, Isuzu, and they have wholesale and retail operations, including such well-known brand names as Commadore, NEC, Brother, VECO, and actually, Mr. Speaker, the list goes on and on and on, so I won't mention them all. But their diverse companies include McWayne Marine, Evergreen Nursery, Servco Financial, Easy Music Center, American Insurance Agency, National Video Store, Granny's Gourmet Muffins, Hawaiiana Advertising, Rex Tire and Supply, and a host of other companies that keeps them busy I suppose.

"You know, Mr. Speaker, Servco has two thousand employees and an annual revenue exceeding four hundred million dollars, making Servco Pacific the twelfth largest corporation in the State.

"While these accomplishments are impressive, Mr. Speaker, this corporation cares about the community. The family corporation has provided millions of dollars in scholarships through the Fukunaga Scholarship Foundation, and their leadership and employees are active participants in the whole range of community activities; for example -- and this is only one example -- in five of the last nine annual March of Dimes Walk America projects, they raised the most pledges amongst all the corporations in the State.

"Mr. Speaker, I applaud Servco Pacific's persistent dedication to our State and for serving as a role model for other corporations who wish to become a part of our community.

"Peter Fukunaga's original dream was significantly advanced by sons, George and Tom Fukunaga, by their grasp and talents in expanding their father's corporate vision. I am sorry that both of these great men have recently passed on, but they have been succeeded by their able sons who I would like to introduce to the members today."

Representative Ihara then introduced Mark Fukunaga, Chairman of the Board and Chief Executive Officer of Servco Pacific, and Eric Fukunaga, President and Chief Operating Officer of the company, and asked them to stand to be recognized.

Representative Ihara then introduced the following persons who were seated in the gallery, and asked them to stand to be recognized: Karen Iwainoto, Assistant Vice President for Hawaiiana Advertising; Paula Vincent, General Manager for Hawaiiana Advertising; and Dan Ihara (Representative Ihara's brother), Promotions Manager.

Representative Bunda then rose and stated:

"I would like to add my congratulations to the Fukunaga family on their anniversary. They might not know it but we have something in common and, of course, their family hails from Waiialua/Haleiwa and so does mine. Originally we're from the Waiialua area. I do know that they expanded from a little shop in Waiialua to the Wahiawa shop and it's called Service Motors, and it's probably the most lighted building in the whole Kam Highway area, and it really lights up in the evening.

"Since that opening, our community really has benefited by your presence and you have participated in many of our programs, being members of our community association and getting involved in our schools, and Karen has been involved in many things with us in the schools, especially Leilehua High School. But on top of that, Mr. Speaker and members, this family is not only a well-respected family but they are nice people, so I would just like to say 'congratulations on your anniversary.'

"Thank you, Mr. Speaker."

Representative Lee then rose to speak in favor of the resolution, stating:

"I think it would be remiss if I did not point out the economic significance of Servco Pacific. We know their beginnings, their role model. They are the twelfth largest corporation in Hawaii and they grew out of the immigrant and plantation tradition to which most of us belong.

"What is important is that they have moved ahead -- first generation, second generation, and now the third generation -- into new areas that expand all across the Pacific Basin. But at home, they remain essentially an institution with deep roots in Central Oahu, in the North Shore and Waipahu.

"The area is rapidly growing. Their company's bracket -- Toyota in Waipahu/GM, and in Servco in Wahiawa itself. This area now contains the beginnings of the civilization of our economy in Central Oahu with the growth of the Mililani High Tech Park, with the growth of Mililani itself which now nears 35,000 people and eventually will reach 50,000 people, the growth of Waikale, and the large complexes there.

"The company, Servco, has served Hawaii and Central Oahu well and we must remember, not only the micro-economic benefits of the company itself, but its larger contributions to the State of Hawaii, and we welcome this opportunity to honor the grandsons of the founder of the Fukunaga dynasty.

"Thank you, Mr. Speaker."

Representative Young then rose to speak in favor of the resolution, stating:

"I've had the very unusual childhood of being both a town and country girl. The town was Manoa and the country was Wahiawa, and it was a really wonderful experience growing up in both Manoa and Wahiawa. But in Wahiawa, as many people drive through Wahiawa, there were always three buildings or three companies that were the mark of Wahiawa, one of them has gone by the

wayside as Castners. What's left is Top Hat and Servco, and people know Wahiawa by those institutions. But for me growing up in those years I know, when we traveled to the mainland, we were aware of Nordstroms and their wonderful customer service, but I always thought of Service Motors that way, too. I spent much of my childhood in Wahiawa, roaming the lots of the Chevrolet dealers and climbing into the cars and trying them out, and just having a lot of fun, and Service Motors in Wahiawa has always remained very strong in my memory.

"Out in the gallery, we have two special guests, both of whom have worked over fifty years for Servco, original members of the Fifty Year Club. One is Eric and Mark's uncle, Ralph Fukunaga, and the other gentleman, growing up, I always thought he owned Service Motors. I know he didn't because he was a very special friend to our family and he was one of my father's best friends and it's really touching for me to see him today, and that is Mr. Wally Higashi."

Representative Young then asked Mr. Ralph Fukunaga and Mr. Wally Higashi to stand to be recognized.

Representative Ward then rose to speak in favor of the resolution, stating:

"Mr. Speaker, as I travel throughout the Pacific, there's something that's well known in addition to the East-West Center, and that's Servco Pacific. This company has put us on the map and with the respect that it does bring, it really fulfills what we are trying to do as being the crossroads of the Pacific, the hub of the Pacific, and not only in terms of bringing us international knowledge, it also, as we'll see later, we have an incubation bill that's coming up, they are one of the best incubators for Hawaii's managers and Hawaii's entrepreneurs.

"I commend you, gentlemen, for exemplifying some of the best entrepreneurial spirit that we've got in the State of Hawaii.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.R. No. 417 was adopted.

A Certificate of Recognition was presented to Mr. Mark Fukunaga by Representative Apo while pink carnation leis were presented to the honorees by Representatives Duldulao and Young.

At 12:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:05 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1608-94) recommending that H.R. No. 271, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 271, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE AUDITOR GIVE PRIORITY TO THE OFFICE OF SPACE INDUSTRY IN ITS ONGOING AUDIT OF CONTRACT MANAGEMENT OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1609-94) recommending that H.C.R. No. 293, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 293, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR GIVE PRIORITY TO THE OFFICE OF SPACE INDUSTRY IN ITS ONGOING AUDIT OF CONTRACT MANAGEMENT OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1610-94) recommending that H.R. No. 253, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 253, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE AUDITOR TO REPORT ON SALES, LEASES, AND EXCHANGES OF PUBLIC LAND TRUSTS SINCE JUNE, 1980," was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1611-94) recommending that H.C.R. No. 228, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 228, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE AUDITOR TO REPORT ON SALES, LEASES, AND EXCHANGES OF PUBLIC LAND TRUSTS SINCE JUNE, 1980," was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1612-94) recommending that H.R. No. 304, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 304, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE NEED FOR SEATBELTS AND OTHER SAFETY REQUIREMENTS FOR SCHOOL BUSES," was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1613-94) recommending that H.C.R. No. 339, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 339, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NEED FOR SEATBELTS AND OTHER SAFETY REQUIREMENTS FOR SCHOOL BUSES," was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1614-94) recommending that H.R. No. 346, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 346, HD 2, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE VIABILITY OF DEVELOPING INCUBATION CENTERS FOR SMALL BUSINESSES," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1615-94) recommending that H.C.R. No. 400, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 400, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE VIABILITY OF DEVELOPING INCUBATION CENTERS FOR SMALL BUSINESSES," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1616-94) recommending that H.C.R. No. 378, as amended in HD 1, be adopted.

Representative Ihara moved that the report of the Committee be adopted and H.C.R. No. 378, HD 1, be adopted, seconded by Representative Thielen.

Representative Thielen rose to speak in favor of the resolution, with some serious reservations, stating:

"The resolution is requesting the Legislative Reference Bureau to study the feasibility of expanding regulatory practices to authorize optometrists to use therapeutic pharmaceutical agents.

"The concern I have, Mr. Speaker, is on page 1 of the resolution, lines 1 to 24, and what it does is it says that we want to encourage competition in the marketplace when it will result in a broader offering of services and lower prices for consumers.

"Mr. Speaker, it sounds like we're hyping a warehouse outlet, and what I said in the Committee hearing I want to say today on the floor. I think we should have added 'provided that the quality of care is not diminished.'

"Unfortunately, we sound like we're after a bargain basement rate, and we are not paying attention to the quality of care. I think the study will provide us the information that we are going to need to assess this in future legislative sessions, so for that reason I will, with these reservations, be voting in favor of the measure.

"Thank you."

Representative Young then rose and stated:

"Related to that resolution, on page 2 of it on line 15, it does say under the 'BE IT RESOLVED' which is actually the more important part of the resolution, that patient safety is number 2 of the 'BE IT RESOLVED.'

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 378, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE

REFERENCE BUREAU TO STUDY THE FEASIBILITY OF EXPANDING STATE REGULATORY PRACTICES TO AUTHORIZE OPTOMETRISTS TO USE THERAPEUTIC PHARMACEUTICAL AGENTS," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1617-94) recommending that H.C.R. No. 22 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO HALT CONSTRUCTION OF VARIABLE MESSAGE SIGNS ON TRANS-KOOLAU FEEDER ROUTES IN WINDWARD OAHU," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1618-94) recommending that H.R. No. 21 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO HALT CONSTRUCTION OF VARIABLE MESSAGE SIGNS ON TRANS-KOOLAU FEEDER ROUTES IN WINDWARD OAHU," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1619-94) recommending that H.R. No. 219 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 219, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE DEPARTMENT OF TRANSPORTATION PROVIDE BICYCLE SAFETY AWARENESS INFORMATION IN ALL NEW PUBLICATIONS OF DRIVER'S MANUALS AND IN QUESTIONS ON WRITTEN DRIVER'S LICENSE EXAMINATIONS," was referred to the Committee on Finance.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1620-94) recommending that H.C.R. No. 235 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 235, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE DEPARTMENT OF TRANSPORTATION PROVIDE BICYCLE SAFETY AWARENESS INFORMATION IN ALL NEW PUBLICATIONS OF DRIVER'S MANUALS AND IN QUESTIONS ON WRITTEN DRIVER'S LICENSE EXAMINATIONS," was referred to the Committee on Finance.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1621-94) recommending that H.R. No. 301, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 301, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE

STATE DEPARTMENT OF TRANSPORTATION TO NAME THE INTERSTATE H-3 TUNNEL IN HONOR OF HIGHWAY ADMINISTRATOR TETSUO HARANO," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1622-94) recommending that H.C.R. No. 335, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 335, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE INTERSTATE H-3 TUNNEL IN HONOR OF HIGHWAY ADMINISTRATOR TETSUO HARANO," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1623-94) recommending that H.R. No. 390 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 390, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH'S COMMUNITY HOSPITALS DIVISION TO CONSIDER RELIEVING FORMER HAMAKUA SUGAR COMPANY EMPLOYEES OF FINANCIAL RESPONSIBILITY OF OUTSTANDING PAYMENTS OWED FOR MEDICAL SERVICES THAT SHOULD HAVE PROPERLY BEEN PAID BY THEIR MEDICAL PLAN," was referred to the Committee on Finance.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1624-94) recommending that H.C.R. No. 445 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 445, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH'S COMMUNITY HOSPITALS DIVISION TO CONSIDER RELIEVING FORMER HAMAKUA SUGAR COMPANY EMPLOYEES OF FINANCIAL RESPONSIBILITY OF OUTSTANDING PAYMENTS OWED FOR MEDICAL SERVICES THAT SHOULD HAVE PROPERLY BEEN PAID BY THEIR MEDICAL PLAN," was referred to the Committee on Finance.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1625-94) recommending that H.R. No. 84, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 84, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH ENHANCE THE CAPACITY OF THE OFFICE OF HAWAIIAN HEALTH TO PLAN, COORDINATE, AUGMENT, AND EVALUATE EXISTING HEALTH SERVICES FOR NATIVE HAWAIIANS," was referred to the Committee on Finance.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1626-94) recommending that H.C.R. No. 91, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 91, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH ENHANCE THE CAPACITY OF THE OFFICE OF HAWAIIAN HEALTH TO PLAN, COORDINATE, AUGMENT, AND EVALUATE EXISTING HEALTH SERVICES FOR NATIVE HAWAIIANS," was referred to the Committee on Finance.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1627-94) recommending that H.R. No. 135, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 135, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO REDUCE SEXUAL INVOLVEMENT," was referred to the Committee on Finance.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1628-94) recommending that H.C.R. No. 146, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 146, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO REDUCE SEXUAL INVOLVEMENT," was referred to the Committee on Finance.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1629-94) recommending that S.C.R. No. 79 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RECOMMEND A DEFINITION OF QUALIFIED NUTRITIONIST AND A WAY TO PROTECT THE PUBLIC FROM NUTRITION FRAUD," was referred to the Committee on Consumer Protection and Commerce.

Representative Duldulao, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1630-94) recommending that S.C.R. No. 172, SD 1, as amended in HD 1, be referred to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 172, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION IMPROVING ENFORCEMENT FOR HAWAII'S SALE OF TOBACCO PRODUCTS TO MINORS LAW," was referred to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1631-94) recommending that H.R. No. 332, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 332, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PLANNING DEPARTMENTS OF EACH COUNTY TO REVIEW AND REVISE THEIR SUBDIVISION AND BUILDING REQUIREMENTS TO FACILITATE AND ENCOURAGE SUBSISTENCE FARMING IN HAWAII," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1632-94) recommending that H.C.R. No. 393, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 393, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PLANNING DEPARTMENTS OF EACH COUNTY TO REVIEW AND REVISE THEIR SUBDIVISION AND BUILDING REQUIREMENTS TO FACILITATE AND ENCOURAGE SUBSISTENCE FARMING IN HAWAII," was referred to the Committee on Finance.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House disagreed to the Senate amendments made to each of the following House Bills and requested a conference on the subject matter of said amendments: H.B. Nos. 2 (SD 2); 65, HD 1 (SD 2); 740, HD 1 (SD 2); 929, HD 1 (SD 1); 1046 (SD 1); 1241, HD 2 (SD 2); 1317, HD 2 (SD 2); 1332, HD 2 (SD 2); 1590, HD 1 (SD 1); 1627, HD 1 (SD 2); 1649, HD 1 (SD 1); 1663 (SD 2); 1712, HD 1 (SD 1); 1731 (SD 1); 1733, HD 1 (SD 1); 1999 (SD 1); 2027, HD 1 (SD 2); 2075 (SD 2); 2177, HD 2 (SD 1); 2186, HD 2 (SD 1); 2190 (SD 1); 2192, HD 1 (SD 1); 2197, HD 2 (SD 2); 2219, HD 1 (SD 1); 2220, HD 1 (SD 1); 2221, HD 2 (SD 2); 2235, HD 1 (SD 1); 2238, HD 1 (SD 1); 2259, HD 2 (SD 2); 2272, HD 1 (SD 1); 2284 (SD 2); 2285, HD 2 (SD 1); 2294 (SD 2); 2308, HD 1 (SD 1); 2309, HD 2 (SD 1); 2312 (SD 1); 2322, HD 1 (SD 1); 2333, HD 2 (SD 2); 2344, HD 1 (SD 2); 2386, HD 1 (SD 1); 2391, HD 1 (SD 2); 2419, HD 2 (SD 1); 2449, HD 1 (SD 1); 2450, HD 1 (SD 1); 2460, HD 1 (SD 1); 2461, HD 1 (SD 1); 2490 (SD 1); 2491, HD 2 (SD 1); 2500, HD 1 (SD 1); 2515, HD 1 (SD 2); 2553, HD 2 (SD 2); 2590, HD 1 (SD 1); 2599, HD 1 (SD 1); 2605, HD 2 (SD 2); 2623 (SD 1); 2631, HD 2 (SD 1); 2635, HD 1 (SD 1); 2639, HD 1 (SD 2); 2640, HD 2 (SD 1); 2641 (SD 1); 2642 (SD 1); 2644, HD 1 (SD 2); 2647, HD 2 (SD 2); 2680, HD 1 (SD 1); 2690, HD 1 (SD 1); 2692, HD 2 (SD 2); 2718, HD 1 (SD 1); 2725, HD 1 (SD 1); 2730, HD 1 (SD 2); 2735 (SD 1); 2746, HD 2 (SD 2); 2760, HD 2 (SD 1); 2780, HD 2 (SD 1); 2822, HD 1 (SD 1); 2851, HD 2 (SD 2); 2873, HD 1 (SD 1); 2882 (SD 1); 2897, HD 2 (SD 2); 2909, HD 2 (SD 1); 2912 (SD 2); 2913, HD 3 (SD 1); 2919, HD 2 (SD 2); 2921, HD 1 (SD 1); 2925, HD 1 (SD 1); 2928, HD 1 (SD 1); 2944, HD 1 (SD 1); 2945, HD 2 (SD 1); 2965, HD 1 (SD 2); 2975, HD 1 (SD 1); 2981, HD 1 (SD 1); 2985, HD 1 (SD 1); 2989, HD 1 (SD 1); 2990, HD 2 (SD 1); 3003, HD 1 (SD 1); 3017 (SD 1); 3090, HD 1 (SD 2); 3106, HD 4 (SD 1); 3132, HD 1 (SD 1); 3133, HD 2 (SD 1); 3134, HD 2 (SD 2); 3135, HD 1 (SD 1); 3137 (SD 1); 3144 (SD 2); 3149, HD 1 (SD 1); 3151, HD 1 (SD 1); 3153, HD 2 (SD 1); 3156 (SD 2); 3158, HD 2 (SD 2); 3159 (SD 2); 3160, HD 2 (SD 1); 3164, HD 2 (SD 1); 3165, HD 2 (SD 2); 3169 (SD 2); 3170, HD 2 (SD 1); 3176, HD 2 (SD 1); 3179,

HD 1 (SD 2); 3180 (SD 1); 3190, HD 1 (SD 1); 3191, HD 1 (SD 2); 3194, HD 2 (SD 1); 3195 (SD 1); 3198, HD 1 (SD 1); 3199, HD 2 (SD 2); 3201 (SD 1); 3209, HD 1 (SD 1); 3210, HD 1 (SD 1); 3211, HD 1 (SD 1); 3212, HD 1 (SD 1); 3253 (SD 1); 3255, HD 2 (SD 1); 3258, HD 1 (SD 1); 3290, HD 1 (SD 1); 3300, HD 1 (SD 2); 3302 (SD 1); 3303, HD 1 (SD 2); 3306, HD 1 (SD 1); 3307, HD 1 (SD 1); 3309, HD 1 (SD 1); 3310, HD 1 (SD 1); 3321 (SD 1); 3323 (SD 2); 3324, HD 2 (SD 2); 3326, HD 2 (SD 1); 3327, HD 3 (SD 2); 3329 (SD 1); 3333, HD 2 (SD 2); 3383, HD 1 (SD 1); 3400, HD 1 (SD 1); 3416 (SD 1); 3425, HD 1 (SD 2); 3426, HD 1 (SD 1); 3427 (SD 1); 3428, HD 2 (SD 1); 3429, HD 1 (SD 1); 3430, HD 2 (SD 2); 3431 (SD 1); 3432, HD 2 (SD 1); 3433, HD 2 (SD 1); 3440, HD 2 (SD 2); 3443, HD 1 (SD 2); 3445, HD 2 (SD 2); 3446, HD 2 (SD 2); 3447, HD 1 (SD 1); 3451, HD 2 (SD 2); 3453, HD 2 (SD 2); 3456, HD 2 (SD 2); 3458, HD 1 (SD 2); 3461, HD 1 (SD 1); 3465, HD 2 (SD 2); 3466, HD 2 (SD 1); 3470, HD 1 (SD 1); 3472, HD 1 (SD 2); 3484, HD 2 (SD 1); 3491, HD 2 (SD 2); 3506, HD 2 (SD 2); 3513, HD 3 (SD 2); 3520, HD 1 (SD 1); 3585, HD 1 (SD 1); 3600, HD 1 (SD 2); 3602, HD 1 (SD 2); 3607, HD 2 (SD 2); 3609, HD 2 (SD 1); 3625 (SD 1); 3630, HD 3 (SD 2); 3637, HD 1 (SD 2); 3657, HD 2 (SD 1); 3676, HD 1 (SD 1); and 3742 (SD 1).

At this time, Representative Ihara gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2274 (SD 1) and 2949 (SD 1).

#### ANNOUNCEMENTS

At this time, Representative Pepper was permitted a late introduction and he introduced Dr. Ellen Caringer, President of the Hawaii Psychological Association, from Maui.

Representative Ward then rose and stated:

"Being a historic day that today is the last day for our friend and vendor who is blind, Tom Morikami. We are having a simulated presentation for him at 1:00 p.m. and give him a farewell for the man who kept us fed well, and who's going off to bigger and better things at the airport. So, Mr. Speaker and colleagues, please join us to say 'farewell' to blind vendor, Tom Morikami."

Representative Tom then rose and requested waiver of the 48-hour hearing notice requirement to hear H.R. No. 245 at 2:00 p.m. this afternoon, and the Chair "so ordered."

Representative Chun: "Just a last reminder for the Foodbank. We want to thank the representatives and staff members who have already contributed food and money, and I hope to see you in our office soon, in 1112."

#### ADJOURNMENT

At 1:13 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 18, 1994.

## FIFTIETH DAY

**Monday, April 18, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:47 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by James P. Crews of the Chapel of the U.S. Army, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Chang, Hagino, Hiraki and Peters, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Ninth Day.

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Forty-Ninth Day was approved.

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 162) was read by the Clerk and was placed on file:

Gov. Msg. No. 162, informing the House that on April 15, 1994, he signed the following bills into law:

House Bill No. 3145 as Act 14, entitled: "RELATING TO HOUSING";

House Bill No. 3187 as Act 15, entitled: "RELATING TO THE PAYMENT OF INTEREST ON TAXES";

House Bill No. 3350 as Act 16, entitled: "RELATING TO DISASTER RELIEF";

House Bill No. 3675 as Act 17, entitled: "RELATING TO RECOVERY COSTS ASSOCIATED WITH HURRICANE INIKI";

Senate Bill No. 2966 as Act 18, entitled: "RELATING TO INCOME TAX REFUNDS";

Senate Bill No. 2970 as Act 19, entitled: "RELATING TO ADMINISTRATIVE TAX REFUNDS";

Senate Bill No. 2971 as Act 20, entitled: "RELATING TO THE STATUTE OF LIMITATIONS"; and

Senate Bill No. 3047 as Act 21, entitled: "RELATING TO DEPOSITS OF PUBLIC FUNDS".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 568 to 580) were read by the Clerk and were placed on file:

Sen. Com. No. 568, transmitting S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATION IN THE DEVELOPMENT OF AN ACTION PLAN TO IMPLEMENT A GREEN WASTE BAN AND TO FACILITATE THE DEVELOPMENT OF A LOCAL GREEN WASTE RECYCLING INDUSTRY," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 569, transmitting S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE COUNTIES TO CONSIDER THE FEASIBILITY OF VARIABLE RATE FEES OR UNIT-BASED PRICING TO ENCOURAGE CONSUMERS TO REDUCE WASTE AND RECYCLE," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 570, transmitting S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 571, transmitting S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PREPARE A WRITTEN POLICY FOR THE COORDINATION OF TRANSITION SERVICES FOR YOUNG ADULTS FROM CHILD AND ADOLESCENT MENTAL HEALTH SERVICES TO ADULT MENTAL HEALTH SERVICES," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 572, transmitting S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HEALTH TO UTILIZE DOCTORATE OF PSYCHOLOGY INTERNS TO PROVIDE MENTAL HEALTH SERVICES," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 573, transmitting S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING INITIATIVES TO FOSTER THE PROLIFERATION OF INTERNATIONAL TRADE ACTIVITIES BETWEEN PACIFIC RIM NATIONS IN THE STATE OF HAWAII," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 574, transmitting S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 94-3, 'AUDIT OF THE HAZARDOUS WASTE MANAGEMENT PROGRAM OF THE DEPARTMENT OF HEALTH'," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 575, transmitting S.C.R. No. 216, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO EVALUATE THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 576, transmitting S.C.R. No. 228, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH'S COMMUNITY HOSPITALS DIVISION TO CONSIDER RELIEVING FORMER HAMAKUA SUGAR COMPANY EMPLOYEES OF FINANCIAL RESPONSIBILITY OF OUTSTANDING PAYMENTS OWED FOR MEDICAL SERVICES THAT SHOULD HAVE PROPERLY BEEN PAID BY THEIR MEDICAL PLAN," which was adopted by the Senate on April 15, 1994.

Sen. Com. No. 577, transmitting S.C.R. No. 220, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE AQUACULTURE PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," which was adopted by the Senate on April 15, 1994.

By unanimous consent, further action on S.C.R. Nos. 7, 8, 9, 86, 87, 113, 133, SD 1; 216, SD 1; 228, SD 1; and 220 was deferred.

Sen. Com. No. 578, informing the House that S.B. No. 3064, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1994 FOR HAMAKUA MEDICAL CENTER," passed Final Reading in the Senate on April 15, 1994.

Sen. Com. No. 579, informing the House that the Senate, on April 15, 1994, disagreed to the amendments proposed by the House in S.B. Nos. 256, SD 2, HD 2; 529, SD 1, HD 2; 905, SD 1, HD 2; and 3292, SD 1, HD 3.

Sen. Com. No. 580, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills, and has requested a conference on the subject matter thereof, in consequence of which the President has, on April 15, 1994, appointed as Managers on the part of the Senate for the consideration of said amendments:

**S.B. No. 299, SD 1, HD 1:**

Senators Ikeda, Chair; Kanno, Hagino and Koki.

**S.B. No. 475, SD 2, HD 2:**

Senators Ikeda, Chair; Kanno, Holt and Koki.

**S.B. No. 556, SD 1, HD 1:**

Senators Grauly, Chair; Matsuura, A. Kobayashi, Baker, Iwase and Reed.

**S.B. No. 576, HD 1:**

Senators Ikeda, Chair; Hagino, Holt, Solomon and George.

**S.B. No. 1249, SD 1, HD 3:**

Senators Holt, Chair; Kanno and Koki.

**S.B. No. 1424, SD 1, HD 2;**

Senators Grauly, Chair; Kanno, Holt, Baker and Koki.

**S.B. No. 1555, SD 2, HD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**S.B. No. 1586, SD 2, HD 1:**

Senators Ikeda, Chair; Matsunaga, Hagino, Baker and George.

**S.B. No. 1605, SD 1, HD 1:**

Senators Grauly, Chair; Fernandes Salling, Tanaka, Baker, Iwase and Koki.

**S.B. No. 1627, SD 1, HD 1:**

Senators Ikeda, Chair; Tungpalan, Kanno, Baker and Koki.

**S.B. No. 1628, SD 2, HD 1:**

Senators Ikeda, Chair; Tanaka, Baker and George.

**S.B. No. 1777, SD 2, HD 1:**

Senators Ikeda, Chair; Grauly, Iwase, Matsuura and Koki.

**S.B. No. 1803, SD 1, HD 1:**

Senators Grauly, Chair; A. Kobayashi, Baker, Matsunaga, Levin and Koki.

**S.B. No. 2020, SD 2, HD 3:**

Senators Ikeda, Chair; Tungpalan, Iwase, Kanno and George.

**S.B. No. 2083, SD 1, HD 1:**

Senators Ikeda, Chair; Levin, Holt, Aki and George.

**S.B. No. 2098, SD 1, HD 1:**

Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.

**S.B. No. 2141, SD 2, HD 2:**

Senators Ikeda, Chair; Levin, Holt and George.

**S.B. No. 2161, HD 2:**

Senators Ikeda, Chair; Chang, Tanaka, Solomon and George.

**S.B. No. 2162, SD 1, HD 2:**

Senators Chang, Chair; Fukunaga and Reed.

**S.B. No. 2164, SD 1, HD 3:**

Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.

**S.B. No. 2170, SD 2, HD 3:**

Senators Ikeda, Chair; Chang, Solomon, Fukunaga and George.

**S.B. No. 2172, SD 2, HD 2:**

Senators Ikeda, Chair; Chang, Fukunaga, Tanaka and George.

**S.B. No. 2180, SD 1, HD 2:**

Senators Chang, Chair; Levin and Reed.

**S.B. No. 2182, SD 1, HD 1:**

Senators Grauly, Chair; A. Kobayashi, Iwase, Baker, Matsuura and Koki.

**S.B. No. 2183, HD 1:**

Senators Grauly, Chair; A. Kobayashi, Iwase, Baker, Matsuura and Koki.

**S.B. No. 2198, HD 1:**

Senators Grauly, Chair; A. Kobayashi, Baker and Koki.

**S.B. No. 2249, HD 1:**

Senators Ikeda, Chair; Hagino, Iwase, Tanaka and George.

**S.B. No. 2261, SD 2, HD 3:**

Senators Ikeda, Chair; Chang, Holt, Tanaka and George.

**S.B. No. 2262, SD 2, HD 3:**

Senators Ikeda, Chair; Chang, Grauly, Iwase and Koki.

**S.B. No. 2272, SD 1, HD 2:**

Senators Ikeda, Chair; Iwase, Holt, McCartney and George.

**S.B. No. 2288, HD 1:**

Senators Baker, Chair; Tungpalan and Reed.

**S.B. No. 2294, SD 2, HD 1:**

Senators Ikeda, Chair; Grauly, Iwase, Levin and Koki.

**S.B. No. 2366, HD 1:**

Senators Ikeda, Chair; Hagino, Iwase, Fukunaga and George.

**S.B. No. 2377, SD 2, HD 3:**

Senators Ikeda, Chair; Holt, Levin and Koki.

**S.B. No. 2378, HD 1:**

Senators Ikeda, Chair; Hagino, Fernandes Salling, Fukunaga, Holt, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka and George.

**S.B. No. 2393, SD 1, HD 1:**

Senators Grauly, Chair; Iwase, A. Kobayashi, Matsunaga, Matsuura and Koki.

**S.B. No. 2402, HD 1:**

Senators Chang, Chair; Fernandes Salling, Tanaka and Reed.

**S.B. No. 2434, SD 1, HD 1:**

Senators Ikeda, Chair; Grauly, Hagino, Iwase and George.

**S.B. No. 2515, HD 1:**

Senators Grauly, Chair; A. Kobayashi, Baker and Iwase.

**S.B. No. 2544, SD 1, HD 2:**

Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.

**S.B. No. 2563, HD 1:**

Senators Kanno, Chair; Holt and George.

**S.B. No. 2591, HD 1:**

Senators Ikeda, Chair; Hagino, Fernandes Salling, Fukunaga, Holt, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka and George.

**S.B. No. 2596, HD 2:**

Senators Ikeda, Chair; Tanaka, Holt, Fernandes Salling, Nakasato and George.

**S.B. No. 2605, SD 1, HD 1:**

Senators Baker, Chair; Tungpalan and Reed.

**S.B. No. 2607, SD 1, HD 1:**

Senators Holt/Ikeda, Co-Chairs; and Koki.

**S.B. No. 2615, SD 2, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**S.B. No. 2620, SD 2, HD 1:**

Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.

**S.B. No. 2623, SD 2, HD 1:**

Senators Ikeda, Chair; Tungpalan, Kanno, Solomon and Koki.

**S.B. No. 2630, SD 2, HD 1:**

Senators Grauly, Chair; Kanno, Matsunaga, Baker, Levin and Koki.

**S.B. No. 2648, SD 1, HD 2:**

Senators Ikeda, Chair; Grauly, Tungpalan, Iwase and Koki.

**S.B. No. 2653, SD 1, HD 1:**

Senators Ikeda, Chair; Hagino, Iwase, Holt and George.

**S.B. No. 2661, HD 1:**

Senators Ikeda, Chair; Tanaka, Solomon, Holt and George.

**S.B. No. 2663, SD 2, HD 2:**

Senators Grauly, Chair; Tanaka, A. Kobayashi, Fernandes Salling, Levin and Koki.

**S.B. No. 2695, SD 2, HD 2:**

Senators Ikeda, Chair; Iwase, Hagino, Aki and George.

**S.B. No. 2715, SD 1, HD 2:**

Senators Ikeda, Chair; McCartney, Iwase, Kanno and Koki.

**S.B. No. 2722, SD 1, HD 1:**

Senators Holt, Chair; Iwase and Koki.

**S.B. No. 2724, SD 1, HD 2:**

Senators Ikeda, Chair; Grauly, Levin, Iwase and George.

**S.B. No. 2728, SD 2, HD 2:**

Senators Ikeda, Chair; Hagino, Tanaka, Tungpalan and Koki.

**S.B. No. 2734, SD 2, HD 3:**

Senators Ikeda, Chair; Levin, Holt, Solomon and George.

**S.B. No. 2751, SD 2, HD 2:**

Senators Ikeda, Chair; Chang, Kanno, Tanaka and George.

**S.B. No. 2752, SD 2, HD 2:**

Senators Ikeda, Chair; Kanno, Fernandes Salling, Holt and Koki.

**S.B. No. 2753, SD 1, HD 1:**

Senators Ikeda, Chair; Holt, Iwase, Fernandes Salling and Koki.

**S.B. No. 2755, SD 2, HD 2:**

Senators Ikeda, Chair; Tungpalan, Tanaka, Baker and Koki.

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

Senators Ikeda, Chair; Kanno, Grauly, Holt and Koki.

**S.B. No. 2787, HD 2:**

Senators Grauly, Chair; Fernandes Salling, Baker and Reed.

**S.B. No. 2828, SD 1, HD 2:**

Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.

**S.B. No. 2829, SD 1, HD 1:**

Senators Grauly, Chair; Levin, Baker, A. Kobayashi, Iwase and Koki.

**S.B. No. 2834, SD 1, HD 1:**

Senators Ikeda, Chair; B. Kobayashi, Fukunaga, Holt and George.

**S.B. No. 2837, SD 1, HD 2:**

Senators Tungpalan/McCartney, Co-Chairs; Ikeda, Baker, Fukunaga and Koki.

**S.B. No. 2863, SD 1, HD 1:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and Reed.

**S.B. No. 2875, SD 1, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Iwase and George.

**S.B. No. 2889, SD 1, HD 2:**

Senators Ikeda, Chair; Chang, Tanaka, Solomon and George.

**S.B. No. 2891, SD 1, HD 1:**

Senators Ikeda, Chair; Chang, Tanaka, Solomon and George.

**S.B. No. 2908, SD 1, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Levin, Holt and George.

**S.B. No. 2913, SD 1, HD 1:**

Senators Ikeda, Chair; Hagino, Holt, Fukunaga and George.

**S.B. No. 2921, SD 2, HD 1:**

Senators Ikeda, Chair; Iwase, Holt, Kanno and George.

**S.B. No. 2924, SD 1, HD 2:**

Senators Ikeda, Chair, Iwase, Holt, Kanno and George.

**S.B. No. 2925, SD 2, HD 1:**

Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.

**S.B. No. 2946, SD 1, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Fernandes Salling and George.

**S.B. No. 2949, SD 1, HD 1:**

Senators Grauly, Chair; Matsunaga, Levin, Baker, A. Kobayashi and Reed.

**S.B. No. 2954, SD 1, HD 2:**

Senators Ikeda, Chair; Iwase, Holt, Aki and George.

**S.B. No. 2956, SD 1, HD 3:**

Senators Iwase, Chair; Hagino, Kanno, Ikeda, McCartney and George.

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

Senators Ikeda, Chair; Hagino, Solomon, Fukunaga and George.

**S.B. No. 2965, HD 1:**

Senators Ikeda, Chair; Hagino, Solomon, Fernandes Salling and George.

**S.B. No. 2979, HD 1:**

Senators Ikeda, Chair; Tungpalan, Kanno, Solomon and Koki.

**S.B. No. 3009, SD 2, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**S.B. No. 3010, SD 2, HD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**S.B. No. 3012, SD 2, HD 2:**

Senators Ikeda, Chair; Tungpalan, Iwase, Kanno and Koki.

**S.B. No. 3015, SD 2, HD 1:**

Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.

**S.B. No. 3024, SD 1, HD 2:**

Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.

**S.B. No. 3031, SD 2, HD 3:**

Senators Ikeda, Chair; Levin, Holt and Kanno.

**S.B. No. 3036, SD 2, HD 3:**

Senators Ikeda, Chair; Holt, Iwase, Fernandes Salling.

**S.B. No. 3044, SD 1, HD 1:**

Senators Ikeda, Chair; Hagino, Tanaka and Koki.

**S.B. No. 3045, SD 2, HD 2:**

Senators Ikeda, Chair; Hagino, Iwase and Holt.

**S.B. No. 3068, SD 2, HD 2:**

Senators Ikeda, Chair; Tungpalan, Hagino, Holt and Koki.

**S.B. No. 3075, SD 1, HD 3:**

Senators Kanno, Chair; Holt and George.

**S.B. No. 3082, SD 2, HD 2:**

Senators Ikeda, Chair; Levin, Baker, Solomon and George.

**S.B. No. 3096, SD 1, HD 1:**

Senators Grauly, Chair; Holt, Baker and Koki.

**S.B. No. 3133, SD 1, HD 1:**

Senators Chang, Chair; Fukunaga and Reed.

**S.B. No. 3140, SD 2, HD 2:**

Senators Ikeda, Chair; Grauly, Fernandes Salling, Iwase and Koki.

**S.B. No. 3161, SD 2, HD 2:**

Senators Ikeda, Chair; Hagino, Iwase, Holt and George.

**S.B. No. 3179, SD 2, HD 1:**

Senators Ikeda, Chair; Chang, Kanno, Tanaka and George.

**S.B. No. 3180, SD 1, HD 2:**

Senators Matsunaga, Chair; Matsuura, Levin and Koki.

**S.B. No. 3190, SD 2, HD 2:**

Senators Ikeda, Chair; Kanno, Holt and Koki.

**S.B. No. 3249, SD 1, HD 2:**

Senators Holt, Chair; Fernandes Salling, Ikeda, Tungpalan and Koki.

**S.B. No. 3253, SD 1, HD 1:**

Senators Ikeda, Chair; Tungpalan, Baker, Solomon and Koki.

**S.B. No. 3254, SD 1, HD 1:**

Senators Ikeda, Chair; Tungpalan, Solomon, Fukunaga and Koki.

**S.B. No. 3302, SD 1, HD 1:**

Senators Holt, Chair; B. Kobayashi and Koki.

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

Senators Ikeda, Chair; Chang, Grauly, Iwase and George.

**S.B. No. 3307, SD 2, HD 1:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**S.B. No. 3309, SD 2, HD 3:**

Senators Ikeda, Chair; Iwase, Hagino, Baker and Koki.

**S.B. No. 3310, SD 2, HD 3:**

Senators Ikeda, Chair; Iwase, Hagino, Holt and George.

**S.B. No. 3315, SD 2, HD 2:**

Senators Ikeda, Chair; Kanno, Fernandes Salling, Holt and Koki.

**S.B. No. 3322, SD 1, HD 2:**

Senators Fernandes Salling, Chair; Tanaka, Baker and George.

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

The following House bills were re-referred as follows:

**H.B. Nos.      Re-referred to:**

1241              Jointly to the Committees on Finance and Labor and Public Employment

2780              Committee on Finance

2990              Committee on Finance

The following Senate bills were re-referred as follows:

**S.B. Nos.      Re-referred to:**

2294              Committee on Judiciary, then to the Committee on Finance

2607              Committee on Consumer Protection and Commerce, then to the Committee on Finance

2620              Committee on Judiciary, then to the Committee on Finance

2954              Committee on Water and Land Use Planning, then to the Committee on Judiciary, then to the Committee on Finance

**INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)**

The following resolutions (H.R. Nos. 418 and 419) were read by the Clerk and were disposed of as follows:

H.R. No. 418, entitled: "HOUSE RESOLUTION HONORING KAHALA SCHOOL AND THE KAHALA HILTON," was offered by Representative Marumoto.

Representative Marumoto moved that H.R. No. 418 be adopted, seconded by Representative Tanimoto.

Representative Marumoto rose to speak in favor of the resolution, stating:

"Mr. Speaker, congratulations are in order today for the anniversaries of two of Hawaii's most successful institutions -- the Kahala Hilton and Kahala Elementary School.

"Forty years ago, parents petitioned the County -- at that time it ran the schools -- for a very long time to ask them to build a school in Kahala. The population was growing and the closest schools were in Kaimuki and Aina Haina.

"The Kahala Hilton, on the other hand, was controversial and residents opposed this construction thirty years ago, but since then it has evolved into a gracious and prestigious good neighbor. The Kahala Hilton is also an active participant in several community charities, in particular the Adopt a School Program with Kalani High School. And as a tribute to Kahala School's 40th Anniversary, General Manager Ricardo Tapia opened the Kahala Hilton to welcome teachers, administrators and a few parents for a complimentary one night stay at the hotel. Here's to the Kahala for thirty years of offering Hawaii's beauty on a silver platter to visitors.

"The Kahala Elementary School is also a popular destination point for many of Hawaii's future leaders. One of its not-so-recent graduates is Lacey Veach, an astronaut and engineer for NASA.

"Since 1954, Kahala School has led the way in making the vital years of kindergarten through sixth grade a successful learning experience. And now with SCBM status, the Kahala School will continue to shine as one of Hawaii's brightest public school success stories for another forty years, at the very least."

The motion was put by the Chair and carried, and H.R. No. 418 was adopted.

Representative Marumoto then asked the following honorees, who were seated on the House floor, to stand to be recognized: Ms. Nancy Daniels, Public Relations Manager for Kahala Hilton, representing Mr. Tapia "who is out of town and couldn't be here today"; and Mr. Bill Kato, representing Mrs. Yoshinaka, Principal of Kahala School.

Representatives Herkes and Chumbley presented the Certificates of Recognition to the honorees while Representatives Tanimoto and Amaral presented them with floral leis.

At 11:57 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

H.R. No. 419, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING MAURICE AKIRA 'JOE' MUNECHIKA UPON BEING SELECTED AS THE 1994 NATIONAL VETERAN SMALL BUSINESS ADVOCATE OF THE YEAR," was jointly offered by Representatives Kanoho, Kawakami and Ishii-Morikami.

Representative Kanoho moved that H.R. No. 419 be adopted, seconded by Representative Kawakami.

Representative Kanoho rose to speak in support of the resolution, stating:

"To paraphrase a verse from the 'Book of Books': 'Many have done well, but thou excellest them all.' Truly, Mr. Speaker and members, this is a befitting description of our honoree. Throughout all the many years that the SBA has been involved in the Awards Program, there have been many hundreds of worthy individuals in our State who by their deeds have been nominated and have received SBA awards.

"But now, Mr. Speaker and members, all of Hawaii should be proud that we have a Small Business Administration award winner from Kauai who beat out his competition from all over the country and will receive a prized SBA national award. More significantly, our honoree will be personally receiving this coveted award in Washington, D.C. in the Rose Garden of the White House from the President of the United States. Knowing our honoree for many years, I can think of no one who has worked harder and who is more deserving of such recognition.

"Our honoree appeared on television a week ago, and I just coincidentally turned on my set early last Sunday. In response to his questions, he spoke of his works as nothing really special or significant but as ordinary things he customarily did to help others. Besides a man of deep integrity, there is an admirable quality about him which can also be paraphrased from verses in the 'Book of Books': 'He that shall humble himself shall be exalted, for whomsoever shall humble himself the same is greatest.'

"Mr. Speaker, in behalf of Representative Kawakami and Representative Ishii-Morikami, I am very pleased and proud to present our honoree who served our country with distinction for 22 years on several continents, including two years in the U.S. Embassy in Russia. He is the assistant to the President at Grove Farms Co., the current President of the Rotary Club of Kauai, Kauai County Councilman, faithful husband and good father, Kauai island community stalwart, all-around good guy, my golf partner, and the 1994 National Veteran Small Business Advocate of the Year -- Maurice Akira 'Joe' Munechika."

Representative Kanoho then asked Mr. Munechika to stand to be recognized.

Representative Kanoho continued:

"We all know that the success of a man is frequently achieved only because of a loving, patient and supportive wife, and such is the case that is true here," and asked Judy to stand to be recognized.

Representative Kanoho then asked "Joe's strongest supporters," who were seated in the gallery, to stand to be recognized, as follows: James Tehada, Council Chair of Kauai County; Alan Smith, Vice President of Operations, Grove Farms; and Ray Adams, a staff member in his office.

Representative Ishii-Morikami then rose to speak in favor of the resolution, stating:

"I have had the privilege of knowing Joe for the past fifteen years, and the resolution read today clearly describes his accomplishments as a veteran and promoter of small business.

"I would like to comment today about another aspect of Joe Munechika, and that is of his character.

"I first met Joe when he was selected as the Executive Director of the Kauai Chamber of Commerce when I served as a Board member. Joe was highly instrumental

in bringing the Chamber members together through his energy, innovative ideas, and strong commitment. His enthusiasm and positive attitude he showed gave the Chamber of Commerce Board and members a new sense of direction and mission.

"It was of no surprise that he was 'stolen' from the Chamber and offered a management position with Grove Farm. I remember distinctly how many of us wanted to steal him also and hire him in our various companies.

"I have also had the opportunity of working with Joe as he served on the Kauai County Council for the past eight years. In all of my deliberations with him as a lobbyist, I found him to be extremely tough, but fair, and very knowledgeable in County matters, especially dealing with County finance, planning, and economic development. Joe Munechika's honesty, straightforwardness and commitment to serve the public has made him a highly respected member in the community, not only by veterans, but by business and community leaders and residents.

"Mr. Speaker and colleagues, Joe is a humble, quiet, decent, and good-natured guy, and I am grateful to the U.S. Small Business Administration for selecting him as the '1994 National Veteran Small Business Advocate of the Year.'

"Joe Munechika is certainly deserving of this recognition for all that he has accomplished.

"Thank you, Mr. Speaker."

Representative Kawakami then rose to speak in favor of the resolution, stating:

"Joe Munechika is what we call him but his real name is Maurice Akira, and I don't know how he got 'Joe' but he's a Big Joe. Anyway, we honor this special guy today, and he certainly deserves this recognition.

"I would like to say that Joe, a veteran himself, has been a strong advocate of veterans' business affairs, and he has helped potential entrepreneurs and those who have been in the business circle. He continually extends himself and his expertise to all the veterans that need his help.

"I would like to say that this untiring, full-time employee of Grove Farm Land Company is Project Manager, and also is a Council member for Kauai. We are proud to have him as our own, and we congratulate you today, Joe, for a job well done and as the '1994 National Veteran Small Business Advocate of the Year' from Kauai.

"Mahalo and congratulations!"

Representative Ward then rose to speak in favor of the resolution, stating:

"You know, to become a floor presentee, one must have State significance, but today, Mr. Speaker, Mr. Munechika brings us national significance. These are only one per the nation to be the Small Business Advocate and Mr. Munechika, along with three others in the past, have done that in recent history.

"As Small Business Advocate for veterans, this means advocating -- going out and touching people for loans and management assistance, going out to those who were in Vietnam, those who were in Korea, those who otherwise are not targeted for special assistance.

"Mr. Munechika, having shared that national platform as the Small Business Minority Advocate in 1990, I was reminded as we went to the White House, to sit in front of the bus so when you get to the White House, you can be up front and the President can see you eyeball to eyeball.

"Thank you, Mr. Speaker."

Representative Marumoto then rose and stated:

"Mr. Speaker, I can't say enough nice things about Mr. Munechika and I don't think I could say it any better than the previous four speakers, so I would like to have the comments of the previous four speakers entered into the Journal as my own."

The Chair "so ordered." (By reference only)

Representative Marumoto then introduced a former City Councilman and colleague, Mr. Andy Poeopoe, Administrator of the Small Business Administration, who was seated in the gallery, and asked him to stand to be recognized.

The motion was put by the Chair and carried, and H.R. No. 419 was adopted.

At this time, Representative Kanoho presented Mr. Munechika with a Certificate of Recognition while floral leis were presented to the honoree and his wife by Representatives Ihara, Ishii-Morikami and Kawakami.

At 12:17 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1633-94) recommending that H.R. No. 357, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 357, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENHANCE COOPERATIVE AND RECIPROCAL ARRANGEMENTS WITH STUDENTS, FACULTY, AND STAFF FROM SISTER-STATE INSTITUTIONS," was adopted.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1634-94) recommending that H.C.R. No. 417, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 417, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENHANCE COOPERATIVE AND RECIPROCAL ARRANGEMENTS WITH STUDENTS, FACULTY, AND STAFF FROM SISTER-STATE INSTITUTIONS," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1635-94) recommending that H.R. No. 196, as amended in HD 1, be adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1636-94) recommending that H.C.R. No. 207, as amended in HD 1, be adopted.

Representative Ihara moved that the reports of the Committee be adopted and H.R. No. 196, HD 1, and H.C.R. No. 207, HD 1, be adopted, seconded by Representative Thielen.

Representative Shon rose to speak against the resolutions, stating:

"Mr. Speaker, while our Order of the Day indicates that the original purpose of the resolutions was what I would consider a very reasonable examination of whether or not someone could self-refer to a dermatologist, both resolutions have been transformed into asking the Auditor to look at all medical specialists.

"Over the weekend, a couple of people came up to me and they said, 'Oh, we heard about what happened on the forensic pathologist bill.' I asked, 'What bill was that?' You may know that forensic pathologist is someone who examines bodies after the fact to see what crime evidence is possible, or as it turned out, I guess in the original bill that we had earlier looked at, included forensic pathologists as primary care providers. And someone did note that it was true that after the forensic pathologist, one did not have to go to any other provider.

"But I think that this points out a particular dilemma as we, perhaps with greater zeal than is warranted, explore referrals and primary care and managed care, that asking the Auditor to seriously consider the role of a forensic pathologist or a nuclear this or that, and all the specialists to waste their time on this for primary care is really not worthy of our serious consideration.

"I would say that the original intent which was whether or not you could, by looking at some funny-looking thing on your skin, to say ... well, maybe I should go see a dermatologist. That self-referral action is a reasonable one to explore. However, it is a little bit different to say that a dermatologist then is a primary care provider, meaning a person that you would go to for all your health care needs, and then be referred to other doctors beyond that. So self-referral is one thing, primary care providers another, and to list all the professions is, I think, a little absurd.

"I understand the philosophical, I guess, intent to explore this and bring it to the forefront of debate over managed care, but I don't really think it's terribly wise to ask the Auditor, seriously, to look at every single medical specialist as if they were your family doctor, and to somehow spend time and effort on that in generating a report. As I said, the original resolution or the original title or whatnot was, I considered, reasonable. But now I think it has been transformed into something that is unreasonable.

"For that reason, I would like to cast a 'no' vote on these resolutions."

Representative Bainum then rose to speak in support of the resolutions, stating:

"As part of the research, as the bills regarding dermatologists and managed care have come before this body this year, I have done some research and studies are now beginning to show up, probably the most notable one out by Emory University, which shows that many managed care and referral patterns, as dictated by managed care may, not be as cost-saving as we once thought. I was surprised, as I read that article. It talked

about other specialists, including neurologists, OB-GYN, and pediatricians as primary care physicians, and stating that family care practitioners versus some of these other specialists, as we know as specialists, sometimes misdiagnosed or they delay diagnosis or they order more tests, and this one study at least showed that ten percent or more spent on primary care and general practitioners as the basis of first referral.

"So I think that this measure is needed. There may be some specialists that were included that might not be, but I think that more and more information is becoming available, and that this is a subject worthy of study.

"For that reason, I support these resolutions."

The motion was put by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 196, HD 1, entitled: **"HOUSE RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR DERMATOLOGISTS AND ALL OTHER MEDICAL SPECIALISTS AS PRIMARY CARE PROVIDERS,"** and H.C.R. No. 207, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR DERMATOLOGISTS AND ALL OTHER MEDICAL SPECIALISTS AS PRIMARY CARE PROVIDERS,"** were adopted, with Representative Shon voting no.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1637-94) recommending that H.R. No. 212, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 212, HD 2, entitled: **"HOUSE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES,"** was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1638-94) recommending that H.C.R. No. 32, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 32, HD 2, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES,"** was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1639-94) recommending that H.C.R. No. 266, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 266, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PRIVATE SCHOOLS,"** was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand.

Com. Rep. No. 1640-94) recommending that H.C.R. No. 66, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 66, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR NATUROPATHIC MEDICINE AND ACUPUNCTURE SERVICES," was adopted.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1641-94) recommending that H.R. No. 324, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 324, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF THE HAWAII VISITORS BUREAU TO CONSIDER REVIEWING THE DUTIES OF ITS PRESIDENT AND SENIOR VICE-PRESIDENT FOR MARKETING," was adopted.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1642-94) recommending that H.C.R. No. 372, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 372, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF THE HAWAII VISITORS BUREAU TO CONSIDER REVIEWING THE DUTIES OF ITS PRESIDENT AND SENIOR VICE-PRESIDENT FOR MARKETING," was adopted.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1643-94) recommending that H.R. No. 269 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 269, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S MARKETING DIVISION ON THE BIG ISLAND TO DETERMINE WHETHER CURRENT PERSONNEL RESOURCES CAN BE BETTER ALLOCATED TO SUPPORT AND ASSIST THE FARMING COMMUNITY," was referred to the Committee on Legislative Management.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1644-94) recommending that H.C.R. No. 292 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 292, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE'S MARKETING DIVISION ON THE BIG ISLAND TO DETERMINE WHETHER CURRENT PERSONNEL RESOURCES CAN BE BETTER ALLOCATED TO SUPPORT AND ASSIST THE FARMING COMMUNITY," was referred to the Committee on Legislative Management.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1645-94) recommending that H.R. No. 385, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 385, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE OF HAWAII TO PROMOTE TARO FARMING AND POI PRODUCTS," was referred to the Committee on Finance.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1646-94) recommending that H.C.R. No. 455, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 455, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE OF HAWAII TO PROMOTE TARO FARMING AND POI PRODUCTS," was referred to the Committee on Finance.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1647-94) recommending that H.C.R. No. 413 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 413, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE AQUACULTURE PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1648-94) recommending that H.R. No. 216, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 216, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY AND MAKE RECOMMENDATIONS TO IMPROVE EFFICIENCY, COST EFFECTIVENESS, AND ACCOUNTABILITY IN PROCESSING CLAIMS FILED AGAINST THE STATE FOR WORKERS' COMPENSATION BENEFITS TO ALL STATE WORKERS," was adopted.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1649-94) recommending that H.C.R. No. 223, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 223, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND MAKE RECOMMENDATIONS TO IMPROVE EFFICIENCY, COST EFFECTIVENESS, AND ACCOUNTABILITY IN PROCESSING CLAIMS FILED AGAINST THE STATE FOR WORKERS' COMPENSATION BENEFITS TO ALL STATE WORKERS," was adopted.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1650-94) recommending that H.R. No. 48 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INITIATE AND SUPPORT LEGISLATION AND OTHER ACTION TO ENSURE THAT FILIPINO-AMERICAN VETERANS ARE GRANTED THE SAME VETERANS BENEFITS AS PERSONS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES OR JOINED THE PHILIPPINE SCOUTS BEFORE OCTOBER 6, 1945," was adopted.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1651-94) recommending that H.C.R. No. 48 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INITIATE AND SUPPORT LEGISLATION AND OTHER ACTION TO ENSURE THAT FILIPINO-AMERICAN VETERANS ARE GRANTED THE SAME VETERANS BENEFITS AS PERSONS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES OR JOINED THE PHILIPPINE SCOUTS BEFORE OCTOBER 6, 1945," was adopted.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1652-94) recommending that H.R. No. 352, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 352, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO UNDERTAKE A COOPERATIVE REGIONAL PLANNING PROGRAM TO RESPOND TO SOCIAL, ECONOMIC, AND PHYSICAL CHANGES THAT ARE PRESENTLY OCCURRING, AND THAT MAY EVENTUALLY OCCUR, IN THE NORTH SHORE REGION OF THE ISLAND OF OAHU," was adopted.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1653-94) recommending that H.C.R. No. 410, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 410, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO UNDERTAKE A COOPERATIVE REGIONAL PLANNING PROGRAM TO RESPOND TO SOCIAL, ECONOMIC, AND PHYSICAL CHANGES THAT ARE PRESENTLY OCCURRING, AND THAT MAY EVENTUALLY OCCUR, IN THE NORTH SHORE REGION OF THE ISLAND OF OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1654-94) recommending that H.R. No. 241, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 241, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE

COMMUNITY RESIDENTIAL TREATMENT SYSTEM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1655-94) recommending that H.C.R. No. 259, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 259, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1656-94) recommending that H.R. No. 119, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 119, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII DEVELOP A PROJECT PROPOSAL FOR A STUDY TO EXAMINE THE NATURE OF MULTIPLE-INCOME FARM FAMILY ENTERPRISES AND THE ROLE THESE ENTERPRISES PLAY IN HAWAII'S AGRICULTURAL SECTOR," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1657-94) recommending that H.C.R. No. 131, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII DEVELOP A PROJECT PROPOSAL FOR A STUDY TO EXAMINE THE NATURE OF MULTIPLE-INCOME FARM FAMILY ENTERPRISES AND THE ROLE THESE ENTERPRISES PLAY IN HAWAII'S AGRICULTURAL SECTOR," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1658-94) recommending that H.R. No. 238, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 238, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONSTRUCTION OF THE MOKULEIA WASTEWATER TREATMENT WORKS, EXPEDITE THE INSTALLATION OF SEWERS AND SEWAGE COLLECTION SYSTEMS IN THE AREA BETWEEN KAHALUU AND MOKULEIA, AND ASSESS THE FEASIBILITY OF USING THE KUILIMA WASTEWATER TREATMENT WORKS TO ALLEVIATE THE WASTEWATER TREATMENT NEEDS OF THE NORTH SHORE AREA OF THE ISLAND OF OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1659-94) recommending that H.C.R. No. 256, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 256, HD 1,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONSTRUCTION OF THE MOKULEIA WASTEWATER TREATMENT WORKS, EXPEDITE THE INSTALLATION OF SEWERS AND SEWAGE COLLECTION SYSTEMS IN THE AREA BETWEEN KAHALUU AND MOKULEIA, AND ASSESS THE FEASIBILITY OF USING THE KUILIMA WASTEWATER TREATMENT WORKS TO ALLEVIATE THE WASTEWATER TREATMENT NEEDS OF THE NORTH SHORE AREA OF THE ISLAND OF OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1660-94) recommending that H.R. No. 203 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 203, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII WATER RESOURCE RESEARCH CENTER TO DEVELOP GUIDELINES WHICH MAY BE ADOPTED BY COUNTY PLANNING AND BUILDING DEPARTMENTS TO CONTROL THE CONSTRUCTION OF PRIVATE WATER CATCHMENT FACILITIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1661-94) recommending that H.C.R. No. 214 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII WATER RESOURCE RESEARCH CENTER TO DEVELOP GUIDELINES WHICH MAY BE ADOPTED BY COUNTY PLANNING AND BUILDING DEPARTMENTS TO CONTROL THE CONSTRUCTION OF PRIVATE WATER CATCHMENT FACILITIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1662-94) recommending that H.R. No. 244, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 244, HD 1, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT AN AMENDMENT TO THE SOCIAL SECURITY ACT WHICH WOULD INCLUDE HAWAII'S COST OF LIVING ALLOWANCE IN THE CALCULATION OF THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1663-94) recommending that H.C.R. No. 262, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 262, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT AN AMENDMENT TO THE SOCIAL SECURITY ACT WHICH WOULD INCLUDE HAWAII'S COST OF LIVING ALLOWANCE IN THE CALCULATION OF THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1664-94) recommending that H.R. No. 262 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 262, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A CONVENTION CENTER MARKETING STRATEGY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1665-94) recommending that H.C.R. No. 276 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CONVENTION CENTER MARKETING STRATEGY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1666-94) recommending that H.R. No. 264, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 264, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ESTABLISH A PROGRAM FOR FOLLOWING UP ON THE STATUS OF IMPLEMENTATION OF SIGNIFICANT RECOMMENDATIONS FROM PREVIOUS AUDITS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1667-94) recommending that H.C.R. No. 283, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 283, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ESTABLISH A PROGRAM FOR FOLLOWING UP ON THE STATUS OF IMPLEMENTATION OF SIGNIFICANT RECOMMENDATIONS FROM PREVIOUS AUDITS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1668-94) recommending that H.R. No. 394, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 394, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE BACK/PURCHASE OPTION AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1669-94) recommending that H.C.R. No. 478, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 478, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE BACK/PURCHASE OPTION AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1670-94) recommending that H.R. No. 273, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 273, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONTINUE THE OPERATION OF THE SCHOOL-BASED HEALTH CENTERS AT KAHUKU HIGH AND INTERMEDIATE SCHOOLS, KAPAA HIGH AND INTERMEDIATE SCHOOLS, AND MILILANI HIGH SCHOOL, AND TO IDENTIFY A PERMANENT HOME FOR THIS PROGRAM AND A PERMANENT MEANS OF FUNDING THROUGH CHAPTER 42D, HAWAII REVISED STATUTES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1671-94) recommending that H.C.R. No. 295, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 295, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONTINUE THE OPERATION OF THE SCHOOL-BASED HEALTH CENTERS AT KAHUKU HIGH AND INTERMEDIATE SCHOOLS, KAPAA HIGH AND INTERMEDIATE SCHOOLS, AND MILILANI HIGH SCHOOL, AND TO IDENTIFY A PERMANENT HOME FOR THIS PROGRAM AND A PERMANENT MEANS OF FUNDING THROUGH CHAPTER 42D, HAWAII REVISED STATUTES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1672-94) recommending that H.R. No. 334, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 334, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO DEVELOP AND DISSEMINATE THE PRINCIPLES OF QUALITY MANAGEMENT TO ALL STATE AGENCIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1673-94) recommending that H.C.R. No. 412, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 412, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO DEVELOP AND DISSEMINATE THE PRINCIPLES OF QUALITY MANAGEMENT TO ALL STATE AGENCIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1674-94) recommending that H.R. No. 351, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 351, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF COMMUNITY SERVICES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO STUDY THE FEASIBILITY OF

DEVELOPING A PROGRAM THAT WILL PROVIDE TUITION WAIVERS, SUMMER WORK, AND STIPENDS TO UNDERREPRESENTED IMMIGRANT AND REFUGEE GROUPS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1675-94) recommending that H.C.R. No. 408, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 408, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF COMMUNITY SERVICES OF THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO STUDY THE FEASIBILITY OF DEVELOPING A PROGRAM THAT WILL PROVIDE TUITION WAIVERS, SUMMER WORK, AND STIPENDS TO UNDERREPRESENTED IMMIGRANT AND REFUGEE GROUPS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1676-94) recommending that H.R. No. 315, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 315, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO SUBMIT RECOMMENDATIONS WHICH WOULD STIMULATE THE ARTS COMMUNITY AND REVITALIZE HAWAII'S ECONOMIC CLIMATE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1677-94) recommending that H.C.R. No. 361, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 361, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO SUBMIT RECOMMENDATIONS WHICH WOULD STIMULATE THE ARTS COMMUNITY AND REVITALIZE HAWAII'S ECONOMIC CLIMATE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1678-94) recommending that H.R. No. 314, HD 1, be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1679-94) recommending that H.C.R. No. 356, HD 1, be adopted.

Representative Ihara moved that the reports of the Committee be adopted and H.R. No. 314, HD 1, and H.C.R. No. 356, HD 1, be adopted, seconded by Representative Thielen.

Representative Alcon rose to speak in favor of the resolutions, stating:

"Mr. Speaker, the only reason why these resolutions were introduced is because of the neglect that we had provided for the people of Molokai. They do not get the same medical services as all the other islands do.

"There was a resolution which also looked into the feasibility of transferring Molokai Hospital to the State but then some people saw it fitting and proper to hold it

in committee. And so, Mr. Speaker, this is the next best thing to transferring the hospital to the State.

"Thank you very much."

The motion was put by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 314, HD 1, entitled: **"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY FUNDING POSSIBILITIES FOR EMERGENCY AIR AMBULANCE SERVICES FOR THE ISLAND OF MOLOKAI, OTHER RURAL AREAS, AND THE OTHER NEIGHBOR ISLANDS SO THAT THE RESIDENTS OF THESE AREAS ARE PROVIDED WITH EMERGENCY AIR AMBULANCE SERVICES WHEN NEEDED,"** and H.C.R. No. 356, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY FUNDING POSSIBILITIES FOR EMERGENCY AIR AMBULANCE SERVICES FOR THE ISLAND OF MOLOKAI, OTHER RURAL AREAS, AND THE OTHER NEIGHBOR ISLANDS SO THAT THE RESIDENTS OF THESE AREAS ARE PROVIDED WITH EMERGENCY AIR AMBULANCE SERVICES WHEN NEEDED,"** were adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1680-94) recommending that H.C.R. No. 416, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 416, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ASSESS THE FEASIBILITY OF RETAINING ITS TUITION AND FEE REVENUES,"** was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1681-94) recommending that H.R. No. 356, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 356, HD 1, entitled: **"HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ASSESS THE FEASIBILITY OF RETAINING ITS TUITION AND FEE REVENUES,"** was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1682-94) recommending that H.C.R. No. 436, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 436, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT,"** was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1683-94) recommending that H.R. No. 370, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 370, HD 1, entitled: **"HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A SURVEY OF GOVERNMENT PROGRAMS IN THE**

**STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT,"** was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1684-94) recommending that H.C.R. No. 437 be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1685-94) recommending that H.R. No. 369 be adopted.

Representative Ihara moved that the reports of the Committee be adopted and H.C.R. No. 437 and H.R. No. 369 be adopted, seconded by Representative Thielen.

Representative Thielen rose to speak in favor of the resolutions, stating:

"This is a resolution requesting the Department of Accounting and General Services to prepare a plan to reduce executive branch expenditures on the leasing of commercial office space.

"Mr. Speaker, it is about time that we take advantage of the high vacancy rate that exists today in the market, and that we get some competitive lease packages for the State operations that presently are housed in some of Hawaii's highest rent buildings in the city. So I think it's really important that DAGS take a look at this because, evidently, the Executive did not take it upon itself to go ahead and do this examination. We should be able to get more office space for less dollars from the taxpayers.

"Thank you."

The motion was put by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 437, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PREPARE A PLAN TO REDUCE EXECUTIVE BRANCH EXPENDITURES ON THE LEASING OF COMMERCIAL OFFICE SPACE,"** and H.R. No. 369, entitled: **"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PREPARE A PLAN TO REDUCE EXECUTIVE BRANCH EXPENDITURES ON THE LEASING OF COMMERCIAL OFFICE SPACE,"** were adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1686-94) recommending that H.C.R. No. 439, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 439, HD 1, entitled: **"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY OF THE JOBS PROGRAM AND MAKE RECOMMENDATIONS FOR ITS CONTINUANCE,"** was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1687-94) recommending that H.R. No. 368, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 368, HD 1, entitled: **"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY OF THE JOBS PROGRAM AND MAKE RECOMMENDATIONS FOR ITS CONTINUANCE,"** was adopted.

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 12:36 o'clock p.m.

#### ANNOUNCEMENT

Representative D. Ige: "For the members' information, a notice has been posted that the House and Senate will be going into conference on H.B. 3657 and H.B. 2692, both dealing with education, at 3:00 o'clock this afternoon in Conference Room 1008."

At 12:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:22 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1688-94) recommending that H.C.R. No. 452, HD 2 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 452, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES DEPARTMENT OF STATE TO REVIEW AND REVERSE THE DECISION TO POSTPONE APPROVAL OF THE JAPAN AIR LINES NEW AIR ROUTE BETWEEN SENDAI CITY, JAPAN AND HONOLULU AND TO APPROVE THE ROUTE IMMEDIATELY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1689-94) recommending that H.C.R. No. 368, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 368, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO CONDUCT WASTEWATER TREATMENT EDUCATION WORKSHOPS WITH COMMUNITY ORGANIZATIONS IN WINDWARD OAHU COMMUNITIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1690-94) recommending that H.C.R. No. 319 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BIENNIAL COMPENSATION PLANS FOR STATE, JUDICIAL, AND COUNTY EMPLOYEES BE APPROVED," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1691-94) recommending that H.R. No. 258, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 258, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE

ESTABLISHMENT OF A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM AT HAUULA ELEMENTARY SCHOOL, OAHU, AND WAIMEA HIGH SCHOOL, KAUAI," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1692-94) recommending that H.C.R. No. 312, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 312, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM AT HAUULA ELEMENTARY SCHOOL, OAHU, AND WAIMEA HIGH SCHOOL, KAUAI," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1693-94) recommending that H.R. No. 310, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 310, HD 3, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE LEGISLATION THAT LOWERS THE ESTATE TAX EXEMPTION," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1694-94) recommending that H.C.R. No. 347, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 347, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE LEGISLATION THAT LOWERS THE ESTATE TAX EXEMPTION," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1695-94) recommending that H.C.R. No. 371, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 371, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO BOATING," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1696-94) recommending that H.R. No. 323, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 323, HD 2, entitled: "HOUSE RESOLUTION RELATING TO BOATING," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1697-94) recommending that H.R. No. 365 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 365, entitled: "HOUSE RESOLUTION REQUESTING THE

DEPARTMENT OF EDUCATION TO SUBMIT A COMPREHENSIVE REPORT ON ITS TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1698-94) recommending that H.C.R. No. 432 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 432, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A COMPREHENSIVE REPORT ON ITS TRAINING PROGRAM FOR SCHOOL SECURITY ATTENDANTS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1699-94) recommending that H.C.R. No. 428, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 428, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE WAYS TO ENSURE THAT LOCAL COMPANIES ARE COMPETITIVE WITH COMPANIES FROM OTHER JURISDICTIONS IN BIDDING FOR WORK CONTRACTS WITH THE STATE GOVERNMENT," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1700-94) recommending that H.R. No. 396, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 396, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REIMBURSEMENT METHODOLOGY FOR WAIMANO TRAINING SCHOOL AND HOSPITAL," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1701-94) recommending that H.C.R. No. 477, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 477, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REIMBURSEMENT METHODOLOGY FOR WAIMANO TRAINING SCHOOL AND HOSPITAL," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1702-94) recommending that H.R. No. 384, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 384, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY WAYS OF EXPANDING THE USE OF CLOSED-CAPTIONING IN EDUCATIONAL AND COMMERCIAL PROGRAMMING," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1703-94) recommending that H.C.R. No. 461, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 461, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY WAYS OF EXPANDING THE USE OF CLOSED-CAPTIONING IN EDUCATIONAL AND COMMERCIAL PROGRAMMING," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1704-94) recommending that H.R. No. 377, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 377, HD 2, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE HAWAII CENTER FOR PEACE, TO ADVOCATE HAWAII AS A GATHERING PLACE FOR PEACE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1705-94) recommending that H.C.R. No. 470, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 470, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE HAWAII CENTER FOR PEACE, TO ADVOCATE HAWAII AS A GATHERING PLACE FOR PEACE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1706-94) recommending that H.C.R. No. 443, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 443, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A PLAN, INCLUDING FUNDING PROPOSALS, TO ENABLE THOSE LEASING LAND FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN MAUNALAHA, MAKIKI HEIGHTS, ON OAHU, TO IMPROVE THEIR EXISTING HOMES OR TO CONSTRUCT NEW HOMES IN AN ENVIRONMENTALLY SENSITIVE MANNER," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1707-94) recommending that H.R. No. 169 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 169, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PHYSICAL THERAPY ASSISTANTS," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com.

Rep. No. 1708-94) recommending that H.C.R. No. 180 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE REVIEW OF THE REGULATION OF PHYSICAL THERAPY ASSISTANTS," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1709-94) recommending that H.R. No. 200, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 200, HD 3, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1710-94) recommending that H.C.R. No. 211, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 211, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND REPORT ON COMPETITIVE PRACTICES OF HEALTH INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE ORGANIZATIONS," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1711-94) recommending that H.R. No. 278, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 278, HD 1, entitled: "HOUSE RESOLUTION REQUESTING FACT-FINDING STUDIES TO DETERMINE THE FEASIBILITY OF ALTERNATIVE OR IMPROVED TRANSPORTATION MODES GEARED SPECIFICALLY TOWARDS SENIOR CITIZENS AND PERSONS WITH DISABILITIES," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1712-94) recommending that H.C.R. No. 301, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 301, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING FACT-FINDING STUDIES TO DETERMINE THE FEASIBILITY OF ALTERNATIVE OR IMPROVED TRANSPORTATION MODES GEARED SPECIFICALLY TOWARDS SENIOR CITIZENS AND PERSONS WITH DISABILITIES," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1713-94) recommending that H.R. No. 335, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 335, HD 3, entitled: "HOUSE RESOLUTION RELATING TO THE ALLEVIATION OF TRAFFIC CONGESTION AT THE UNIVERSITY OF HAWAII," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1714-94) recommending that H.C.R. No. 387, HD 2, as amended in HD 3, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 387, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ALLEVIATION OF TRAFFIC CONGESTION AT THE UNIVERSITY OF HAWAII," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1715-94) recommending that H.R. No. 366, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 366, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DESIGN AN APPROPRIATE MENTAL HEALTH GOVERNANCE STRUCTURE, AND TO PROPOSE ENABLING LEGISLATION," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1716-94) recommending that H.C.R. No. 433, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 433, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DESIGN AN APPROPRIATE MENTAL HEALTH GOVERNANCE STRUCTURE, AND TO PROPOSE ENABLING LEGISLATION," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1717-94) recommending that H.R. No. 376, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 376, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF USING BIODEGRADABLE AND RECYCLED PACKAGING, AND THE DEPARTMENT OF HEALTH TO CONSULT WITH RETAIL FOOD INDUSTRY REPRESENTATIVES ON THE FEASIBILITY OF REDUCING THE OVERALL AMOUNT OF FOOD PACKAGING FOR FOOD ITEMS PRODUCED OR PROCESSED IN THE STATE," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1718-94) recommending that H.C.R. No. 469, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 469, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF USING BIODEGRADABLE AND RECYCLED PACKAGING, AND THE DEPARTMENT OF HEALTH TO CONSULT WITH RETAIL FOOD INDUSTRY REPRESENTATIVES ON THE FEASIBILITY OF REDUCING THE OVERALL AMOUNT OF FOOD PACKAGING FOR FOOD ITEMS PRODUCED OR PROCESSED IN THE STATE," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1719-94) recommending that H.C.R. No. 190 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF RESPIRATORY CARE," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1720-94) recommending that H.C.R. No. 363, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 363, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON AN APPROPRIATE MEDIA LITERACY EDUCATION PROGRAM FOR THE STATE OF HAWAII," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1721-94) recommending that H.C.R. No. 375, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 375, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CHILD WELFARE SERVICES REFORM BLUEPRINT WHICH WILL PROVIDE A MODEL FOR HAWAII'S CHILD PROTECTIVE SERVICES FOR FAMILIES WHERE CHILD ABUSE AND NEGLECT IS SUSPECTED OR HAS OCCURRED," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1722-94) recommending that H.C.R. No. 484, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 484, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE ECONOMIC IMPACT OF THE UNIVERSITY OF HAWAII AND COMMUNITY COLLEGES ON THE LOCAL ECONOMY," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1723-94) recommending that H.C.R. No. 80, HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and H.C.R. No. 80, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE IMMIGRATION AND NATURALIZATION SERVICE TO REASSESS ITS PROCESSING PRACTICES FOR APPLICATIONS FOR NON-IMMIGRANT VISAS FOR VISITORS FROM ASIA," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1724-94) recommending that H.R. No. 75, HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 75, HD 2, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE IMMIGRATION AND NATURALIZATION SERVICE TO REASSESS ITS PROCESSING PRACTICES FOR APPLICATIONS FOR NON-IMMIGRANT VISAS FOR VISITORS FROM ASIA," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1725-94) recommending that H.R. No. 189, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 189, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION ASSISTING AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1726-94) recommending that H.C.R. No. 201, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 201, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION ASSISTING AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1727-94) recommending that H.R. No. 345, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 345, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1728-94) recommending that H.C.R. No. 399, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and H.C.R. No. 399, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1729-94) recommending that H.R. No. 297, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 297, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMMUNITY PROCESS FOR PLANNING AND MANAGEMENT OF PUBLIC LANDS AND NATURAL RESOURCES IN HAMAKUA ON THE ISLAND OF HAWAII," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1730-94) recommending that H.C.R. No. 330, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 330, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMMUNITY PROCESS FOR PLANNING AND MANAGEMENT OF PUBLIC LANDS AND NATURAL RESOURCES IN HAMAKUA ON THE ISLAND OF HAWAII," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1731-94) recommending that H.C.R. No. 29 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COORDINATION IN THE DEVELOPMENT OF AN ACTION PLAN TO IMPLEMENT A GREEN WASTE BAN AND TO FACILITATE THE DEVELOPMENT OF A LOCAL GREEN WASTE RECYCLING INDUSTRY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1732-94) recommending that H.R. No. 142 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 142, entitled: "HOUSE RESOLUTION REQUESTING COORDINATION IN THE DEVELOPMENT OF AN ACTION PLAN TO IMPLEMENT A GREEN WASTE BAN AND TO FACILITATE THE DEVELOPMENT OF A LOCAL GREEN WASTE RECYCLING INDUSTRY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1733-94) recommending that H.R. No. 154, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 154, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A HALE KUPUNA IN KAHANA VALLEY STATE PARK FOR RESIDENTS QUALIFIED TO PARTICIPATE IN THE PARK'S INTERPRETIVE PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1734-94) recommending that H.C.R. No. 164, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 164, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF ESTABLISHING A HALE KUPUNA IN KAHANA VALLEY STATE PARK FOR RESIDENTS QUALIFIED TO PARTICIPATE IN THE PARK'S INTERPRETIVE PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1735-94) recommending that H.R. No. 361, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 361, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE U.S. FISH AND WILDLIFE SERVICE, AND SUBSISTENCE PIG HUNTERS ON THE BIG ISLAND TO DEVELOP AN OVERALL STRATEGY FOR PROTECTING FERAL PIGS AS WELL AS ENDANGERED PLANTS AND ANIMALS ALONG THE HAMAKUA REGION," was adopted, with Representative Thielen voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1736-94) recommending that H.C.R. No. 424, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 424, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE U.S. FISH AND WILDLIFE SERVICE, AND SUBSISTENCE PIG HUNTERS ON THE BIG ISLAND TO DEVELOP AN OVERALL STRATEGY FOR PROTECTING FERAL PIGS AS WELL AS ENDANGERED PLANTS AND ANIMALS ALONG THE HAMAKUA REGION," was adopted, with Representative Thielen voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1737-94) recommending that H.R. No. 163, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 163, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THROUGH LAND EXCHANGE, LANDS IN PAHOA, HAWAII, FOR COMMUNITY USES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1738-94) recommending that H.C.R. No. 174, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 174, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THROUGH LAND EXCHANGE, LANDS IN PAHOA, HAWAII, FOR COMMUNITY USES," was adopted.

At 2:26 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 2:29 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1739-94) recommending that H.R. No. 392 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 392, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE SOCIAL IMPACTS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC IMPACTS OF SHIPBOARD GAMING ON HAWAII," was adopted, with Representatives Marumoto, Shon, Thielen and Ward voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1740-94) recommending that H.C.R. No. 450 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 450, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE SOCIAL IMPACTS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC IMPACTS OF SHIPBOARD GAMING ON HAWAII," was adopted, with Representatives Marumoto, Shon, Thielen and Ward voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1741-94) recommending that H.R. No. 184, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 184, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A CONFERENCE OF EARLY CHILDHOOD EDUCATION AND CHILD CARE AGENCIES AND OTHER ORGANIZATIONS AND AGENCIES THAT SERVE NATIVE HAWAIIANS AND HAWAIIANS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1742-94) recommending that H.C.R. No. 196, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 196, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A CONFERENCE OF EARLY CHILDHOOD EDUCATION AND CHILD CARE AGENCIES AND OTHER ORGANIZATIONS AND

AGENCIES THAT SERVE NATIVE HAWAIIANS AND HAWAIIANS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1743-94) recommending that H.R. No. 274, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 274, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FORMULATE A POLICY TO ALLOW FOR THE VOLUNTARY ERECTION AND MAINTENANCE OF DRUG-FREE ZONE SIGNS WITHIN AND AROUND DEPARTMENT OF EDUCATION SCHOOL PROPERTY," was adopted, with Representative Marumoto voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1744-94) recommending that H.C.R. No. 296, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 296, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FORMULATE A POLICY TO ALLOW FOR THE VOLUNTARY ERECTION AND MAINTENANCE OF DRUG-FREE ZONE SIGNS WITHIN AND AROUND DEPARTMENT OF EDUCATION SCHOOL PROPERTY," was adopted, with Representative Marumoto voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1745-94) recommending that H.R. No. 286 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 286, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FACTORS INVOLVED IN THE DEVELOPMENT OF A TROPICAL/ORNAMENTAL FISH AQUACULTURAL PARK," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1746-94) recommending that H.C.R. No. 320 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FACTORS INVOLVED IN THE DEVELOPMENT OF A TROPICAL/ORNAMENTAL FISH AQUACULTURAL PARK," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1747-94) recommending that H.R. No. 288 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 288, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EFFECTUATE THE INTENT OF ACT 348, SESSION LAWS OF HAWAII, 1993 AND CONTINUE NEGOTIATIONS WITH PRIVATE LAND OWNERS FOR THE PRESERVATION OF MOUNT OLOMANA," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1748-94) recommending that H.C.R. No. 321 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 321, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EFFECTUATE THE INTENT OF ACT 348, SESSION LAWS OF HAWAII, 1993 AND CONTINUE NEGOTIATIONS WITH PRIVATE LAND OWNERS FOR THE PRESERVATION OF MOUNT OLOMANA," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1749-94) recommending that H.R. No. 88, HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 88, HD 2, entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF CURRENT PHYSICAL EDUCATION ACTIVITIES IN THE PUBLIC SCHOOLS PRIOR TO THE DEVELOPMENT OF A COMPREHENSIVE PHYSICAL EDUCATION PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1750-94) recommending that H.C.R. No. 97, HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 97, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF CURRENT PHYSICAL EDUCATION ACTIVITIES IN THE PUBLIC SCHOOLS PRIOR TO THE DEVELOPMENT OF A COMPREHENSIVE PHYSICAL EDUCATION PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1751-94) recommending that H.R. No. 234 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 234, entitled: "HOUSE RESOLUTION REQUESTS THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE STATEWIDE BOATING PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1752-94) recommending that H.C.R. No. 252 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE STATEWIDE BOATING PROGRAM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1753-94) recommending that H.R. No. 228 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING THE ADOPTION OF THE HAWAII OCEAN MARINE

RESOURCES MANAGEMENT PLAN (PLAN), AND THAT THE RELEVANT AGENCIES EXPEDITE THE IMPLEMENTATION OF THE PLAN," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1754-94) recommending that H.C.R. No. 246 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF THE HAWAII OCEAN MARINE RESOURCES MANAGEMENT PLAN (PLAN), AND THAT THE RELEVANT AGENCIES EXPEDITE THE IMPLEMENTATION OF THE PLAN," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1755-94) recommending that S.C.R. No. 28, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 28, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO EXPAND ITS OUTREACH EFFORTS ON THE NEIGHBOR ISLANDS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1756-94) recommending that H.R. No. 248, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 248, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1757-94) recommending that H.C.R. No. 231, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 231, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REQUIREMENTS FOR LICENSURE FOR PRIVATE DETECTIVES AND GUARDS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1758-94) recommending that H.R. No. 202, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 202, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF TOURISM OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII VISITORS BUREAU TO DEVELOP LONG-TERM PROGRAMS AND STRATEGIES TO FURTHER PRESERVE, NURTURE, AND SPREAD KNOWLEDGE OF HAWAIIAN CULTURE AND TO DEVELOP AND FOSTER ONE OF ITS MOST COMMON MANIFESTATIONS, THE EXPRESSION OF THE SPIRIT OF ALOHA," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1759-94) recommending that H.C.R. No. 213, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 213, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF TOURISM OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII VISITORS BUREAU TO DEVELOP LONG-TERM PROGRAMS AND STRATEGIES TO FURTHER PRESERVE, NURTURE, AND SPREAD KNOWLEDGE OF HAWAIIAN CULTURE AND TO DEVELOP AND FOSTER ONE OF ITS MOST COMMON MANIFESTATIONS, THE EXPRESSION OF THE SPIRIT OF ALOHA," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1760-94) recommending that H.R. No. 179 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 179, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION THAT PROVIDES AN INCOME TAX CREDIT FOR HAZARD MITIGATION RETROFITS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1761-94) recommending that H.C.R. No. 191 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION THAT PROVIDES AN INCOME TAX CREDIT FOR HAZARD MITIGATION RETROFITS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1762-94) recommending that H.R. No. 140, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 140, HD 1, entitled: "HOUSE RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1763-94) recommending that H.C.R. No. 31, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 31, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1764-94) recommending that H.R. No. 122 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTS THE BOARD OF DIRECTORS OF THE HAWAII HURRICANE RELIEF FUND TO DISCUSS THE MERITS OF EXPANDING THE AUTHORITY OF THE RELIEF FUND TO PROVIDE PROPERTY INSURANCE AGAINST OTHER TYPES OF CATASTROPHES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1765-94) recommending that H.C.R. No. 130 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE BOARD OF DIRECTORS OF THE HAWAII HURRICANE RELIEF FUND TO DISCUSS THE MERITS OF EXPANDING THE AUTHORITY OF THE RELIEF FUND TO PROVIDE PROPERTY INSURANCE AGAINST OTHER TYPES OF CATASTROPHES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1766-94) recommending that H.R. No. 358, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 358, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE COST-BENEFITS OF RELOCATING THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1767-94) recommending that H.C.R. No. 418, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 418, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO DETERMINE THE COST-BENEFITS OF RELOCATING THE OAHU COMMUNITY CORRECTIONAL CENTER FACILITY," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1768-94) recommending that H.R. No. 146, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 146, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION FOR A NEW ELEMENTARY SCHOOL IN KIHEI, MAUI," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1769-94) recommending that H.C.R. No. 156, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 156, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION

FOR A NEW ELEMENTARY SCHOOL IN KIHEI, MAUI," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1770-94) recommending that H.R. No. 149, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 149, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE BEHAVIOR, MOVEMENTS, AND ACTIVITIES OF SHARKS FOUND IN HAWAIIAN WATERS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1771-94) recommending that H.C.R. No. 21, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1772-94) recommending that H.C.R. No. 68, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 68, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO PROMOTE THE VIABILITY OF THE SUGAR INDUSTRY ON KAUAI, EXPLORE CAREER OPTIONS FOR WORKERS, AND PLAN FOR ALTERNATE USES OF VACATED LANDS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1773-94) recommending that H.C.R. No. 107 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE ESTABLISHMENT OF A DEPARTMENT OF HOUSING," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1774-94) recommending that H.C.R. No. 158, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE BEHAVIOR, MOVEMENTS, AND ACTIVITIES OF SHARKS FOUND IN HAWAIIAN WATERS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1775-94) recommending that H.C.R. No. 287, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 287, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF DEVELOPING AND PROMOTING PARI-MUTUEL

HORSE RACING IN HAWAII," was adopted, with Representatives Duldulao, Marumoto, Santiago, Shon, Stegmaier, Thielen and Ward voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1776-94) recommending that H.C.R. No. 366, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 366, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO WORK WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESOLVE THE PROBLEMS FACING THE NINE HUNDRED NINETY-NINE YEAR HOMESTEAD LESSEES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1777-94) recommending that H.C.R. No. 454, HD 1, as amended in HD 2, be adopted.

Representative Ihara moved that the report of the Committee be adopted and H.C.R. No. 454, HD 2, be adopted, seconded by Representative Thielen.

Representative Ward rose to speak in favor of the resolution, stating:

"Mr. Speaker, I would just repeat what I said in committee when this resolution went through. This may be perhaps one of the most momentous, most moving, most future changing of government, that could be in this session or any previous session in the Legislature of the State of Hawaii, Mr. Speaker. I encourage everyone to, not only now, but when this comes down the line, benchmarking really says ... government by results, government by numbers, government by performance. It gets away from what sometimes is too touchy, goosey-goosey, and otherwise unmeasurable. This could be the most momentive piece of legislation this session, Mr. Speaker.

"I just wanted to stand up to acknowledge that and to just earmark it for what, in the future, may be something we have to very seriously pay attention to.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 454, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONVENE A STEERING COMMITTEE TO DEVELOP 'BENCHMARKS' TO ACCOMPLISH THE STRATEGIC VISION OF THE STATE OF HAWAII," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1778-94) recommending that H.R. No. 363, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 363, HD 2, entitled: "HOUSE RESOLUTION URGING THE MEDIA OF THE STATE OF HAWAII TO IMPROVE ITS COLLECTIVE SENSITIVITY TOWARDS THE INDIGENOUS PEOPLE AND CULTURE OF THESE ISLANDS," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1779-94) recommending that H.C.R. No. 426, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 426, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MEDIA OF THE STATE OF HAWAII TO IMPROVE ITS COLLECTIVE SENSITIVITY TOWARDS THE INDIGENOUS PEOPLE AND CULTURE OF THESE ISLANDS," was adopted.

Representatives Tom and Bunda, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1780-94) recommending that H.R. No. 245, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.R. No. 245, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO DEVELOP ORDINANCES TO PROHIBIT BUSINESSES WHICH HAVE AS THEIR PRIMARY PURPOSE THE SELLING, RENTING OR SHOWING OF SEXUALLY EXPLICIT MATERIALS FROM OPERATING IN RESIDENTIAL NEIGHBORHOODS," was adopted.

Representatives Tom and Bunda, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 1781-94) recommending that H.C.R. No. 263, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.C.R. No. 263, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DEVELOP ORDINANCES TO PROHIBIT BUSINESSES WHICH HAVE AS THEIR PRIMARY PURPOSE THE SELLING, RENTING OR SHOWING OF SEXUALLY EXPLICIT MATERIALS FROM OPERATING IN RESIDENTIAL NEIGHBORHOODS," was adopted.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1782-94) recommending that H.R. No. 373, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 373, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD, AND THE DEPARTMENT OF PERSONNEL SERVICES TO COLLECT STATISTICAL DATA AS REQUIRED BY THE ADVISORY COMMISSION ON WORKERS' COMPENSATION," was referred to the Committee on Consumer Protection and Commerce.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1783-94) recommending that H.C.R. No. 438, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 438, HD 1,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD, AND THE DEPARTMENT OF PERSONNEL SERVICES TO COLLECT STATISTICAL DATA AS REQUIRED BY THE ADVISORY COMMISSION ON WORKERS' COMPENSATION," was referred to the Committee on Consumer Protection and Commerce.

#### APPOINTMENT OF CONFEREES

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

##### H.B. No. 2, SD 2:

Representatives Lee/Kawakami, Co-Chairs; Hagino, M. Ige, Nekoba, Tam and Ward.

##### H.B. No. 65, HD 1, SD 2:

Representatives Isbell/Say, Co-Chairs; Pepper, Tajiri and Marumoto.

##### H.B. No. 740, HD 1, SD 2:

Representatives Tom/Bunda, Co-Chairs; Cachola, Herkes and Thielen.

##### H.B. No. 929, HD 1, SD 1:

Representatives Tom, Chair; Cachola, Oshiro and Thielen.

##### H.B. No. 1046, SD 1:

Representatives Cachola, Chair; Chang, Lee, Stegmaier and Marumoto.

##### H.B. No. 1241, HD 2, SD 2:

Representatives Say/Yonamine, Co-Chairs; Alcon, Chang and Ward.

##### H.B. No. 1317, HD 2, SD 2:

Representatives Bunda/Tom/Say, Co-Chairs; Ishii-Morikami and Marumoto.

##### H.B. No. 1332, HD 2, SD 2:

Representatives Chun/Duldulao/Kawakami, Co-Chairs; Nakasone and Tanimoto.

##### H.B. No. 1590, HD 1, SD 1:

Representatives Tom, Chair; White and Thielen.

##### H.B. No. 1627, HD 1, SD 2:

Representatives Tom/Kanoho, Co-Chairs; Alcon, Morihara and Marumoto.

##### H.B. No. 1649, HD 1, SD 1:

Representatives Duldulao/Tom, Co-Chairs; Arakaki, Pepper and Tanimoto.

##### H.B. No. 1663, SD 2:

Representatives Yonamine/Bunda, Co-Chairs; Ishii-Morikami and Ward.

**H.B. No. 1712, HD 1, SD 1:**

Representatives Bunda, Chair; Herkes and Thielen.

**H.B. No. 1731, SD 1:**

Representatives Bunda, Chair; Peters and Thielen.

**H.B. No. 1733, HD 1, SD 1:**

Representatives Bunda, Chair; Bainum, Herkes, Hirono and Thielen.

**H.B. No. 1999, SD 1:**

Representatives Bainum, Chair; Nekoba and Thielen.

**H.B. No. 2027, HD 1, SD 2:**

Representatives Bainum/Say, Co-Chairs; Herkes, Santiago and Ward.

**H.B. No. 2075, SD 2:**

Representatives Takamine/Kanoho, Co-Chairs; Beirne, Nekoba and Marumoto.

**H.B. No. 2177, HD 2, SD 1:**

Representatives Hiraki/Tom, Co-Chairs; Amaral, Tajiri and Thielen.

**H.B. No. 2186, HD 2, SD 1:**

Representatives Oshiro/Taniguchi/Bunda/Tom, Co-Chairs; Hagino and Ward.

**H.B. No. 2190, SD 1:**

Representatives Tom, Chair; Amaral, Menor and Thielen.

**H.B. No. 2192, HD 1, SD 1:**

Representatives Duldulao/Bunda/Tom, Co-Chairs; Pepper and Tanimoto.

**H.B. No. 2197, HD 2, SD 2:**

Representatives Nakasone/Taniguchi/Bunda, Co-Chairs; Hagino, Suzuki and Ward.

**H.B. No. 2219, HD 1, SD 1:**

Representatives Tom, Chair; Amaral and Thielen.

**H.B. No. 2220, HD 1, SD 1:**

Representatives Tom, Chair; Amaral and Thielen.

**H.B. No. 2221, HD 2, SD 2:**

Representatives Chun/Tom/Say, Co-Chairs; Santiago and Tanimoto.

**H.B. No. 2235, HD 1, SD 1:**

Representatives Say, Chair; Santiago, Suzuki, Tam and Marumoto.

**H.B. No. 2238, HD 1, SD 1:**

Representatives Bunda, Chair; Ishii-Morikami and Thielen.

**H.B. No. 2259, HD 2, SD 2:**

Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Ward.

**H.B. No. 2272, HD 1, SD 1:**

Representatives Cachola/Say, Co-Chairs; Chang, Chumbley and Marumoto.

**H.B. No. 2284, SD 2:**

Representatives Say, Chair; Suzuki and Ward.

**H.B. No. 2285, HD 2, SD 1:**

Representatives Oshiro/Tom, Co-Chairs; Nakasone, Shon and Ward.

**H.B. No. 2294, SD 2:**

Representatives Taniguchi/Tom, Co-Chairs; Nakasone, Takumi and Ward.

**H.B. No. 2308, HD 1, SD 1:**

Representatives Tom/Say, Co-Chairs; and Marumoto.

**H.B. No. 2309, HD 2, SD 1:**

Representatives Tom/Chang, Co-Chairs; and Marumoto.

**H.B. No. 2312, SD 1:**

Representatives Tom, Chair; Cachola, Ishii-Morikami, Menor and Tanimoto.

**H.B. No. 2322, HD 1, SD 1:**

Representatives Tom, Chair; Oshiro and Thielen.

**H.B. No. 2333, HD 2, SD 2:**

Representatives Cachola/Say, Co-Chairs; Chang, Chumbley and Marumoto.

**H.B. No. 2344, HD 1, SD 2:**

Representatives Say, Chair; Kanoho and Marumoto.

**H.B. No. 2386, HD 1, SD 1:**

Representatives Tom/Say, Co-Chairs; and Ward.

**H.B. No. 2391, HD 1, SD 2:**

Representatives Say, Chair; Kawakami, Nakasone, Tajiri and Ward.

**H.B. No. 2419, HD 2, SD 1:**

Representatives Duldulao/Bunda/Tom, Co-Chairs; Pepper and Tanimoto.

**H.B. No. 2449, HD 1, SD 1:**

Representatives Chun/Tom, Co-Chairs; Arakaki, White and Tanimoto.

**H.B. No. 2450, HD 1, SD 1:**

- Representatives Bainum/Kawakami, Co-Chairs; Hirono, Morihara and Thielen.
- H.B. No. 2460, HD 1, SD 1:**
- Representatives Bunda, Chair; Ishii-Morikami and Thielen.
- H.B. No. 2461, HD 1, SD 1:**
- Representatives Bunda, Chair; Herkes and Thielen.
- H.B. No. 2490, SD 1:**
- Representatives Bunda, Chair; Bainum and Thielen.
- H.B. No. 2491, HD 2, SD 1:**
- Representatives Duldulao/Bunda, Co-Chairs; and Tanimoto.
- H.B. No. 2500, HD 1, SD 1:**
- Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.
- H.B. No. 2515, HD 1, SD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Ward.
- H.B. No. 2553, HD 2, SD 2:**
- Representatives Duldulao/Tom/Say, Co-Chairs; Pepper, Santiago and Tanimoto.
- H.B. No. 2590, HD 1, SD 1:**
- Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.
- H.B. No. 2599, HD 1, SD 1:**
- Representatives Bunda, Chair; Herkes, Ishii-Morikami, Peters and Thielen.
- H.B. No. 2605, HD 2, SD 2:**
- Representatives Morihara/Bunda/Say, Co-Chairs; Stegmaier and Marumoto.
- H.B. No. 2623, SD 1:**
- Representatives Takamine/Kawakami, Co-Chairs; Beirne, Nekoba and Marumoto.
- H.B. No. 2631, HD 2, SD 1:**
- Representatives Herkes/Kawakami, Co-Chairs; Alcon, Bainum and Marumoto.
- H.B. No. 2635, HD 1, SD 1:**
- Representatives Bunda, Chair; Ishii-Morikami and Thielen.
- H.B. No. 2639, HD 1, SD 2:**
- Representatives Bainum/Bunda/Say, Co-Chairs; Herkes, Tajiri and Ward.
- H.B. No. 2640, HD 2, SD 1:**
- Representatives Bainum/Bunda, Co-Chairs; Nekoba, Oshiro and Thielen.
- H.B. No. 2641, SD 1:**
- Representatives Bainum/Tom/Say, Co-Chairs; Hiraki and Thielen.
- H.B. No. 2642, SD 1:**
- Representatives Bainum/Tom, Co-Chairs; Herkes, Hiraki and Thielen.
- H.B. No. 2644, HD 1, SD 2:**
- Representatives Bainum/Say, Co-Chairs; Chang, Hirono and Marumoto.
- H.B. No. 2647, HD 2, SD 2:**
- Representatives Bainum/Say, Co-Chairs; Morihara, Nekoba and Ward.
- H.B. No. 2680, HD 1, SD 1:**
- Representatives Takamine/Say, Co-Chairs; Nekoba, Suzuki and Marumoto.
- H.B. No. 2690, HD 1, SD 1:**
- Representatives M. Ige/Say, Co-Chairs; Chang, Chumbley and Marumoto.
- H.B. No. 2692, HD 2, SD 2:**
- Representatives D. Ige/Tom/Say, Co-Chairs; Santiago, Shon, Tam and Tanimoto.
- H.B. No. 2718, HD 1, SD 1:**
- Representatives Say, Chair; Nakasone and Ward.
- H.B. No. 2725, HD 1, SD 1:**
- Representatives Tom, Chair; Amaral and Thielen.
- H.B. No. 2730, HD 1, SD 2:**
- Representatives Kanoho/Say, Co-Chairs; Ihara, Young and Ward.
- H.B. No. 2735, SD 1:**
- Representatives Tom, Chair; Herkes, White and Thielen.
- H.B. No. 2746, HD 2, SD 2:**
- Representatives Herkes/Chang, Co-Chairs; Suzuki, Tajiri and Marumoto.
- H.B. No. 2760, HD 2, SD 1:**
- Representatives Isbell/Bunda/Tom, Co-Chairs; White and Tanimoto.
- H.B. No. 2780, HD 2, SD 1:**
- Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.
- H.B. No. 2822, HD 1, SD 1:**
- Representatives Bunda/Kawakami, Co-Chairs; Ishii-Morikami, Tajiri and Ward.

**H.B. No. 2851, HD 2, SD 2:**

Representatives Tom/Say, Co-Chairs; Amaral, Suzuki and Thielen.

**H.B. No. 2873, HD 1, SD 1:**

Representatives Bunda, Chair; Hiraki, Ishii-Morikami, Oshiro and Thielen.

**H.B. No. 2882, SD 1:**

Representatives Kanoho, Chair; Pepper, Tam and Marumoto.

**H.B. No. 2897, HD 2, SD 2:**

Representatives Stegmaier/Morihara, Co-Chairs; Santiago, Tam and Ward.

**H.B. No. 2909, HD 2, SD 1:**

Representatives Stegmaier/Bunda/Tom, Co-Chairs; D. Ige and Thielen.

**H.B. No. 2912, SD 2:**

Representatives Isbell/Takumi/Tom, Co-Chairs; Menor, Santiago and Tanimoto.

**H.B. No. 2913, HD 3, SD 1:**

Representatives Takumi/Isbell/Takamine, Co-Chairs; Taniguchi and Tanimoto.

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

Representatives Bainum/Say, Co-Chairs; Alcon, Nekoba and Ward.

**H.B. No. 2921, HD 1, SD 1:**

Representatives Takamine/Tom, Co-Chairs; Beirne, Nekoba and Thielen.

**H.B. No. 2925, HD 1, SD 1:**

Representatives Duldulao/Kawakami, Co-Chairs; Pepper, Santiago and Marumoto.

**H.B. No. 2928, HD 1, SD 1:**

Representatives Tom/Say, Co-Chairs; Oshiro, Tajiri and Marumoto.

**H.B. No. 2944, HD 1, SD 1:**

Representatives Bunda/Tom, Co-Chairs; Ishii-Morikami, Takamine and Thielen.

**H.B. No. 2945, HD 2, SD 1:**

Representatives Bunda/Say, Co-Chairs; Bainum, Kawakami and Marumoto.

**H.B. No. 2965, HD 1, SD 2:**

Representatives Takamine/Kanoho, Co-Chairs; Nekoba, Tajiri and Marumoto.

**H.B. No. 2975, HD 1, SD 1:**

Representatives Tom, Chair; Herkes, Hirono, White and Thielen.

**H.B. No. 2981, HD 1, SD 1:**

Representatives Tom, Chair; Amaral, Oshiro, White and Thielen.

**H.B. No. 2985, HD 1, SD 1:**

Representatives Tom, Chair; Amaral, Cachola, Ishii-Morikami and Thielen.

**H.B. No. 2989, HD 1, SD 1:**

Representatives Tom, Chair; Ishii-Morikami, Menor, White and Thielen.

**H.B. No. 2990, HD 2, SD 1:**

Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.

**H.B. No. 3003, HD 1, SD 1:**

Representatives Say, Chair; Nakasone, Suzuki, Tajiri and Ward.

**H.B. No. 3017, SD 1:**

Representatives Bunda, Chair; Bainum, Cachola, Peters and Thielen.

**H.B. No. 3090, HD 1, SD 2:**

Representatives Say, Chair; Alcon, Nakasone, Tajiri and Ward.

**H.B. No. 3106, HD 4, SD 1:**

Representatives Nekoba/Say, Co-Chairs; Takamine, Tam and Ward.

**H.B. No. 3132, HD 1, SD 1:**

Representatives Say, Chair; Kawakami and Marumoto.

**H.B. No. 3133, HD 2, SD 1:**

Representatives Tom/Say, Co-Chairs; and Ward.

**H.B. No. 3134, HD 2, SD 2:**

Representatives Tom/Kawakami, Co-Chairs; Amaral, Menor and Marumoto.

**H.B. No. 3135, HD 1, SD 1:**

Representatives Tom/Say, Co-Chairs; Ishii-Morikami, Kawakami and Thielen.

**H.B. No. 3137, SD 1:**

Representatives Tom, Chair; Amaral, Menor, White and Thielen.

**H.B. No. 3144, SD 2:**

Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.

**H.B. No. 3149, HD 1, SD 1:**

Representatives Bunda/Tom, Co-Chairs; Ishii-Morikami, White and Thielen.

**H.B. No. 3151, HD 1, SD 1:**

- Representatives Yonamine/Say, Co-Chairs; Nakasone, Taniguchi and Ward.
- H.B. No. 3153, HD 2, SD 1:**
- Representatives Arakaki/Kanoho, Co-Chairs; Apo, Santiago and Tanimoto.
- H.B. No. 3156, SD 2:**
- Representatives Chun/Say, Co-Chairs; Arakaki, Tajiri and Ward.
- H.B. No. 3158, HD 2, SD 2:**
- Representatives Chun/Say, Co-Chairs; Nakasone, White and Tanimoto.
- H.B. No. 3159, SD 2:**
- Representatives Isbell/Chun/Tom, Co-Chairs; White and Tanimoto.
- H.B. No. 3160, HD 2, SD 1:**
- Representatives Chun/Say, Co-Chairs; Morihara, Santiago and Ward.
- H.B. No. 3164, HD 2, SD 1:**
- Representatives Duldulao/Kawakami, Co-Chairs; Pepper, Santiago and Marumoto.
- H.B. No. 3165, HD 2, SD 2:**
- Representatives Duldulao/Bunda/Say, Co-Chairs; Pepper and Tanimoto.
- H.B. No. 3169, SD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Ward.
- H.B. No. 3170, HD 2, SD 1:**
- Representatives Hiraki/Tom, Co-Chairs; Apo, Beirne and Thielen.
- H.B. No. 3176, HD 2, SD 1:**
- Representatives Takamine/Kanoho, Co-Chairs; Nekoba, Tajiri and Marumoto.
- H.B. No. 3179, HD 1, SD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Shon and Ward.
- H.B. No. 3190, HD 1, SD 1:**
- Representatives Tom/Say, Co-Chairs; Alcon, White and Ward.
- H.B. No. 3191, HD 1, SD 2:**
- Representatives Say, Chair; Alcon, Santiago, Tam and Marumoto.
- H.B. No. 3194, HD 2, SD 1:**
- Representatives Oshiro/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- H.B. No. 3195, SD 1:**
- Representatives Oshiro/Tom, Co-Chairs; Nakasone, Shon and Ward.
- H.B. No. 3198, HD 1, SD 1:**
- Representatives Lee/Say, Co-Chairs; Chang, M. Ige, Taniguchi and Tanimoto.
- H.B. No. 3199, HD 2, SD 2:**
- Representatives Lee/Say, Co-Chairs; Chumbley, Nakasone and Tanimoto.
- H.B. No. 3201, SD 1:**
- Representatives Tom, Chair; Herkes, White and Thielen.
- H.B. No. 3209, HD 1, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Ishii-Morikami, Morihara and Marumoto.
- H.B. No. 3210, HD 1, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Bainum, Kawakami and Thielen.
- H.B. No. 3211, HD 1, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Cachola, Suzuki and Marumoto.
- H.B. No. 3212, HD 1, SD 1:**
- Representatives Duldulao/Bunda/Say, Co-Chairs; Ishii-Morikami and Thielen.
- H.B. No. 3253, SD 1:**
- Representatives Bainum/Tom, Co-Chairs; Herkes, Takamine and Thielen.
- H.B. No. 3255, HD 2, SD 1:**
- Representatives Oshiro/Tom, Co-Chairs; Nakasone, Suzuki and Ward.
- H.B. No. 3258, HD 1, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Ishii-Morikami, Kawakami and Thielen.
- H.B. No. 3290, HD 1, SD 1:**
- Representatives Kanoho/Tom, Co-Chairs; Ihara, Say, Young and Thielen.
- H.B. No. 3300, HD 1, SD 2:**
- Representatives Say, Chair; Chang, Nakasone and Marumoto.
- H.B. No. 3302, SD 1:**
- Representatives Tom/Kawakami, Co-Chairs; Pepper, White and Marumoto.
- H.B. No. 3303, HD 1, SD 2:**
- Representatives Bunda/Tom, Co-Chairs; Peters, Takamine and Thielen.
- H.B. No. 3306, HD 1, SD 1:**

- Representatives Bunda, Chair; Amaral, Bainum, Cachola and Thielen.
- H.B. No. 3307, HD 1, SD 1:**
- Representatives Bunda, Chair; Bainum, Cachola, Ishii-Morikami and Thielen.
- H.B. No. 3309, HD 1, SD 1:**
- Representatives Bunda, Chair; Bainum, Hiraki, Oshiro and Thielen.
- H.B. No. 3310, HD 1, SD 1:**
- Representatives Bunda, Chair; Hirono, Ishii-Morikami, Oshiro and Thielen.
- H.B. No. 3321, SD 1:**
- Representatives Chun, Chair; Arakaki, Duldulao, White and Tanimoto.
- H.B. No. 3323, SD 2:**
- Representatives Chun/Tom/Say, Co-Chairs; White and Ward.
- H.B. No. 3324, HD 2, SD 2:**
- Representatives Duldulao/Say, Co-Chairs; Isbell, Morihara and Tanimoto.
- H.B. No. 3326, HD 2, SD 1:**
- Representatives Duldulao/Say, Co-Chairs; Morihara, Pepper and Tanimoto.
- H.B. No. 3327, HD 3, SD 2:**
- Representatives Duldulao/Yonamine/Say, Co-Chairs; Arakaki and Ward.
- H.B. No. 3329, SD 1:**
- Representatives D. Ige/Kawakami, Co-Chairs; Beirne, M. Ige, Takumi and Ward.
- H.B. No. 3333, HD 2, SD 2:**
- Representatives Isbell/Arakaki/Say, Co-Chairs; White and Ward.
- H.B. No. 3383, HD 1, SD 1:**
- Representatives Say, Chair; Tajiri and Ward.
- H.B. No. 3400, HD 1, SD 1:**
- Representatives D. Ige/Tom, Co-Chairs; Beirne, Chumbley and Tanimoto.
- H.B. No. 3416, SD 1:**
- Representatives Bunda, Chair; Cachola, Herkes, Ishii-Morikami and Thielen.
- H.B. No. 3425, HD 1, SD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Takumi and Ward.
- H.B. No. 3426, HD 1, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Cachola, Kawakami and Thielen.
- H.B. No. 3427, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Ishii-Morikami, Suzuki and Marumoto.
- H.B. No. 3428, HD 2, SD 1:**
- Representatives Bunda/Tom/Say, Co-Chairs; Hiraki and Thielen.
- H.B. No. 3429, HD 1, SD 1:**
- Representatives Bunda/Tom/Say, Co-Chairs; Hirono and Marumoto.
- H.B. No. 3430, HD 2, SD 2:**
- Representatives Bunda/Tom/Say, Co-Chairs; Ishii-Morikami and Thielen.
- H.B. No. 3431, SD 1:**
- Representatives Bunda/Say, Co-Chairs; Herkes, Kanoho and Marumoto.
- H.B. No. 3432, HD 2, SD 1:**
- Representatives Stegmaier/Bunda/Say, Co-Chairs; D. Ige and Thielen.
- H.B. No. 3433, HD 2, SD 1:**
- Representatives Arakaki/Tom/Kanoho, Co-Chairs; Apo and Ward.
- H.B. No. 3440, HD 2, SD 2:**
- Representatives Bainum/Say, Co-Chairs; Herkes, Morihara and Marumoto.
- H.B. No. 3443, HD 1, SD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Ward.
- H.B. No. 3445, HD 2, SD 2:**
- Representatives Takamine/Tom/Say, Co-Chairs; Nekoba and Thielen.
- H.B. No. 3446, HD 2, SD 2:**
- Representatives Hiraki/Arakaki/Tom/Tajiri, Co-Chairs; Apo, White and Tanimoto.
- H.B. No. 3447, HD 1, SD 1:**
- Representatives Lee/D. Ige/Say, Co-Chairs; Chumbley and Marumoto.
- H.B. No. 3451, HD 2, SD 2:**
- Representatives Bunda/Say, Co-Chairs; Cachola, Chang and Thielen.
- H.B. No. 3453, HD 2, SD 2:**
- Representatives Bunda/Say, Co-Chairs; Ishii-Morikami, Kawakami and Marumoto.
- H.B. No. 3456, HD 2, SD 2:**
- Representatives Duldulao/Say, Co-Chairs; Morihara, Pepper and Ward.

**H.B. No. 3458, HD 1, SD 2:**

Representatives Say, Chair; Kawakami, Morihara, Pepper and Ward.

**H.B. No. 3461, HD 1, SD 1:**

Representatives Menor/Kawakami, Co-Chairs; Ishii-Morikami, Pepper and Thielen.

**H.B. No. 3465, HD 2, SD 2:**

Representatives Menor/Alcon, Co-Chairs; Tam, White and Marumoto.

**H.B. No. 3466, HD 2, SD 1:**

Representatives Menor/Say, Co-Chairs; Alcon and Ishii-Morikami.

**H.B. No. 3470, HD 1, SD 1:**

Representatives Tom, Chair; Amaral, White and Thielen.

**H.B. No. 3472, HD 1, SD 2:**

Representatives Yonamine/Say, Co-Chairs; Alcon, Takumi and Ward.

**H.B. No. 3484, HD 2, SD 1:**

Representatives Bunda/Tom/Say, Co-Chairs; Hirono and Marumoto.

**H.B. No. 3491, HD 2, SD 2:**

Representatives Oshiro/Tom, Co-Chairs; Hiraki, Nakasone and Thielen.

**H.B. No. 3506, HD 2, SD 2:**

Representatives Tom/Say, Co-Chairs; Kanoho, Nekoba and Ward.

**H.B. No. 3513, HD 3, SD 2:**

Representatives Kanoho/Bunda/Say, Co-Chairs; Apo and Ward.

**H.B. No. 3520, HD 1, SD 1:**

Representatives Bunda, Chair; Bainum, Hiraki, Ishii-Morikami and Thielen.

**H.B. No. 3585, HD 1, SD 1:**

Representatives Bunda/Say, Co-Chairs; Herkes, Nakasone and Marumoto.

**H.B. No. 3600, HD 1, SD 2:**

Representatives Isbell/Say, Co-Chairs; Kawakami, White and Tanimoto.

**H.B. No. 3602, HD 1, SD 2:**

Representatives Say, Chair; Chang, Kawakami, Nakasone and Ward.

**H.B. No. 3607, HD 2, SD 2:**

Representatives M. Ige/Say, Co-Chairs; Chang, Chumbley and Marumoto.

**H.B. No. 3609, HD 2, SD 1:**

Representatives Bunda/Say, Co-Chairs; Hiraki, Tajiri and Ward.

**H.B. No. 3625, SD 1:**

Representatives Bunda/Tom/Say, Co-Chairs; Bainum and Thielen.

**H.B. No. 3630, HD 3, SD 2:**

Representatives Arakaki/Tom/Say, Co-Chairs; Lee and Ward.

**H.B. No. 3637, HD 1, SD 2:**

Representatives Duldulao/Say, Co-Chairs; Chun, Pepper and Tanimoto.

**H.B. No. 3657, HD 2, SD 1:**

Representatives D. Ige/Tom/Say, Co-Chairs; Chumbley, Kawakami, Stegmaier and Marumoto.

**H.B. No. 3676, HD 1, SD 1:**

Representatives Duldulao/Kawakami, Co-Chairs; Chang, Pepper and Tanimoto.

**H.B. No. 3742, SD 1:**

Representatives D. Ige/Suzuki, Co-Chairs; Stegmaier, Tam and Tanimoto.

**ADJOURNMENT**

At 2:34 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 19, 1994.

## FIFTY-FIRST DAY

Tuesday, April 19, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor Mike Brownfield of the Honolulu Central Seventh-Day Adventist Church, after which the Roll was called showing all members present with the exception of Representatives Apo, Cachola, Chang, Hirono, Kanoho, Peters, Tajiri and White, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fiftieth Day.

On motion by Representative Ihara, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Fiftieth Day was approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 581 to 688) were read by the Clerk and were placed on file:

Sen. Com. No. 581, transmitting S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 582, transmitting S.C.R. No. 3, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO REINVEST STATE MONEYS INTO SOUTH AFRICAN INVESTMENTS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 583, transmitting S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO ISSUE A LEASE FOR THE PRIVATE DEVELOPMENT OF CERTAIN FAST AND SUBMERGED LANDS AT KAWAIHAE, HAWAII, FOR MARINA PURPOSES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 584, transmitting S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING A TIME EXTENSION TO THE BOARD OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO LEASE CERTAIN FAST, TIDAL, AND SUBMERGED LANDS AT KE'EHU LAGOON, HONOLULU, OAHU, HAWAII TO A PRIVATE DEVELOPER FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, RESEARCH, AND LIGHT INDUSTRIAL PURPOSES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 585, transmitting S.C.R. No. 24, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 586, transmitting S.C.R. No. 25, SD 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO HALT CONSTRUCTION OF VARIABLE MESSAGE SIGNS ON TRANS-KOOLAU FEEDER ROUTES IN WINDWARD OAHU," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 587, transmitting S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ESTABLISH A TASK FORCE TO STUDY THE FEASIBILITY OF AMENDING CHAPTER 571, HAWAII REVISED STATUTES, TO PROTECT THE BEST INTERESTS OF NATIVE HAWAIIAN CHILDREN," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 588, transmitting S.C.R. No. 33, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A MASTER PLAN FOR AIRPORT FACILITIES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 589, transmitting S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF BUDGET AND FINANCE CONSISTENTLY ENFORCE ITS COLLATERAL REQUIREMENTS AND PERFORM PERIODIC CHECKS FOR ACCURACY OF COLLATERAL DATA," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 590, transmitting S.C.R. No. 36, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER COLLATERALIZATION OF DEPOSITS, REVIEW TRUST AGREEMENTS, AND ENFORCE TRI-PARTY AGREEMENTS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 591, transmitting S.C.R. No. 38, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PROVISION OF HIGH OCCUPANCY VEHICLE THROUGHWAYS ALONG CONGESTED CORRIDORS TO INCREASE HOV LANE UTILIZATION," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 592, transmitting S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO UNDERTAKE A COMPARATIVE STUDY DOCKET ON THE USE OF FOSSIL VERSUS NONFOSSIL FUELS FOR GENERATION OF ELECTRICITY," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 593, transmitting S.C.R. No. 40, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FACILITATION OF RENEWABLE ENERGY RESOURCES UTILIZATION," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 594, transmitting S.C.R. No. 47, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, SCHOOL FOOD SERVICES PROGRAM TO PURCHASE FOOD, SUPPLIES, AND EQUIPMENT THAT WERE LOCALLY GROWN, MANUFACTURED, OR CONSTRUCTED, WHENEVER POSSIBLE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 595, transmitting S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE BIENNIAL REVIEW OF THE

COMPENSATION PLANS FOR CIVIL SERVICE EMPLOYEES AND THE COSTS THEREOF SUBMITTED BY THE CONFERENCE OF PERSONNEL DIRECTORS TO TAKE EFFECT ON JULY 1, 1994," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 596, transmitting S.C.R. No. 53, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE TWENTIETH ANNIVERSARY OF THE NATURAL ENERGY LABORATORY OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 597, transmitting S.C.R. No. 54, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ITS RULES AND REVISE, SIMPLIFY, AND CONSOLIDATE ITS ADMINISTRATIVE RULES RELATING TO SMALL BOAT HARBORS AND BOATING TO MAKE THEM USER-FRIENDLY, AND PREPARE A RULE BOOK FOR LAYPEOPLE FOR EACH REGISTERED VESSEL OWNER," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 598, transmitting S.C.R. No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE AN OVERSIGHT COMMITTEE TO MONITOR THE PROGRESS OF THE RECREATIONAL BOATING PROGRAM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 599, transmitting S.C.R. No. 62, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 600, transmitting S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE METHODS OF IMPROVING THE MANAGEMENT OF HAWAII'S BEACHES AND SHORELINE AREAS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 601, transmitting S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR LICENSING OF MECHANICS IN THE REFRIGERATION AND AIR CONDITIONING INDUSTRY," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 602, transmitting S.C.R. No. 70, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE RECOMMENDATIONS OF THE HUI 'IMI TASK FORCE REPORT BY AUTHORIZING THE REINSTATEMENT OF THE HUI 'IMI TASK FORCE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 603, transmitting S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MARKET POTENTIAL AND APPROPRIATE SITES FOR SATELLITE CONVENTION FACILITIES ON THE NEIGHBOR ISLANDS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 604, transmitting S.C.R. No. 82, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO

DEVELOP A VOLUNTEER GROUP TO MONITOR GEOTHERMAL GAS LEAKS IN PUNA," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 605, transmitting S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A MEDIATION PROCESS TO ADDRESS THE ISSUE OF LONG-STANDING PROBLEMS IN THE RELATIONSHIP BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND FOSTER PARENTS AS IT RELATES TO THE QUALITY OF CARE PROVIDED TO FOSTER CHILDREN," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 606, transmitting S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 607, transmitting S.C.R. No. 89, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A BLUEPRINT FOR REFORM OF THE CHILD WELFARE SERVICES SYSTEM FOR FAMILIES WHERE CHILD ABUSE AND NEGLECT IS SUSPECTED OR HAS OCCURRED," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 608, transmitting S.C.R. No. 92, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES' DIRECTORS OF FINANCE TO ALLOW FOR MOTORCYCLE LICENSE PLATES INDICATING THE OWNER IS A VETERAN OR PURPLE HEART RECIPIENT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 609, transmitting S.C.R. No. 95, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII TO ESTABLISH A PROGRAM IN MARITIME ARCHAEOLOGY AND HISTORY," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 610, transmitting S.C.R. No. 99, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO REPORT ON PLANS TO RESPOND TO THE HEALTH AND SOCIAL PROBLEMS ON THE ISLAND OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 611, transmitting S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO COMPLY WITH THE MODEL ENERGY CODE IN THE CONSTRUCTION OF NEW BUILDINGS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 612, transmitting S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION CONFIRMING THE USE OF THE HOMES REVOLVING FUND TO PROVIDE A PORTION OF THE STATE'S EQUITY CONTRIBUTION FOR THE PAWAA PROJECT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 613, transmitting S.C.R. No. 108, SD 1, entitled: "SENATE CONCURRENT RESOLUTION PRESERVING THE REPUBLIC AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 614, transmitting S.C.R. No. 111, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO PROCLAIM THE WEEK OF APRIL 1-9 AS STATE OF HAWAII ARCHAEOLOGY WEEK," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 615, transmitting S.C.R. No. 115, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE SIERRA CLUB LEGAL DEFENSE FUNDS'S FORMAL PETITION WITH THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 616, transmitting S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER KOHALA COASTAL ACQUISITIONS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 617, transmitting S.C.R. No. 117, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMMUNITY PROCESS FOR PLANNING AND MANAGEMENT OF PUBLIC LANDS AND NATURAL RESOURCES IN HAMAKUA ON THE ISLAND OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 618, transmitting S.C.R. No. 118, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO INSTITUTE A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM IN KAHANA VALLEY STATE PARK," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 619, transmitting S.C.R. No. 123, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH RULES AND A PLAN WITH KAHANA VALLEY RESIDENTS REGARDING THEIR PARTICIPATION IN AHUPUA'A O KAHANA," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 620, transmitting S.C.R. No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF THE DEVELOPMENT OF ECONOMIC OPPORTUNITIES WITHIN OR IN PARTNERSHIP WITH NONPROFIT AGENCIES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 621, transmitting S.C.R. No. 134, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-25, 'MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU'," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 622, transmitting S.C.R. No. 136, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IDENTIFICATION OF IMPORTANT ACCESS ROUTES OVER STATE AND PRIVATE LANDS ON THE BIG ISLAND, TO FOREST AND MARINE RESOURCES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 623, transmitting S.C.R. No. 138, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AMBIENT AIR QUALITY STANDARDS AND TO RETEST THE AMBIENT AIR QUALITY OF THE CLASSROOM FACILITIES AT KAULUWELA SCHOOL," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 624, transmitting S.C.R. No. 140, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF PROVIDING INCENTIVES FOR THE USE OF ALTERNATIVE TRANSPORTATION FUELS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 625, transmitting S.C.R. No. 148, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HUI 'IMI TASK FORCE TO CONVENE A CONFERENCE OF EARLY CHILDHOOD EDUCATION AND CHILD CARE AGENCIES AND OTHER ORGANIZATIONS AND AGENCIES THAT SERVE NATIVE HAWAIIANS AND HAWAIIANS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 626, transmitting S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE UNITED STATES TO EXAMINE THE PROPRIETY OF ALLOWING HONOLULU'S COMPETING DAILY NEWSPAPERS TO CONTINUE OPERATING UNDER A JOINT NEWSPAPER OPERATING AGREEMENT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 627, transmitting S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO CLOSE THE LEGAL LOOPHOLE IN THE NEWSPAPER PRESERVATION ACT THAT ALLOWS HONOLULU'S MAJOR DAILY NEWSPAPERS TO CONTINUE OPERATING UNDER A JOINT NEWSPAPER OPERATING AGREEMENT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 628, transmitting S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO PRESERVE A BALANCED STATE AND FEDERAL PARTNERSHIP," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 629, transmitting S.C.R. No. 156, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING COMMUNITY-BASED FISHERIES DEMONSTRATION PROJECTS IN SELECT AREAS OF THE STATE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 630, transmitting S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PACIFIC ISLANDS TRADE POLICY FOR THE STATE OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 631, transmitting S.C.R. No. 158, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 92-26, 'AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY'," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 632, transmitting S.C.R. No. 160, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 92-21, 'FINANCIAL AUDIT OF THE DEPARTMENT OF THE ATTORNEY GENERAL'," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 633, transmitting S.C.R. No. 175, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S ELECTRIC UTILITY COMPANIES TO DEVELOP A NET ENERGY BILLING PROGRAM FOR UTILITY-INTERTIED RENEWABLE ENERGY AND ENERGY STORAGE SYSTEMS IN HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 634, transmitting S.C.R. No. 176, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S PUBLIC UTILITIES COMMISSION AND DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXPLORE AND ADOPT PRODUCTION INCENTIVES TO PROVIDE ASSISTANCE TO EXISTING PRODUCERS OF RENEWABLE ENERGY-GENERATED ELECTRICITY AND TO ENCOURAGE AND SUPPORT FURTHER DEVELOPMENT OF RENEWABLE ENERGY CONVERSION AND ENERGY STORAGE SYSTEMS IN HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 635, transmitting S.C.R. No. 177, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY WAYS TO ENCOURAGE THE PURCHASE OF FUEL-EFFICIENT VEHICLES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 636, transmitting S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SCHOOL COMMUNITY BASED MANAGEMENT COUNCILS TO RETAIN THE KUPUNA COMPONENT OF THE HAWAIIAN STUDIES PROGRAM IN THE CURRICULUM OF PUBLIC EDUCATION," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 637, transmitting S.C.R. No. 180, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL TO CREATE AN INFORMATIONAL RECORD ON BREACHES OF THE HAWAIIAN HOME LANDS TRUST THAT OCCURRED PRIOR TO AUGUST 21, 1959, AFFECTING INDIVIDUAL BENEFICIARIES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 638, transmitting S.C.R. No. 181, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING FORMULATION OF A FORMAL PLAN AND TIMETABLE FOR THE REPATRIATION OF IWI AT BISHOP MUSEUM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 639, transmitting S.C.R. No. 182, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE GOVERNMENT TO PROMOTE HAWAII AS A HEALTH AND FITNESS DESTINATION LEADING UP TO THE NAGANO WINTER OLYMPIC GAMES IN 1998 AND THE SYDNEY SUMMER OLYMPIC GAMES IN THE YEAR 2000," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 640, transmitting S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTY GOVERNMENTS AND STATE DEPARTMENTS OF LAND AND NATURAL RESOURCES, TRANSPORTATION AND ACCOUNTING AND GENERAL SERVICES TO PROMOTE THE USE OF XERISCAPE LANDSCAPING," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 641, transmitting S.C.R. No. 185, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE REIMBURSEMENT METHODOLOGY FOR WAIMANO TRAINING SCHOOL AND HOSPITAL," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 642, transmitting S.C.R. No. 187, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII BUSINESSES, PARTICULARLY THOSE RELATED TO THE PROMOTION, MARKETING, AND DEVELOPMENT OF THE TOURISM INDUSTRY, TO GIVE PURCHASING PREFERENCE TO OTHER HAWAII BUSINESSES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 643, transmitting S.C.R. No. 190, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH AND REVIEW DISCOUNTED RATES FOR TELECOMMUNICATIONS SERVICES USED FOR DISTANCE LEARNING AS PART OF ITS CURRENT TELECOMMUNICATIONS DOCKET," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 644, transmitting S.C.R. No. 191, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' CABLE TELEVISION DIVISION TO EXAMINE THE CURRENT REGULATORY PROCESSES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 645, transmitting S.C.R. No. 195, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR COLLABORATION AMONG STATE AGENCIES AND FOR PUBLIC-PRIVATE PARTNERSHIPS BETWEEN THE STATE AND PROVIDERS OF HUMAN SERVICES IN FURTHERING FAMILY PRESERVATION AND SUPPORT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 646, transmitting S.C.R. No. 197, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY FUTURE SPACE INDUSTRY OPPORTUNITIES FOR THE STATE OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 647, transmitting S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING THE FUTURE FLIGHT HAWAII PROGRAM AS A YEAR-ROUND, STATEWIDE AEROSPACE EDUCATION ACTIVITY IN HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 648, transmitting S.C.R. No. 201, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF UTILIZING PHYSICIAN ASSISTANTS TO THEIR MAXIMUM CAPACITY OF TRAINING AND SKILL LEVELS AND DEVELOPING LEGISLATIVE

PROPOSALS TO ACHIEVE THIS UTILIZATION," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 649, transmitting S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR INVESTIGATE AND DEVELOP CORRECTIVE MEASURES TO ELIMINATE WAGE INEQUITIES AMONG SPECIFIC PUBLIC EMPLOYEE JOB CLASSES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 650, transmitting S.C.R. No. 206, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO DEVELOP AND IMPLEMENT A PLAN TO REHABILITATE NUUANU STREAM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 651, transmitting S.C.R. No. 208, SD 1, entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE UNITED STATES NAVY FOR DISCLOSING INFORMATION TO THE DEPARTMENT OF HEALTH ON THE NUCLEAR WASTE STORAGE AND CONTAINMENT FACILITIES AND PRACTICES OF ITS PEARL HARBOR NAVAL BASE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 652, transmitting S.C.R. No. 210, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH TO REVIEW, COMPILE, AND REPORT ON THE PUBLISHED SCIENTIFIC AND MEDICAL LITERATURE ON BUILDING EXPOSURE TO AND RISKS FROM ASBESTOS, CURRENT ABATEMENT THEORIES AND MITIGATION TECHNOLOGIES AVAILABLE ON ASBESTOS, AND CURRENT FEDERAL REGULATIONS AND RECOMMENDATIONS REGARDING ASBESTOS MANAGEMENT IN BUILDINGS, AND REQUESTING THE AUDITOR TO REPORT ON THE TOTAL COST OF PAST, PRESENT, AND FUTURE ASBESTOS ABATEMENT ACTIVITIES CONDUCTED ON STATE BUILDINGS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 653, transmitting S.C.R. No. 219, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO REVIEW AND REVISE REAL PROPERTY TAX ORDINANCES TO SUPPORT AGRICULTURAL POLICIES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 654, transmitting S.C.R. No. 221, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXAMINE THE FEASIBILITY OF CONVERTING THE ALA WAI YACHT HARBOR INTO AN INDEPENDENT MARINA," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 655, transmitting S.C.R. No. 223, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE EXPANSION AND SUPPORT OF THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 656, transmitting S.C.R. No. 230, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE MAYOR OF THE COUNTY OF HAWAII TO ESTABLISH A HILO-HAMAKUA STRATEGIC DEVELOPMENT

ALLIANCE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 657, transmitting S.C.R. No. 231, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INCREASE OPPORTUNITIES FOR BUSINESSES AND AGENCIES TO COMPETE FOR TOURISM MARKETING CONTRACTS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 658, transmitting S.C.R. No. 232, entitled: "SENATE CONCURRENT RESOLUTION URGING DEVELOPMENT OF A HAWAII AVIATION TRAINING CENTER AT HILO INTERNATIONAL AIRPORT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 659, transmitting S.C.R. No. 233, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONTINUING THE TASK FORCE TO PRESERVE WAIPIO VALLEY," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 660, transmitting S.C.R. No. 238, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DEFER UNTIL JUNE 15, 1995, PROPOSED POLICY CHANGES TO THEIR CHORE SERVICE FOR THE ELDERLY AND DISABLED THAT WOULD PROHIBIT NEW APPLICANTS AFTER JUNE 15, 1994, SO THAT OTHER AVENUES OF FUNDING SUCH SERVICES CAN BE EXPLORED AND SERVICE DELIVERY CAN BE CONTINUED," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 661, transmitting S.C.R. No. 240, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INTERNATIONAL RELATIONS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO RECOMMEND WAYS TO ENCOURAGE COMMERCIAL ACTIVITIES BETWEEN HAWAII AND THE PHILIPPINES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 662, transmitting S.C.R. No. 242, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO ASSIST THE COORDINATING COMMITTEE ESTABLISHED TO PLAN HAWAII'S COMMEMORATION OF THE 50TH ANNIVERSARY OF THE END OF WORLD WAR II," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 663, transmitting S.C.R. No. 243, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ADOPTION OF THE RECOMMENDATIONS CONTAINED IN THE AUDITOR'S REPORT ON SMALL BOAT HARBORS AND BOAT RAMPS PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 664, transmitting S.C.R. No. 244, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL AND THE DEPARTMENT OF HEALTH TO DEVELOP STANDARDS TO DIFFERENTIATE BETWEEN PUBLIC AND PRIVATE NUISANCES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 665, transmitting S.C.R. No. 246, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CLARIFYING THAT APPROPRIATIONS MADE UNDER HTH530 TO THE DEPARTMENT OF HEALTH FOR 'FAMILY HEALTH SERVICES' UNDER ACT 296, ACT 300, AND ACT 289, SESSION LAWS OF HAWAII, 1991, 1992, AND 1993, RESPECTIVELY, ARE APPROPRIATIONS WHICH INCLUDE IN PART FUNDING AVAILABLE ONLY FOR THE BROAD RANGE OF CHILD ABUSE AND NEGLECT PREVENTION ACTIVITIES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 666, transmitting S.C.R. No. 247, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST HAWAII SMALL BUSINESSES IN PARTICIPATING IN VARIOUS COUNTY FAIRS ON THE CONTINENTAL UNITED STATES," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 667, transmitting S.C.R. No. 248, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU'S NEIGHBOR ISLAND AFFILIATE ORGANIZATIONS," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 668, transmitting S.C.R. No. 250, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING WORK OF HAWAII'S POLICE OFFICERS AND REQUESTING THE CHIEF OF POLICE OF EACH COUNTY TO REVIEW THEIR SYSTEM OF INTERNAL DISCIPLINE IN VIEW OF RECENT AMENDMENTS TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 669, transmitting S.C.R. No. 251, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S TASK FORCE ON MAKAALA BE RECONVENED IN ORDER TO FIND WAYS AND MEANS TO KEEP MAKAALA AND ITS VALUABLE PROGRAMS FOR THE DISABLED VIABLE IN OUR STATE," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 670, transmitting S.C.R. No. 252, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ENTER INTO DISCUSSIONS WITH THE WALT DISNEY COMPANY CONCERNING DEVELOPMENT OF A HAWAII HISTORY THEME PARK ON THE BIG ISLAND OF HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 671, transmitting S.C.R. No. 253, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A VISA WAIVER PROGRAM FOR HAWAII SIMILAR TO THAT WHICH PERTAINS TO ALIENS ENTERING GUAM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 672, transmitting S.C.R. No. 256, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE EFFECTIVENESS OF THE STATE'S PLANNING-PROGRAMMING-BUDGETING SYSTEM," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 673, transmitting S.C.R. No. 257, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE ACHIEVEMENTS AND CONTRIBUTIONS OF THE REPUBLIC OF CHINA ON TAIWAN," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 674, transmitting S.C.R. No. 258, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE PROCESSES BY WHICH ENTITIES ARE RECOGNIZED AS BEING SOVEREIGN BY THE FEDERAL GOVERNMENT," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 675, transmitting S.C.R. No. 259, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE MANAGEMENT AUDIT OF THE CIVIL SERVICE SYSTEM OF THE JUDICIARY," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 676, transmitting S.C.R. No. 262, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REGARDING RACIAL DISCRIMINATION IN THE IMMIGRATION AND NATURALIZATION SERVICE IN HAWAII," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 677, transmitting S.C.R. No. 265, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO CONDUCT WASTEWATER TREATMENT EDUCATION WORKSHOPS WITH COMMUNITY ORGANIZATIONS IN THE WINDWARD AND NORTHSORE AREAS OF OAHU," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 678, transmitting S.C.R. No. 267, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE BOARD OF LAND AND NATURAL RESOURCES, AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO FACILITATE A LEASE/PURCHASE AGREEMENT FOR A SECOND ELEMENTARY SCHOOL FACILITY IN KIHEI, MAUI," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 679, transmitting S.C.R. No. 269, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN ANALYSIS OF THE DEPARTMENT OF HEALTH'S POLICY CONCERNING THE APPROVAL OF INDIVIDUAL WASTEWATER SYSTEMS IN THE KAHALUU TO WAIALUA SEWERAGE SUBDISTRICTS ON THE ISLAND OF OAHU," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 680, transmitting S.C.R. No. 271, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A KA'U COORDINATING COMMITTEE TO COORDINATE EFFORTS AT THE FEDERAL, STATE, AND COUNTY GOVERNMENT LEVELS IN ADDRESSING THE VARIOUS PROBLEMS FACED BY KA'U RESIDENTS WITH THE CLOSURE OF THE SUGAR OPERATIONS OF KA'U AGRIBUSINESS CO., INC.," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 681, transmitting S.C.R. No. 277, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONTINUE PROVIDING WAIVERS AND DEFERRALS FOR LEASE RENT PAYMENT FOR THOSE LESSEES STILL AFFECTED

BY HURRICANE INIKI," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 682, transmitting S.C.R. No. 278, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO AMEND THE HIGHWAY SAFETY ACT OF 1966 TO PROHIBIT SANCTIONS AGAINST STATES WITH NO MANDATORY MOTORCYCLE HELMET LAW," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 683, transmitting S.C.R. No. 282, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE H-3 TUNNEL IN HONOR OF HIGHWAY ADMINISTRATOR TETSUO HARANO," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 684, transmitting S.C.R. No. 283, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTY OF KAUAI TO CONSIDER DEFERRING COLLECTION OF REAL PROPERTY TAXES AND WATER FEES ON HOTELS THAT WERE DAMAGED BY HURRICANE INIKI," which was adopted by the Senate on April 18, 1994.

Sen. Com. No. 685, transmitting S.C.R. No. 285, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE PARKS DIVISION, KAUAI BRANCH, COORDINATE EFFORTS WITH THE KAUAI DISTRICT FORESTRY AND WILDLIFE DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR AN EFFECTIVE MEANS OF SALVAGE REMOVAL OF FOREST DEBRIS," which was adopted by the Senate on April 18, 1994.

By unanimous consent, further action on S.C.R. Nos. 2, SD 1; 3; 17; 19; 24, SD 1; 25, SD 1; 26, SD 1; 33, SD 1; 35; 36; 38, SD 1; 39; 40, SD 1; 47, SD 1; 50; 53; 54, SD 1; 55, SD 1; 62, SD 1; 63; 68; 70, SD 1; 76; 82, SD 1; 83; 84; 89, SD 1; 92, SD 1; 95, SD 1; 99, SD 1; 101; 106; 108, SD 1; 111, SD 1; 115, SD 1; 116, SD 1; 117, SD 1; 118, SD 1; 123, SD 1; 129, SD 1; 134, SD 1; 136; 138, SD 1; 140, SD 1; 148, SD 1; 151, SD 1; 152, SD 1; 153; 156; 157; 158; 160; 175, SD 1; 176, SD 1; 177, SD 1; 178; 180; 181, SD 1; 182; 183; 185, SD 1; 187; 190; 191, SD 1; 195, SD 1; 197; 198; 201, SD 1; 202; 206, SD 1; 208, SD 1; 210, SD 1; 219, SD 1; 221; 223, SD 1; 230; 231; 232; 233, SD 1; 238, SD 1; 240; 242, SD 1; 243, SD 1; 244, SD 1; 246, SD 1; 247; 248; 250, SD 1; 251, SD 1; 252; 253, SD 1; 256, SD 1; 257, SD 1; 258, SD 1; 259; 262, SD 1; 265, SD 1; 267; 269, SD 1; 271, SD 1; 277; 278; 282; 283, SD 1; and 285, SD 1, was deferred until later in the calendar.

Sen. Com. No. 686, informing the House that pursuant to 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 subject matter of said amendments, the President has, on April 18, 1994, appointed as Managers on the part of the Senate for the consideration of said amendments:

**S.B. No. 256, SD 2, HD 2:**

Senators Kanno, Chair; B. Kobayashi, Baker, Chang, A. Kobayashi, Graulty and Koki.

**S.B. No. 529, SD 1, HD 2:**

Senators Fernandes Salling, Chair; Tanaka and George.

**S.B. No. 905, SD 1, HD 2:**

Senators Ikeda/Fernandes Salling, Co-Chairs; Baker, Holt, Tanaka and George.

**S.B. No. 3292, SD 1, HD 3:**

Senators Ikeda/Fernandes Salling, Co-Chairs; Tanaka and George.

Sen. Com. No. 687, informing the House that the following Senate Bills passed Final Reading in the Senate on April 18, 1994:

S.B. No. 2880, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT";

S.B. No. 2041, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO PSYCHIATRIC FACILITY"; and

S.B. No. 2923, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AVIATION FUEL SET-ASIDE FOR EMERGENCY AND ESSENTIAL SERVICES".

Sen. Com. No. 688, informing the House that the President has, on April 18, 1994, 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. 2, SD 2:**

Senators Ikeda, Chair; Tungpalan, Chang, Baker and Koki.

**H.B. No. 65, HD 1, SD 2:**

Senators Ikeda, Chair; Baker and Holt.

**H.B. No. 740, HD 1, SD 2:**

Senators Graulty, Chair; Holt, Matsunaga, Iwase and Koki.

**H.B. No. 929, HD 1, SD 1:**

Senators Graulty, Chair; Baker, Levin, A. Kobayashi and Reed.

**H.B. No. 1046, SD 1:**

Senators Tanaka, Chair; Solomon and George.

**H.B. No. 1088, HD 1, SD 1:**

Senators Graulty, Chair; Levin, Baker, A. Kobayashi and Reed.

**H.B. No. 1241, HD 2, SD 2:**

Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.

**H.B. No. 1317, HD 2, SD 2:**

Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.

**H.B. No. 1332, HD 2, SD 2:**

Senators Ikeda, Chair; B. Kobayashi, Levin, Holt and George.

**H.B. No. 1590, HD 1, SD 1:**

Senators Graulty, Chair; Levin, Matsunaga, Baker and Reed.

**H.B. No. 1627, HD 1, SD 2:**

Senators Ikeda, Chair; Hagino, Iwase, Holt and George.

**H.B. No. 1649, HD 1, SD 1:**

Senators Grauly, Chair; B. Kobayashi, Levin, A. Kobayashi and Reed.

**H.B. No. 1663, SD 2:**

Senators Ikeda, Chair; Kanno, Hagino and Holt.

**H.B. No. 1712, HD 1, SD 1:**

Senators Holt, Chair; Kanno and Koki.

**H.B. No. 1731, SD 1:**

Senators Holt, Chair; Kanno and Koki.

**H.B. No. 1733, HD 1, SD 1:**

Senators Holt, Chair; Kanno and Koki.

**H.B. No. 1999, SD 1:**

Senators Matsunaga, Chair; Chang, Fukunaga, Levin and Koki.

**H.B. No. 2027, HD 1, SD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 2075, SD 2:**

Senators Ikeda, Chair; Iwase, Holt, Solomon and George.

**H.B. No. 2186, HD 2, SD 1:**

Senators Fernandes Salling, Chair; Holt, Kanno and Koki.

**H.B. No. 2190, SD 1:**

Senators Grauly, Chair; Levin, Matsunaga, A. Kobayashi and Reed.

**H.B. No. 2192, HD 1, SD 1:**

Senators Grauly, Chair; B. Kobayashi, Baker, A. Kobayashi, Iwase and Koki.

**H.B. No. 2197, HD 2, SD 2:**

Senators Grauly, Chair; Fernandes Salling and Reed.

**H.B. No. 2219, HD 1, SD 1:**

Senators Grauly, Chair; A. Kobayashi, Baker, Levin and Koki.

**H.B. No. 2220, HD 1, SD 1:**

Senators Grauly, Chair; A. Kobayashi, Baker, Levin and Reed.

**H.B. No. 2221, HD 2, SD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**H.B. No. 2235, HD 1, SD 1:**

Senators Ikeda, Chair; Hagino, Iwase, Holt and George.

**H.B. No. 2238, HD 1, SD 1:**

Senators Holt, Chair; Kanno and Koki.

**H.B. No. 2259, HD 2, SD 2:**

Senators Ikeda, Chair; Chang, Kanno, Solomon and George.

**H.B. No. 2272, HD 1, SD 1:**

Senators Ikeda, Chair; Tanaka, Holt, Nakasato and George.

**H.B. No. 2274, SD 1:**

Senators Tanaka, Chair; Solomon and George.

**H.B. No. 2284, SD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 2285, HD 2, SD 1:**

Senators Grauly, Chair; Fernandes Salling and Koki.

**H.B. No. 2294, SD 2:**

Senators Grauly, Chair; Chang, Iwase, A. Kobayashi, Baker and Koki.

**H.B. No. 2308, HD 1, SD 1:**

Senators Grauly, Chair; Iwase, A. Kobayashi, Baker and Koki.

**H.B. No. 2309, HD 2, SD 1:**

Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.

**H.B. No. 2312, SD 1:**

Senators Grauly, Chair; Iwase, A. Kobayashi, Baker and Koki.

**H.B. No. 2322, HD 1, SD 1:**

Senators Grauly, Chair; Levin, Matsunaga, Iwase and Koki.

**H.B. No. 2333, HD 2, SD 2:**

Senators Ikeda, Chair; Tanaka, Holt, A. Kobayashi and George.

**H.B. No. 2344, HD 1, SD 2:**

Senators Ikeda, Chair; Fukunaga, Holt, A. Kobayashi and Grauly.

**H.B. No. 2391, HD 1, SD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 2419, HD 2, SD 1:**

Senators Grauly, Chair; B. Kobayashi, Baker, Levin and Reed.

- H.B. No. 2449, HD 1, SD 1:**  
Senators Grauly, Chair; Baker, Matsuura, Iwase and Koki.
- H.B. No. 2450, HD 1, SD 1:**  
Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 2460, HD 1, SD 1:**  
Senators Baker, Chair; Aki and Reed.
- H.B. No. 2461, HD 1, SD 1:**  
Senators Grauly, Chair; Holt, Iwase, Levin and Koki.
- H.B. No. 2490, SD 1:**  
Senators Holt, Chair; Kanno and Koki.
- H.B. No. 2491, HD 2, SD 1:**  
Senators Holt, Chair; Kanno and Koki.
- H.B. No. 2500, HD 1, SD 1:**  
Senators Ikeda, Chair; Hagino, Fernandes Salling, Fukunaga, Holt, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka and George.
- H.B. No. 2515, HD 1, SD 2:**  
Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 2553, HD 2, SD 2:**  
Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 2590, HD 1, SD 1:**  
Senators Ikeda, Chair; Hagino, Iwase, Holt and George.
- H.B. No. 2599, HD 1, SD 1:**  
Senators Matsunaga, Chair; Matsuura, Levin and Koki.
- H.B. No. 2605, HD 2, SD 2:**  
Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 2623, SD 1:**  
Senators Ikeda, Chair; Iwase, Holt, Solomon and George.
- H.B. No. 2631, HD 2, SD 1:**  
Senators Iwase, Chair; Matsunaga, Hagino and Koki.
- H.B. No. 2635, HD 1, SD 1:**  
Senators Matsunaga, Chair; Baker, Chang and Koki.
- H.B. No. 2639, HD 1, SD 2:**  
Senators Chang, Chair; Ikeda, Fukunaga, Levin and Reed.
- H.B. No. 2640, HD 2, SD 1:**  
Senators Chang, Chair; Levin and Reed.
- H.B. No. 2641, SD 1:**  
Senators Chang, Chair; Fukunaga and Reed.
- H.B. No. 2642, SD 1:**  
Senators Chang, Chair; Levin and Reed.
- H.B. No. 2644, HD 1, SD 2:**  
Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 2647, HD 2, SD 2:**  
Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 2680, HD 1, SD 1:**  
Senators Iwase, Chair; Kanno, Hagino, Holt and George.
- H.B. No. 2690, HD 1, SD 1:**  
Senators Iwase, Chair; Kanno, Hagino, Chang and George.
- H.B. No. 2692, HD 2, SD 2:**  
Senators Ikeda, Chair; McCartney, Grauly, Iwase and George.
- H.B. No. 2718, HD 1, SD 1:**  
Senators Ikeda, Chair; Grauly, Iwase, Baker, A. Kobayashi and Koki.
- H.B. No. 2725, HD 1, SD 1:**  
Senators Grauly, Chair; Levin, Matsunaga and Reed.
- H.B. No. 2730, HD 1, SD 2:**  
Senators Ikeda, Chair; Fukunaga, Holt, A. Kobayashi and George.
- H.B. No. 2735, SD 1:**  
Senators Grauly, Chair; Matsunaga, Iwase, Baker and Koki.
- H.B. No. 2746, HD 2, SD 2:**  
Senators Ikeda, Chair; Matsunaga, Hagino, Matsuura and Koki.
- H.B. No. 2760, HD 2, SD 1:**  
Senators Baker, Chair; Holt and Reed.
- H.B. No. 2780, HD 2, SD 1:**  
Senators Ikeda, Chair; Hagino, Fernandes Salling, Fukunaga, Holt, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka and George.
- H.B. No. 2822, HD 1, SD 1:**  
Senators Ikeda, Chair; Holt, Iwase and Koki.
- H.B. No. 2851, HD 2, SD 2:**

- Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 2873, HD 1, SD 1:**
- Senators Baker, Chair; Tungpalan and Reed.
- H.B. No. 2882, SD 1:**
- Senators Ikeda, Chair; Tungpalan, Kanno, Solomon and Koki.
- H.B. No. 2897, HD 2, SD 2:**
- Senators Ikeda, Chair; Matsunaga, Hagino, Baker and Koki.
- H.B. No. 2909, HD 2, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 2912, SD 2:**
- Senators Iwase, Chair; Baker, McCartney, Kanno and George.
- H.B. No. 2913, HD 3, SD 1:**
- Senators Iwase, Chair; Baker, Holt, Kanno and George.
- H.B. No. 2919, HD 2, SD 2:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 2921, HD 1, SD 1:**
- Senators Grauly, Chair; Iwase, Matsuura, Baker and Koki.
- H.B. No. 2925, HD 1, SD 1:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 2944, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 2945, HD 2, SD 1:**
- Senators Ikeda, Chair; Matsunaga, Hagino, Baker and Koki.
- H.B. No. 2965, HD 1, SD 2:**
- Senators Ikeda, Chair; Iwase, Holt, Solomon and George.
- H.B. No. 2975, HD 1, SD 1:**
- Senators Grauly, Chair; Matsunaga, Baker, A. Kobayashi and Reed.
- H.B. No. 2981, HD 1, SD 1:**
- Senators Grauly, Chair; Matsunaga, Levin, Iwase and Reed.
- H.B. No. 2985, HD 1, SD 1:**
- Senators Grauly, Chair; Levin, Matsuura, A. Kobayashi and Koki.
- H.B. No. 2989, HD 1, SD 1:**
- Senators Grauly, Chair; Matsunaga, Baker, Levin and Reed.
- H.B. No. 2990, HD 2, SD 1:**
- Senators Ikeda, Chair; Hagino, Fernandes Salling, Fukunaga, Holt, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka and George.
- H.B. No. 3003, HD 1, SD 1:**
- Senators Ikeda, Chair; Hagino, Holt and Fernandes Salling.
- H.B. No. 3017, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3090, HD 1, SD 2:**
- Senators Ikeda, Chair; Hagino, Iwase, Holt and George.
- H.B. No. 3106, HD 4, SD 1:**
- Senators Ikeda, Chair; Iwase, Holt, McCartney and George.
- H.B. No. 3132, HD 1, SD 1:**
- Senators Ikeda, Chair; Hagino, Iwase, Holt and George.
- H.B. No. 3133, HD 2, SD 1:**
- Senators Ikeda, Chair; Grauly, Iwase, A. Kobayashi and Koki.
- H.B. No. 3134, HD 2, SD 2:**
- Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 3135, HD 1, SD 1:**
- Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 3137, SD 1:**
- Senators Grauly, Chair; Baker, A. Kobayashi, Levin and Koki.
- H.B. No. 3144, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3149, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3151, HD 1, SD 1:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3153, HD 2, SD 1:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3156, SD 2:**
- Senators Ikeda, Chair; Levin, Holt, Solomon and George.
- H.B. No. 3158, HD 2, SD 2:**

- Senators Ikeda, Chair; Levin, Holt, Solomon and George.
- H.B. No. 3159, SD 2:**
- Senators Grauly, Chair; Levin, Baker, A. Kobayashi and Koki.
- H.B. No. 3164, HD 2, SD 1:**
- Senators Ikeda, Chair; B. Kobayashi, Fukunaga, Holt and George.
- H.B. No. 3165, HD 2, SD 2:**
- Senators B. Kobayashi, Chair; Holt, Kanno and Koki.
- H.B. No. 3169, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3170, HD 2, SD 1:**
- Senators Iwase, Chair; Tanaka, Kanno, Holt and George.
- H.B. No. 3176, HD 2, SD 1:**
- Senators Ikeda, Chair; Iwase, Holt, McCartney and George.
- H.B. No. 3179, HD 1, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3180, SD 1:**
- Senators Kanno, Chair; Holt and Koki.
- H.B. No. 3190, HD 1, SD 1:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3191, HD 1, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3194, HD 2, SD 1:**
- Senators Ikeda, Chair; Hagino, Iwase, Holt and George.
- H.B. No. 3198, HD 1, SD 1:**
- Senators Ikeda, Chair; Tungpalan, Kanno, Solomon and Koki.
- H.B. No. 3199, HD 2, SD 2:**
- Senators Ikeda, Chair; Tungpalan, Kanno, Solomon and Koki.
- H.B. No. 3201, SD 1:**
- Senators Grauly, Chair; Levin, Baker, Iwase and Koki.
- H.B. No. 3209, HD 1, SD 1:**
- Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.
- H.B. No. 3210, HD 1, SD 1:**
- Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.
- H.B. No. 3211, HD 1, SD 1:**
- Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.
- H.B. No. 3212, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3253, SD 1:**
- Senators Chang, Chair; Grauly, Fukunaga and Reed.
- H.B. No. 3290, HD 1, SD 1:**
- Senators Grauly, Chair; Chang, Iwase, Baker and Koki.
- H.B. No. 3300, HD 1, SD 2:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3302, SD 1:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3303, HD 1, SD 2:**
- Senators Grauly, Chair; Holt, Iwase, Levin and Koki.
- H.B. No. 3306, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3307, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3309, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3310, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3321, SD 1:**
- Senators Levin, Chair; Nakasato, A. Kobayashi and Reed.
- H.B. No. 3323, SD 2:**
- Senators Ikeda, Chair; Levin, Holt, Solomon and George.
- H.B. No. 3324, HD 2, SD 2:**
- Senators Ikeda, Chair; B. Kobayashi, Chang, Solomon and George.
- H.B. No. 3326, HD 2, SD 1:**
- Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.
- H.B. No. 3327, HD 3, SD 2:**
- Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.
- H.B. No. 3329, SD 1:**

- Senators Ikeda, Chair; McCartney, Iwase, Fernandes Salling and Koki.
- H.B. No. 3333, HD 2, SD 2:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3383, HD 1, SD 1:**
- Senators Ikeda, Chair; Baker, Holt and George.
- H.B. No. 3400, HD 1, SD 1:**
- Senators McCartney, Chair; A. Kobayashi, Baker, Matsuura and Koki.
- H.B. No. 3416, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3425, HD 1, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3427, SD 1:**
- Senators Ikeda, Chair; Levin, Holt and George.
- H.B. No. 3428, HD 2, SD 1:**
- Senators Ikeda, Chair; Holt, Kanno and George.
- H.B. No. 3429, HD 1, SD 1:**
- Senators Holt, Chair; Kanno and Koki.
- H.B. No. 3430, HD 2, SD 2:**
- Senators Ikeda, Chair; Holt, Iwase, Kanno and Koki.
- H.B. No. 3431, SD 1:**
- Senators Ikeda, Chair; Holt, Kanno and Koki.
- H.B. No. 3432, HD 2, SD 1:**
- Senators Matsunaga, Chair; Matsuura, Hagino and Koki.
- H.B. No. 3433, HD 2, SD 1:**
- Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.
- H.B. No. 3440, HD 2, SD 2:**
- Senators Ikeda, Chair; Chang, Solomon and Tanaka.
- H.B. No. 3443, HD 1, SD 2:**
- Senators Ikeda, Chair; Kanno, Hagino, Holt and Koki.
- H.B. No. 3445, HD 2, SD 2:**
- Senators Ikeda, Chair; Iwase, Holt, McCartney and George.
- H.B. No. 3446, HD 2, SD 2:**
- Senators Ikeda, Chair; Hagino, Tungpalan, Tanaka and Koki.
- H.B. No. 3447, HD 1, SD 1:**
- Senators Ikeda, Chair; Tungpalan, McCartney, Baker and Koki.
- H.B. No. 3451, HD 2, SD 2:**
- Senators Ikeda, Chair; Matsunaga, Hagino and Baker.
- H.B. No. 3453, HD 2, SD 2:**
- Senators Ikeda, Chair; Holt, Iwase and Koki.
- H.B. No. 3456, HD 2, SD 2:**
- Senators Ikeda, Chair; B. Kobayashi, Chang, Solomon and George.
- H.B. No. 3458, HD 1, SD 2:**
- Senators Ikeda, Chair; B. Kobayashi, Chang, Solomon and George.
- H.B. No. 3461, HD 1, SD 1:**
- Senators Ikeda, Chair; Grauly, B. Kobayashi, Iwase and Koki.
- H.B. No. 3465, HD 2, SD 2:**
- Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 3466, HD 2, SD 1:**
- Senators Ikeda, Chair; Grauly, Iwase and Baker.
- H.B. No. 3470, HD 1, SD 1:**
- Senators Grauly, Chair; Matsunaga, Baker, A. Kobayashi and Koki.
- H.B. No. 3472, HD 1, SD 2:**
- Senators Ikeda, Chair; Kanno, Grauly, Holt and Koki.
- H.B. No. 3484, HD 2, SD 1:**
- Senators Ikeda, Chair; Holt, Iwase and Koki.
- H.B. No. 3491, HD 2, SD 2:**
- Senators Grauly, Chair; Baker, Fernandes Salling and A. Kobayashi.
- H.B. No. 3506, HD 2, SD 2:**
- Senators Ikeda, Chair; Grauly, Iwase, Baker and Koki.
- H.B. No. 3513, HD 3, SD 2:**
- Senators Ikeda, Chair; Fukunaga, Holt, Aki and George.
- H.B. No. 3520, HD 1, SD 1:**
- Senators Chang, Chair; Fukunaga and Reed.
- H.B. No. 3585, HD 1, SD 1:**
- Senators Ikeda, Chair; Matsunaga, Hagino, Baker and Koki.
- H.B. No. 3600, HD 1, SD 2:**
- Senators Ikeda, Chair; Baker, Holt, Solomon and George.

**H.B. No. 3602, HD 1, SD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 3607, HD 2, SD 2:**

Senators Ikeda, Chair; Matsunaga, Hagino, Baker and Koki.

**H.B. No. 3609, HD 2, SD 1:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 3625, SD 1:**

Senators Holt, Chair; Kanno and Koki.

**H.B. No. 3630, HD 3, SD 2:**

Senators Ikeda, Chair; Chang, Solomon, Tanaka and George.

**H.B. No. 3637, HD 1, SD 2:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**H.B. No. 3657, HD 2, SD 1:**

Senators Ikeda/McCartney, Co-Chairs; Holt, Solomon, Hagino, Iwase, Baker, Fernandes Salling and Koki.

**H.B. No. 3676, HD 1, SD 1:**

Senators Ikeda, Chair; B. Kobayashi, Holt, Solomon and George.

**H.B. No. 3742, SD 1:**

Senators Ikeda, Chair; McCartney, Iwase, Kanno and Koki.

**ORDER OF THE DAY**

**DEFERRED RESOLUTIONS**

The following Senate Concurrent Resolutions were disposed of as follows:

**S.C.R. Nos. Referred to:**

2 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce

3 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

7 Committee on Energy and Environmental Protection, then to the Committee on Finance

8 Committee on Energy and Environmental Protection, then to the Committee on Intergovernmental Relations and International Affairs

9 Committee on Energy and Environmental Protection, then to the Committee on Intergovernmental Relations and International Affairs

17 Jointly to the Committees on Water and Land Use Planning and Ocean Recreation and Marine Resources, then to the Committee on Finance

19 Jointly to the Committees on Water and Land Use Planning and Ocean Recreation and Marine Resources, then to the Committee on Finance

24 Jointly to the Committees on Human Services and Health, then to the Committee on Education

25 Committee on Energy and Environmental Protection, then to the Committee on Transportation

26 Committee on Hawaiian Affairs, then to the Committee on Judiciary

33 Committee on Transportation, then to the Committee on Finance

35 Committee on Finance

36 Committee on Finance

38 Committee on Consumer Protection and Commerce, then to the Committee on Finance

39 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce

40 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce

47 Committee on Economic Development and Business Concerns, then to the Committee on Education

50 Committee on Labor and Public Employment, then to the Committee on Finance

53 Committee on Energy and Environmental Protection, then to the Committee on Economic Development and Business Concerns

54 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance

55 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance

62 Committee on Energy and Environmental Protection, then to the Committee on Legislative Management

63 Committee on Ocean Recreation and Marine Resources, then to the Committee on Intergovernmental Relations and International Affairs

68 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management

70 Committee on Hawaiian Affairs, then to the Committee on Finance

76 Committee on Tourism, then to the Committee on Finance

82 Committee on Energy and Environmental Protection

83 Committee on Human Services, then to the Committee on Finance

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

- 86 Committee on Health, then to the Committee on Finance
- 87 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 89 Committee on Human Services, then to the Committee on Judiciary
- 92 Jointly to the Committees on Transportation and Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 95 Committee on Ocean Recreation and Marine Resources, then to the Committee on Higher Education
- 99 Jointly to the Committees on Health and Human Services
- 101 Committee on Energy and Environmental Protection, then to the Committee on Higher Education and the Arts
- 106 Committee on Housing, then to the Committee on Finance
- 108 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 111 Committee on Higher Education and the Arts
- 113 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 115 Committee on Energy and Environmental Protection, then to the Committee on Transportation
- 116 Committee on Water and Land Use Planning, then to the Committee on Finance
- 117 Jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection, then to the Committee on Finance
- 118 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 123 Committee on Hawaiian Affairs, then to the Committee on Finance
- 129 Committee on Legislative Management, then to the Committee on Finance
- 133 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 134 Committee on Tourism, then to the Committee on Finance
- 136 Jointly to the Committees on Water and Land Use Planning; Ocean Recreation and Marine Resources; and Energy and Environmental Protection, then to the Committee on Finance
- 138 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 140 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 148 Jointly to the Committees on Hawaiian Affairs and Education, then to the Committee on Finance
- 151 Jointly to the Committees on Judiciary and Consumer Protection and Commerce
- 152 Jointly to the Committees on Judiciary and Consumer Protection and Commerce
- 153 Committee on Intergovernmental Relations and International Affairs
- 156 Committee on Hawaiian Affairs, then to the Committee on Ocean Recreation and Marine Resources
- 157 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 158 Committee on Public Safety and Corrections, then to the Committee on Finance
- 160 Committee on Judiciary, then to the Committee on Finance
- 175 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce
- 176 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce
- 177 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 178 Jointly to the Committees on Hawaiian Affairs and Education, then to the Committee on Finance
- 180 Committee on Hawaiian Affairs, then to the Committee on Judiciary
- 181 Committee on Higher Education and the Arts
- 182 Committee on Tourism, then to the Committee on Finance
- 183 Committee on Energy and Environmental Protection
- 185 Jointly to the Committees on Health and Human Services, then to the Committee on Legislative Management
- 187 Jointly to the Committees on Tourism and Economic Development and Business Concerns, then to the Committee on Finance
- 190 Committee on Education, then to the Committee on Consumer Protection and Commerce
- 191 Committee on Consumer Protection and Commerce
- 195 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 197 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 198 Committee on Economic Development and Business Concerns, then jointly to the Committees on Education and Higher Education and the Arts
- 201 Committee on Health, then to the Committee on Legislative Management

- 202 Committee on Labor and Public Employment, then to the Committee on Legislative Management
- 206 Committee on Water and Land Use Planning, then to the Committee on Finance
- 208 Committee on Energy and Environmental Protection, then to the Committee on Intergovernmental Relations and International Affairs
- 210 Committee on Higher Education and the Arts, then to the Committee on Finance
- 216 Committee on Health, then to the Committee on Finance
- 219 Committee on Agriculture, then to the Committee on Finance
- 220 Committee on Ocean Recreation and Marine Resources, then to the Committee on Agriculture
- 221 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 223 Jointly to the Committees on Hawaiian Affairs and Education, then to the Committee on Finance
- 228 Committee on Health, then to the Committee on Finance
- 230 Committee on Water and Land Use Planning, then to the Committee on Finance
- 231 Committee on Tourism, then to the Committee on Finance
- 232 Committee on Transportation, then to the Committee on Higher Education and the Arts
- 233 Committee on Water and Land Use Planning, then to the Committee on Finance
- 238 Committee on Human Services, then to the Committee on Finance
- 240 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 242 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 243 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 244 Committee on Judiciary
- 246 Jointly to the Committees on Health and Human Services, then to the Committee on Finance
- 247 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 248 Committee on Tourism, then to the Committee on Legislative Management
- 250 Committee on Judiciary
- 251 Committee on Human Services, then to the Committee on Finance
- 252 Jointly to the Committees on Tourism and Economic Development and Business Concerns
- 253 Committee on Tourism, then to the Committee on Judiciary
- 256 Committee on Finance
- 257 Committee on Intergovernmental Relations and International Affairs
- 258 Committee on Judiciary, then to the Committee on Legislative Management
- 259 Committee on Labor and Public Employment, then to the Committee on Legislative Management
- 262 Committee on Judiciary
- 265 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 267 Committee on Education, then to the Committee on Finance
- 269 Committee on Energy and Environmental Protection, then to the Committee on Legislative Management
- 271 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 277 Committee on Water and Land Use Planning, then to the Committee on Finance
- 278 Committee on Transportation, then to the Committee on Finance
- 282 Committee on Transportation
- 283 Committee on Tourism, then to the Committee on Finance
- 285 Jointly to the Committees on Water and Land Use Planning and Energy and Environmental Protection

#### INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 420 and 421) were read by the Clerk and were disposed of as follows:

H.R. No. 420, entitled: "HOUSE RESOLUTION HONORING SEIICHI HIGASHIDE AND RODNEY T. WEST, M.D. FOR THEIR WORLD WAR II MEMOIRS," was offered by Representative Marumoto

Representative Marumoto moved that H.R. No. 420 be adopted, seconded by Representative Tanimoto.

Representative Marumoto rose to speak in favor of the resolution, stating:

"Mr. Speaker, it's really my privilege to be able to honor these two Hawaii authors that have both written about World War II. They're very different stories but very moving, and I hope you all have an opportunity to read these books.

"Mr. Seiichi Higashide wrote **Adios to Tears** and what many of us don't realize is that there were many Japanese in Central America and South America who were deported from their respective countries -- their motherlands really

-- when World War II broke out. Many of them were taken to the U.S. where they were put into internment camps, along with Japanese Americans, and there they had to wait out the war. Also, many of them were unable to return to their homes in Central and South America after the war, and so they made their home again in the U.S., the second motherland.

"This is what Mr. Higashide did and his account is very moving of how he was joined by his family and how they eventually made their way to Hawaii, and they found a paradise here, and this was their third home. We're very happy to have them here today.

"Dr. West's account of how Hawaii prepared for World War II is very interesting and a very little known account about people and leaders and institutions here in Hawaii that were prepared for the attack on Pearl Harbor for up to a year before it was really well accepted here and on the mainland. But he talks about organizations such as the Red Cross and the Chamber of Commerce, the HSPA and the plantations, and the Police Department, and the Blood Bank ... many of these organizations that we still deal with today and how they, through the leadership of exceptional people, did gear up for the probability that there would be war with Japan.

"Interestingly enough, the only organization that didn't fare too well in his account was the Legislature, and he says, 'especially the House of Representatives.' 'The only real roadblock' -- and I am quoting from his book now -- 'was the bickering and delaying actions of our politicians in the Legislature (especially the House); our representatives didn't seem to understand the strained political situation in the Pacific and the urgent financial needs, and thus failed to pass the needed M-Day bill during the first session.' This was a readiness bill. However, the Legislature finally did come through and passed it at a Special Session in the fall of 1941.

"But, thank you for your book. It's an interesting sidelight on our history of Dr. West. He's a very interesting man. He was a Naval surgeon at the time. He is a local boy, born on Maui, graduated from Punahou and Northwestern. He is very active at the Cancer Center and the Rotary, Unity Church, Better Business Bureau. He was the President of the Hawaii Medical Association and has been active in the Chamber of Commerce and the Salvation Army, truly a worthy citizen and interesting man, and I hope you get to know him.

"At this time, I would like to ask them to rise to be recognized."

Mr. Seiichi Higashide and Dr. Rodney West, who were seated on the House floor, rose to be recognized.

Representative Marumoto then introduced Mrs. Angelica Higashide, wife of Seiichi; his daughter, Elsa Kudo, a realtor, and her husband, Eigo Kudo, "who is recently retired but was a partner of my husband"; and Richard Coons, "my husband," who were seated in the gallery, and asked them to stand to be recognized.

The motion was put by the Chair and carried, and H.R. No. 420 was adopted.

Representatives Marumoto and Tanimoto then presented the honorees with Certificates of Recognition while Representatives Ishii-Morikami and Young presented them with floral leis.

H.R. No. 421, entitled: "HOUSE RESOLUTION COMMENDING MARIELLEN BYRNE, DIRECTOR OF THE COMMUNITY CLEARINGHOUSE FOR HER

DEDICATION TO THE BETTERMENT OF THE SOCIAL AND ECONOMIC CONDITIONS OF THE NEEDY AND HOMELESS PERSONS," was jointly offered by Representatives Arakaki, Chun, Amaral, Cachola, Chumbley, Duldulao, D. Ige, Kanoho, Kawakami, Lee, Nakasone, Nekoba, Okamura, Oshiro, Pepper, Santiago, Suzuki, Thielen, White and Young.

Representative Arakaki moved that H.R. No. 421 be adopted, seconded by Representative Chun.

Representative Arakaki rose to speak in favor of the resolution, stating:

"Mr. Speaker and colleagues, aloha.

"Mr. Speaker, the week of April 17th to 23rd is designated National Volunteer Week where we pay tribute to the one hundred million men, women and young people who give their time, talents, and resources to charitable organizations, so it is fitting today that we acknowledge a program that serves thousands of needy families through the efforts of 250 volunteers, working a total of 33,930 volunteer hours throughout the year.

"From January to December, 1993, The Community Clearinghouse collected an estimated \$6.6-million in food, material goods or monetary assistance. The number of donors contributing to The Community Clearinghouse was 14,045. I am proud to say that I and many of our colleagues here today were part of that number.

"It hasn't taken me long, Mr. Speaker, to realize that we, in the Legislature, cannot be all things to all people, or that we can meet all the various demanding and deserving needs of people. I can also speak to my colleague, Representative Chun, that it certainly is not from the lack of trying, but it is during times of economic downturn, like what Hawaii is experiencing now, that we truly appreciate volunteer organizations like Hawaii Lawyers' Care who we honored last week, the Hawaii Foodbank which we contributed food and money last weekend, and The Community Clearinghouse today. Organizations like these and many others in our community are the mirrors that reflect and reveal the soul of Hawaii and its people. It is the spirit and soul of aloha that makes Hawaii's people the most givingest in the country, and makes Hawaii such a special place. Whether it be an abused child, a family losing their home to fire, a hurricane, or someone with a life-threatening condition, members of our media need only to tell the story to make a simple plea and the people of Hawaii are sure to respond. In many respects, Hawaii still remains a close-knit community, a community of friends, relatives and neighbors who still know how to share each other's sorrows and joys, wealth and poverty. And as individuals, we may not have a lot to contribute but as we each contribute our small patch to the quilt work, we can count on agencies like The Community Clearinghouse to weave a quilted blanket that will cover and protect our neediest families and individuals.

"Today, we honor such a special person who is a weaver of that quilt of aloha. She exemplifies that indomitable spirit and commitment needed to operate such a service year-round, but especially at Christmastime, to connect those with the need to those who want to help meet those needs. Imagine, if you will, a switchboard operator trying to connect 14,000 donors with 10,000 requests. Talk about efficiency. The total cost of operations for The Clearinghouse was only 1.2 percent of the total 6.67 million distributed. So she may not wear a costume, but she certainly is a super hero as far as many of Hawaii's families are concerned.

"Mr. Speaker and colleagues, it is my pleasure today to introduce to you the Director of The Community Clearinghouse, Ms. Mariellen Byrne-Jones."

Ms. Mariellen Byrne-Jones, who was seated on the House floor, rose to be recognized.

Accompanying the honoree on the House floor were Charles Wohltke, Executive Director, Helping Hands Hawaii, "which is an administrative agency for The Clearinghouse"; Miss Leslie Wilcox, morning news anchor and producer of KHON Channel 2 morning news, and "she also coordinates the Lokahi Tree"; Hildegaard Verploegen, Kokua Line writer, and writer for the Good Neighbor Fund for the **Star-Bulletin**; and Jerry Burris, editorial page editor for the **Advertiser** and representing the **Advertiser** Christmas Fund.

Representative Arakaki continued:

"Also, I want to mention that the I-94 FM Radio is also a participant in this effort, so thank you very much all of you.

"Thank you, Mr. Speaker."

Representative Pepper then rose and stated:

"I, too, want to honor the volunteers of this community. They are truly the unsung heroes of the community.

"I wanted to say a personal word to Chuck Wohltke who I have worked with for many years, and the people do not understand the true commitment of this man to human services and the efforts that he has made both with the Executive Branch of government and with the private sector to keep things going in difficult times.

"Thank you, Chuck."

Representative Chun then rose and stated:

"I also would like to share some words in support of this resolution and to honor Mariellen and everyone here. I know all of you have a very big heart and you're exemplary of many other people in our community, and we just want to thank you. Your efforts mean so much to the families and mean so much to ourselves. Oftentimes when we are here at the Legislature, we know we don't have enough funding but it inspires us when volunteers and people in these efforts really give from the heart and the communities.

"So thank you very much, and I know the media has been increasing their efforts in the area of human services and health humanities, and I appreciate what you do for the community as well.

"Thank you."

Representative Isbell then rose and stated:

"I would like to, at this moment, just give a few comments about Hildegaard. The first time I ever met her, I recognized her last name as something familiar to me. Verploegen is not a common name but in a little town in Montana, there is a family and so I asked her if she was related. So this lady is from the same state that I am from and I've known her for many years, and I've watched you and have admired all your work, and I just want to congratulate you for this.

"Thank you very much."

Representative Alcon then rose to speak in support of the resolution, stating:

"I would like to thank the volunteers and Mariellen Byrne-Jones for the good work that she has done, but I would particularly like to say 'thank you' to Reverend Chuck Wohltke because of the fact that way back in 1969, Mr. Speaker, Reverend Wohltke had helped me to establish the first Child Abuse Center and we were talking a while ago and the Center is still going on, so thank you very much."

Representative Yonamine then rose and stated:

"Now we're going back into history so I better say something about Chuck Wohltke too.

"First, I want to commend you, Ms. Byrne-Jones, but I remember Chuck Wohltke when he was the Director of the VIRS -- Volunteer Information Referral Service -- and in particular, in the 1970s when you had to start this whole program and remember, you had an appeal to all of the agencies and people in the community to get this whole program started. Out of that came a real significant program, so I commend you for that.

"In addition, Mr. Speaker, Chuck Wohltke's agency remains the most comprehensive agency to train, recruit and place volunteers, and he has done a considerably good job with the many thousands of volunteers that he has worked with over the years. So I congratulate you. He is a real veteran. In fact, I just saw him last night at the Glenn Miller Band Concert so he goes back that far, I guess.

"And also to Ms. Hildegaard Verploegen for being thoroughly professional, very compassionate, and a good writer covering the Board of Education meetings, as well as the other good programs that we've had in the public schools, and you just did a good job. For someone coming from the Big Sky country, she did a real nice job.

"So, congratulations to all of the members of the media for the help you have given them. We really appreciate your help, and congratulations again.

"Thank you."

Representative Young then rose and stated:

"I'd also like to add my congratulations to The Community Clearinghouse, Mariellen Byrne-Jones, to Chuck, and to all the members of the media here, and I would especially like to point out the work of Leslie Wilcox. I've known her for several years now and she has volunteered. . . you sometimes wonder when she goes to sleep. I think this must be her sleep time because she's up very early in the morning for her show, and also is at community events in the evening and volunteering as Mistress of Ceremonies, or head anyway of these community events that we have. She has always volunteered her time for some worthy cause, and I would like to commend her on all her volunteer work and her public service commercials that she has done.

"As far as Jerry Burris, we have to worry a little bit. He has a book on his lap called, '**Land Loved and Lost in Hawaii.**' I remember what that means so why don't you enter that into the Journal and congratulate the **Advertiser** for their good work in participating in this.

"Thank you all of you."

The motion was put by the Chair and carried, and H.R. No. 421 was adopted.

At this time, Representative Arakaki presented a Certificate of Recognition to Mariellen Byrne-Jones while floral leis were presented to the honored guests by Representatives Chun, Santiago, Lee, Isbell and Ihara.

At 12:13 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:45 o'clock p.m., Representative Isbell was permitted a late introduction and she introduced members of the Kona/Kohala Chamber of Commerce, as follows: Barbara Uechi, Lynne McIntosh, Gus Ogasawara, Carl Simons, and Marnie Herkes, wife of Representative Herkes.

#### STANDING COMMITTEE REPORT

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1784-94) recommending that H.R. No. 162, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 162, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A PERMITTING AND EXTENSION SERVICE PROGRAM FOR HAWAIIAN FISHPONDS, OR 'LOKO I'A'," was referred to the Committee on Finance.

#### HOUSE COMMUNICATION

A communication informing the Governor of the final form of a proposed constitutional amendment to H.B. No. 3657, HD 2, SD 1, as agreed upon by the appointed Conference managers on the part of the House and Senate on April 18, 1994, was read by the Clerk and was placed on file.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m.

#### SUSPENSION OF RULES

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

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

**H.B. No. 2274, SD 1:**

By unanimous consent, action was deferred one day.

**H.B. No. 2949, SD 1:**

Representative Ihara moved that the House agree to the amendments proposed by the Senate to H.B. No. 2949, and H.B. No. 2949, SD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose and stated:

"Mr. Speaker, I'm rising to speak in support of the bill which will designate the first Sunday in October of each year as 'Children's Day,' and the following week as 'Children's Week.' Actually, I think this is a good idea to show recognition to the children of our State.

"However, I did want to note, Mr. Speaker, as a mother of four children, I've always considered every day out of the year as Children's Day with the exception of one day a year which is Mother's Day.

"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. 2949, and H.B. No. 2949, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading by a vote of 43 ayes, with Representatives Apo, Cachola, Chang, Hirono, Kanoho, Peters, Tajiri and White being excused.

The Chair directed the Clerk to note that H.B. No. 2949 had passed Final Reading at 12:51 o'clock p.m.

#### APPOINTMENT OF CONFEREES

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

**S.B. No. 256, SD 2, HD 2:**

Representatives Kawakami/Yonamine/Tom, Co-Chairs; Amaral and Thielen.

**S.B. No. 299, SD 1, HD 1:**

Representatives Yonamine/Kawakami, Co-Chairs; Nakasone, Suzuki and Marumoto.

**S.B. No. 475, SD 2, HD 2:**

Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Ward.

**S.B. No. 529, SD 1, HD 2:**

Representatives Oshiro/Taniguchi/Say, Co-Chairs; Suzuki and Ward.

**S.B. No. 556, SD 1, HD 1:**

Representatives Tom, Chair; Herkes, Ishii-Morikami, White and Thielen.

**S.B. No. 576, HD 1:**

Representatives Say, Chair; Alcon, Pepper, Santiago and Ward.

**S.B. No. 905, SD 1, HD 2:**

Representatives Oshiro/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.

**S.B. No. 1249, SD 1, HD 3:**

Representatives Duldulao/Bunda/Say, Co-Chairs; Ishii-Morikami and Thielen.

**S.B. No. 1424, SD 1, HD 2;**

Representatives Yonamine/Tom, Co-Chairs; Suzuki, White and Ward.

**S.B. No. 1555, SD 2, HD 2:**

Representatives Yonamine/Say, Co-Chairs; Kawakami, Suzuki and Ward.

**S.B. No. 1586, SD 2, HD 1:**

Representatives Bainum/Say, Co-Chairs; Hiraki, Morihara and Thielen.

**S.B. No. 1605, SD 1, HD 1:**

Representatives Tom, Chair; Amaral, White and Thielen.

**S.B. No. 1627, SD 1, HD 1:**

Representatives Lee/Say, Co-Chairs; Kanoho, Shon and Tanimoto.

**S.B. No. 1628, SD 2, HD 1:**

Representatives Say, Chair; Nekoba, Pepper, Santiago and Ward.

**S.B. No. 1777, SD 2, HD 1:**

Representatives Say, Co-Chair; Nekoba, Pepper, Suzuki and Marumoto.

**S.B. No. 1803, SD 1, HD 1:**

Representatives Tom, Chair; Amaral, Herkes, White and Thielen.

**S.B. No. 2020, SD 2, HD 3:**

Representatives Lee/Takamine/Say, Co-Chairs; Apo and Tanimoto.

**S.B. No. 2083, SD 1, HD 1:**

Representatives Duldulao/Say, Co-Chairs; Pepper, Nekoba and Tanimoto.

**S.B. No. 2098, SD 1, HD 1:**

Representatives Yonamine/Say, Co-Chairs; Suzuki, Takumi and Ward.

**S.B. No. 2141, SD 2, HD 2:**

Representatives Chun/Say, Co-Chairs; Arakaki, Santiago and Tanimoto.

**S.B. No. 2161, HD 2:**

Representatives Bainum/Say, Co-Chairs; Hirono, Nekoba and Marumoto.

**S.B. No. 2162, SD 1, HD 2:**

Representatives Bainum/Say, Co-Chairs; Hiraki and Thielen.

**S.B. No. 2164, SD 1, HD 3:**

Representatives Yonamine/Bunda/Say, Co-Chairs; Nakasone and Ward.

**S.B. No. 2170, SD 2, HD 3:**

Representatives Bainum/Tom/Say, Co-Chairs; Herkes and Thielen.

**S.B. No. 2172, SD 2, HD 2:**

Representatives Stegmaier/Say, Co-Chairs; Morihara, Nekoba and Marumoto.

**S.B. No. 2180, SD 1, HD 2:**

Representatives Bainum/Bunda, Co-Chairs; Hiraki, Ishii-Morikami and Thielen.

**S.B. No. 2182, SD 1, HD 1:**

Representatives Tom, Chair; Herkes, Ishii-Morikami, White and Thielen.

**S.B. No. 2183, HD 1:**

Representatives Tom, Chair; Herkes, Ishii-Morikami, White and Thielen.

**S.B. No. 2198, HD 1:**

Representatives Taniguchi/Tom, Co-Chairs; Oshiro, Takumi and Ward.

**S.B. No. 2249, HD 1:**

Representatives Say, Chair; Chang, Kawakami, Morihara and Ward.

**S.B. No. 2261, SD 2, HD 3:**

Representatives Arakaki/Say, Co-Chairs; Apo, Beirne and Tanimoto.

**S.B. No. 2262, SD 2, HD 3:**

Representatives Arakaki/Tom/Say, Co-Chairs; Apo and Tanimoto.

**S.B. No. 2272, SD 1, HD 2:**

Representatives Takamine/Herkes/Say, Co-Chairs; Morihara and Thielen.

**S.B. No. 2288, HD 1:**

Representatives Chun/Isbell/Bunda/Tom, Co-Chairs; and Tanimoto.

**S.B. No. 2294, SD 2, HD 1:**

Representatives Tom/Say, Co-Chairs; Amaral, Tam and Thielen.

**S.B. No. 2366, HD 1:**

Representatives Say, Chair; Kawakami, Nakasone, Tajiri and Marumoto.

**S.B. No. 2377, SD 2, HD 3:**

Representatives Chun/Bunda/Tom/Say, Co-Chairs; Hirono, Santiago and Tanimoto.

**S.B. No. 2378, HD 1:**

Representatives Say, Chair; Kawakami, Alcon, Chang, Kanoho, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.

**S.B. No. 2393, SD 1, HD 1:**

- Representatives Tom, Chair; Herkes, Menor, White and Thielen.
- S.B. No. 2402, HD 1:**
- Representatives Oshiro/Taniguchi, Co-Chairs; Nakasone, Shon and Ward.
- S.B. No. 2434, SD 1, HD 1:**
- Representatives Menor/Say, Co-Chairs; Herkes, Tam and Thielen.
- S.B. No. 2515, HD 1:**
- Representatives Tom, Chair; Herkes, Ishii-Morikami, White and Thielen.
- S.B. No. 2544, SD 1, HD 2:**
- Representatives Yonamine/Say, Co-Chairs; Chang, Suzuki and Marumoto.
- S.B. No. 2563, HD 1:**
- Representatives Yonamine/Tom, Co-Chairs; Takumi, Taniguchi and Ward.
- S.B. No. 2591, HD 1:**
- Representatives Say, Chair; Kawakami, Alcon, Chang, Kanohe, Morihara, Nakasone, Nekoba, Pepper, Santiago, Suzuki, Tajiri, Tam, Marumoto and Ward.
- S.B. No. 2596, HD 2:**
- Representatives Cachola/Say, Co-Chairs; Chang, Stegmaier and Marumoto.
- S.B. No. 2605, SD 1, HD 1:**
- Representatives Bunda, Chair; Cachola, Herkes, Ishii-Morikami and Thielen.
- S.B. No. 2607, SD 1, HD 1:**
- Representatives Bunda/Say, Co-Chairs; Ishii-Morikami, Kawakami and Thielen.
- S.B. No. 2615, SD 2, HD 2:**
- Representatives Duldulao/Say, Co-Chairs; Kawakami, Pepper and Tanimoto.
- S.B. No. 2620, SD 2, HD 1:**
- Representatives Tom/Say, Co-Chairs; Oshiro, Tajiri and Marumoto.
- S.B. No. 2623, SD 2, HD 1:**
- Representatives Lee/Kawakami, Co-Chairs; Alcon, M. Ige and Tanimoto.
- S.B. No. 2630, SD 2, HD 1:**
- Representatives Yonamine/Tom, Co-Chairs; Takumi, Taniguchi and Ward.
- S.B. No. 2648, SD 1, HD 2:**
- Representatives Lee/Tom/Say, Co-Chairs; Chumbley and Marumoto.
- S.B. No. 2653, SD 1, HD 1:**
- Representatives Say, Chair; Chang, Kawakami, Nakasone and Marumoto.
- S.B. No. 2661, HD 1:**
- Representatives Cachola/Say, Co-Chairs; Chang, Chumbley and Marumoto.
- S.B. No. 2663, SD 2, HD 2:**
- Representatives Cachola/Tom, Co-Chairs; Ishii-Morikami, White and Marumoto.
- S.B. No. 2695, SD 2, HD 2:**
- Representatives Takamine/Kawakami, Co-Chairs; Beirne, Nekoba and Thielen.
- S.B. No. 2715, SD 1, HD 2:**
- Representatives D. Ige/Say, Co-Chairs; M. Ige, Takumi and Tanimoto.
- S.B. No. 2722, SD 1, HD 1:**
- Representatives Bunda, Chair; Ishii-Morikami and Thielen.
- S.B. No. 2724, SD 1, HD 2:**
- Representatives Chun/Tom/Say, Co-Chairs; Arakaki and Tanimoto.
- S.B. No. 2728, SD 2, HD 2:**
- Representatives M. Ige/Say, Co-Chairs; Chang, Chumbley and Marumoto.
- S.B. No. 2734, SD 2, HD 3:**
- Representatives Chun/Tom/Say, Co-Chairs; White and Ward.
- S.B. No. 2751, SD 2, HD 2:**
- Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- S.B. No. 2752, SD 2, HD 2:**
- Representatives Tom/Say, Co-Chairs; Takamine, Tam and Thielen.
- S.B. No. 2753, SD 1, HD 1:**
- Representatives Bunda/Kawakami, Co-Chairs; Ishii-Morikami, Tajiri and Ward.
- S.B. No. 2755, SD 2, HD 2:**
- Representatives Stegmaier/Kawakami, Co-Chairs; Alcon, D. Ige and Ward.
- S.B. No. 2781, SD 1, HD 2:**
- Representatives Tom/Say, Co-Chairs; Nakasone, White and Marumoto.
- S.B. No. 2787, HD 2:**
- Representatives Nakasone/Bunda/Tom, Co-Chairs; Hiraki and Thielen.
- S.B. No. 2828, SD 1, HD 2:**

- Representatives Tom/Say, Co-Chairs; Amaral, Morihara and Thielen.
- S.B. No. 2829, SD 1, HD 1:**  
Representatives Tom, Chair; White and Thielen.
- S.B. No. 2834, SD 1, HD 1:**  
Representatives Duldulao/Say, Co-Chairs; Chun, Pepper and Tanimoto.
- S.B. No. 2837, SD 1, HD 2:**  
Representatives D. Ige/Lee/Takamine, Co-Chairs; Apo and Tanimoto.
- S.B. No. 2863, SD 1, HD 1:**  
Representatives Bainum/Say, Co-Chairs; Herkes, Morihara and Marumoto.
- S.B. No. 2875, SD 1, HD 2:**  
Representatives Duldulao/Say, Co-Chairs; Chun, Pepper and Ward.
- S.B. No. 2889, SD 1, HD 1:**  
Representatives Tom/Bunda/Say, Co-Chairs; Hirono and Marumoto.
- S.B. No. 2891, SD 1, HD 1:**  
Representatives Say, Chair; Kanoho, Kawakami, Tajiri and Marumoto.
- S.B. No. 2908, SD 1, HD 2:**  
Representatives Duldulao/Chun/Say, Co-Chairs; Isbell and Tanimoto.
- S.B. No. 2913, SD 1, HD 1:**  
Representatives Say, Chair; Chang, Kanoho, Morihara and Marumoto.
- S.B. No. 2921, SD 2, HD 1:**  
Representatives Takamine/Say, Co-Chairs; Beirne, Kawakami and Marumoto.
- S.B. No. 2924, SD 1, HD 2:**  
Representatives Takamine/Say, Co-Chairs; Beirne, Kawakami and Marumoto.
- S.B. No. 2925, SD 2, HD 1:**  
Representatives Taniguchi/Say, Co-Chairs; Nakasone, Takumi and Ward.
- S.B. No. 2946, SD 1, HD 2:**  
Representatives Duldulao/Tom/Kawakami, Co-Chairs; Pepper, Santiago and Marumoto.
- S.B. No. 2949, SD 1, HD 1:**  
Representatives Tom, Chair; Amaral, Ishii-Morikami and Thielen.
- S.B. No. 2954, SD 1, HD 2:**  
Representatives Takamine/Tom/Say, Co-Chairs; Beirne and Thielen.
- S.B. No. 2956, SD 1, HD 3:**  
Representatives M. Ige/Bainum/Tom, Co-Chairs; Chumbley and Marumoto.
- S.B. No. 2964, HD 1:**  
Representatives Say, Chair; Alcon, Suzuki, Tam and Marumoto.
- S.B. No. 2965, HD 1:**  
Representatives Say, Chair; Chang and Marumoto.
- S.B. No. 2979, HD 1:**  
Representatives Lee/D. Ige/Kawakami, Co-Chairs; Stegmaier and Marumoto.
- S.B. No. 3009, SD 2, HD 2:**  
Representatives Duldulao/Kawakami, Co-Chairs; Pepper, Isbell and Tanimoto.
- S.B. No. 3010, SD 2, HD 2:**  
Representatives Duldulao/Say, Co-Chairs; Chang, Morihara and Tanimoto.
- S.B. No. 3012, SD 2, HD 2:**  
Representatives Arakaki/Takumi/Say, Co-Chairs; Beirne and Tanimoto.
- S.B. No. 3015, SD 2, HD 1:**  
Representatives Menor/Say, Co-Chairs; Amaral, Tam and Ward.
- S.B. No. 3024, SD 1, HD 2:**  
Representatives Tom/Kawakami, Co-Chairs; White, Santiago and Thielen.
- S.B. No. 3031, SD 2, HD 3:**  
Representatives Chun/Duldulao/Bunda/Say, Co-Chairs; and Tanimoto.
- S.B. No. 3036, SD 2, HD 3:**  
Representatives Duldulao/Bunda/Tom/Say, Co-Chairs; and Ward.
- S.B. No. 3044, SD 1, HD 1:**  
Representatives Say, Chair; Alcon and Ward.
- S.B. No. 3045, SD 2, HD 2:**  
Representatives M. Ige/Say, Co-Chairs; Chang, Chumbley and Marumoto.
- S.B. No. 3068, SD 2, HD 2:**  
Representatives Hiraki/Arakaki/Tom/Tajiri, Co-Chairs; and Ward.
- S.B. No. 3075, SD 1, HD 3:**  
Representatives Yonamine/Bunda/Say, Co-Chairs; Hirono and Ward.
- S.B. No. 3082, SD 2, HD 2:**

Representatives Isbell/Chun/Say, Co-Chairs; Peters and Tanimoto.

**S.B. No. 3096, SD 1, HD 1:**

Representatives Bunda/Tom, Co-Chairs; Amaral, Ishii-Morikami and Thielen.

**S.B. No. 3133, SD 1, HD 1:**

Representatives Bunda, Chair; Hirono, Ishii-Morihara, Oshiro and Thielen.

**S.B. No. 3140, SD 2, HD 2:**

Representatives Tom/Say, Co-Chairs; Amaral, Tajiri and Thielen.

**S.B. No. 3161, SD 2, HD 2:**

Representatives M. Ige/Takamine/Say, Co-Chairs; Chumbley and Marumoto.

**S.B. No. 3179, SD 2, HD 1:**

Representatives Yonamine/Say, Co-Chairs; Nakasone, Kanoho and Ward.

**S.B. No. 3180, SD 1, HD 2:**

Representatives Bainum/Herkes, Co-Chairs; Takamine, Ishii-Morikami and Thielen.

**S.B. No. 3190, SD 2, HD 2:**

Representatives Yonamine/Say, Co-Chairs; Suzuki, Nakasone and Ward.

**S.B. No. 3249, SD 1, HD 2:**

Representatives Lee/Bunda/Tom/Say, Co-Chairs; and Tanimoto.

**S.B. No. 3253, SD 1, HD 1:**

Representatives Lee/Kawakami, Co-Chairs; Hagino, Santiago and Marumoto.

**S.B. No. 3254, SD 1, HD 1:**

Representatives Lee/Kawakami, Co-Chairs; Alcon, Shon and Ward.

**S.B. No. 3292, SD 1, HD 3:**

Representatives Oshiro/Bunda/Say, Co-Chairs; Shon and Ward.

**S.B. No. 3302, SD 1, HD 1:**

Representatives Bunda, Chair; Cachola, Ishii-Morikami, Menor and Thielen.

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

Representatives Bainum/Tom/Say, Co-Chairs; Hirono and Thielen.

**S.B. No. 3307, SD 2, HD 1:**

Representatives Say, Chair; Chang, Kawakami, Nakasone and Ward.

**S.B. No. 3309, SD 2, HD 3:**

Representatives Takamine/M. Ige/Say, Co-Chairs; Chang and Marumoto.

**S.B. No. 3310, SD 2, HD 3:**

Representatives Takamine/M. Ige/Say, Co-Chairs; Chang and Marumoto.

**S.B. No. 3315, SD 2, HD 2:**

Representatives Bunda/Tom/Say, Co-Chairs; Hirono and Marumoto.

**S.B. No. 3322, SD 1, HD 2:**

Representatives Oshiro/Bunda, Co-Chairs; Ishii-Morikami, Nakasone and Ward.

**APPOINTMENT AND DISCHARGE  
OF CONFEREES**

**H.B. No. 2515, HD 1, SD 2:**

Representative Santiago was added as a conferee to H.B. No. 2515, HD 1, SD 2.

**H.B. No. 2965, HD 1, SD 2:**

Representative Beirne was added as a conferee to H.B. No. 2965, HD 1, SD 2.

**H.B. No. 3106, HD 4, SD 1:**

Representative Beirne was added as a conferee to H.B. No. 3106, HD 4, SD 1.

**H.B. No. 3153, HD 2, SD 1:**

Representative Beirne was added as a conferee to H.B. No. 3153, HD 2, SD 1.

**H.B. No. 3179, HD 1, SD 2:**

Representative Shon was discharged as a conferee on H.B. No. 3179, HD 1, SD 2.

**H.B. No. 3333, HD 2, SD 2:**

Representative Beirne was added as a conferee on H.B. No. 3333, HD 2, SD 2.

**H.B. No. 3433, HD 2, SD 1:**

Representative Beirne was added as a conferee on H.B. No. 3433, HD 2, SD 1.

**H.B. No. 3446, HD 2, SD 2:**

Representative Beirne was added as a conferee on H.B. No. 3446, HD 2, SD 2.

**H.B. No. 3630, HD 3, SD 2:**

Representative Apo was added as a conferee on H.B. No. 3630, HD 3, SD 2.

**ANNOUNCEMENTS**

At this time, Representative Okamura, on behalf of the members of the House, wished Representative Ihara a 'Happy Birthday.'

Representative D. Ige asked the conferees on H.B. No. 3657 to stop by his desk after session adjourns for update on conference schedule.

Representative D. Ige then invited all members of the House and staff for Daves' Day at the Capitol from 2:00 to 3:00 p.m. this afternoon.

Representative Tom: "We are having conferences this afternoon on numerous bills at 2:00 p.m. in Conference Room 802."

Representative Stegmaier: "The Senate/House Committee on Economic Development will have an informational briefing on the Maui super computer."

#### **ADJOURNMENT**

At 12:54 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Wednesday, April 20, 1994.

## FIFTY-SECOND DAY

**Wednesday, April 20, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Jon Bullock, Interim Director, Hawaii Council of Churches, after which the Roll was called showing all members present with the exception of Representatives Hagino, Hirono, Peters, Shon, Takamine, Tam, Taniguchi, Tanimoto, Ward and Young, who were excused.

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

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 689 to 705) were read by the Clerk and were placed on file:

Sen. Com. No. 689, informing the House that the President has, on April 19, 1994, 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. 789, HD 1, SD 2:**

Senators Graulty, Chair; Fernandes Salling, Levin, A. Kobayashi and Koki.

**H.B. No. 2177, HD 2, SD 1:**

Senators Hagino/Iwase, Co-Chairs; Kanno, Tanaka, Tungpalan and Reed.

**H.B. No. 2308, HD 1, SD 1:**

Senators Ikeda/Graulty, Co-Chairs; Iwase, A. Kobayashi, Baker and Koki.

**H.B. No. 2386, HD 1, SD 1:**

Senators Ikeda/Holt, Co-Chairs; and Kanno.

**H.B. No. 2639, HD 1, SD 2:**

Senators Ikeda/Chang, Co-Chairs; Fukunaga, Levin, Solomon, Tanaka and George.

**H.B. No. 2928, HD 1, SD 1:**

Senators Ikeda/Holt/Kanno, Co-Chairs; and George.

**H.B. No. 3160, HD 2, SD 1:**

Senators Ikeda/Levin, Co-Chairs; Nakasato, Holt, Solomon and Reed.

**H.B. No. 3195, SD 1:**

Senators Fernandes Salling, Chair; Baker, Tanaka and George.

**H.B. No. 3255, HD 2, SD 1:**

Senators Fernandes Salling, Chair; Matsunaga, Baker, Tanaka and George.

**H.B. No. 3258, HD 1, SD 1:**

Senators Ikeda/Holt, Co-Chairs; Kanno and George.

**H.B. No. 3426, HD 1, SD 1:**

Senators Ikeda/Holt, Co-Chairs; Kanno and George.

**H.B. No. 3428, HD 2, SD 1:**

Senators Ikeda/Holt/Kanno, Co-Chairs; and Koki.

Sen. Com. No. 690, informing the House that the President has, on April 19, 1994, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills:

**S.B. No. 413, HD 1:**

Senators Graulty, Chair; A. Kobayashi, Iwase, Baker, Matsuura and Koki.

**S.B. No. 495, SD 1, HD 1:**

Senators Graulty, Chair; Baker, A. Kobayashi and Koki.

Sen. Com. No. 691, informing the House that the President has, on April 19, 1994, discharged Senator Levin and has added Senator Bertrand Kobayashi as an additional member on the part of the Senate at the conference on Senate Bill No. 2083, SD 1, HD 1.

Sen. Com. No. 692, informing the House that the President has, on April 19, 1994, discharged Senator Koki and has added Senator George as an additional member on the part of the Senate at the conference on Senate Bill No. 3309, SD 2, HD 3.

Sen. Com. No. 693, informing the House that the President has, on April 19, 1994, discharged Senator George and has added Senator Koki as an additional member on the part of the Senate at the conference on Senate Bill No. 3075, SD 1, HD 3.

Sen. Com. No. 694, informing the House that the President has, on April 19, 1994, discharged Senator Tanaka as a member on the conference of Senate Bill No. 1628, SD 2, HD 1.

Sen. Com. No. 695, informing the House that the President has, on April 19, 1994, discharged Senator Koki as a member on the conference of House Bill No. 3165, HD 2, SD 2.

Sen. Com. No. 696, informing the House that the President has, on April 19, 1994, discharged Senators B. Kobayashi, Holt, Solomon and George, and has added Senators Graulty, Iwase, Baker and Koki as additional members on the part of the Senate at the conference on House Bill No. 2221, HD 2, SD 2.

Sen. Com. No. 697, informing the House that the President has, on April 19, 1994, added Senator Reed as an additional member on the part of the Senate at the conference on House Bill No. 1663, SD 2.

Sen. Com. No. 698, informing the House that the President has, on April 19, 1994, added Senator Reed as an additional member on the part of the Senate at the conference on House Bill No. 3440, HD 2, SD 2.

Sen. Com. No. 699, informing the House that the President has, on April 19, 1994, discharged Senator Koki and has added Senator Iwase as an additional member on the part of the Senate at the conference on House Bill No. 1733, HD 1, SD 1.

Sen. Com. No. 700, informing the House that the President has, on April 19, 1994, discharged Senator Koki and has added Senator George as an additional member on the part of the Senate at the conference on House Bill No. 2491, HD 2, SD 1.

Sen. Com. No. 701, informing the House that the President has, on April 19, 1994, discharged Senator George and has added Senator Koki as an additional member on the part of the Senate at the conference on House Bill No. 2730, HD 1, SD 2.

Sen. Com. No. 702, informing the House that the President has, on April 19, 1994, discharged Senator Koki and has added Senator Reed as an additional member on the part of the Senate at the conference on House Bill No. 3212, HD 1, SD 1.

Sen. Com. No. 703, informing the House that the President has, on April 19, 1994, discharged Senator Koki and has added Senator Reed as an additional member on the part of the Senate at the conference on House Bill No. 3625, SD 1.

Sen. Com. No. 704, informing the House that the President has, on April 19, 1994, discharged Senator Koki as a member at the conference on House Bill No. 3303, HD 1, SD 2.

Sen. Com. No. 705, transmitting S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO RECOMMEND MORE EFFECTIVE WAYS TO DEAL WITH HAWAII'S DRUG PROBLEMS," which was adopted by the Senate on April 18, 1994.

By unanimous consent, S.C.R. No. 88, SD 1, was referred jointly to the Committees on Health and Human Services, then to the Committee on Judiciary.

At this time, Representative Amaral introduced to the members of the House Ms. Jane Gross, "a friend of mine with the *New York Times* working out of San Francisco. She is one of the best investigative reporters I know -- articulate, bright, and has a sense of humor."

**ORDER OF THE DAY**

**COMMITTEE REASSIGNMENTS**

The following bills (H.B. No. 3290 and S.B. No. 256) were re-referred as follows:

**H.B. No. Re-referred to:**

3290 Jointly to the Committees on Judiciary and Legislative Management

**S.B. No.**

256 Jointly to the Committees on Judiciary; Health; and Labor and Public Employment

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

**S.C.R. Nos. Re-referred to:**

3	Committee on Finance
26	Committee on Judiciary
70	Committee on Finance
123	Committee on Finance
148	Committee on Finance
178	Committee on Finance
180	Committee on Judiciary
195	Committee on Human Services, then to the Committee on Finance
242	Committee on Finance
258	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Legislative Management

**INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)**

The following resolutions (H.R. Nos. 422 and 423) were read by the Clerk and were disposed of as follows:

H.R. No. 422, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING FAUSTINO A. RESPICIO, FOR HIS CONTRIBUTIONS TO THE FILIPINO COMMUNITY," was jointly offered by Representatives Alcon, Bunda, Duldulao and Menor.

Representative Alcon moved that H.R. No. 422 be adopted, seconded by Representative Duldulao.

Representative Alcon rose to speak in support of the resolution, stating:

"Mr. Speaker and fellow members of the House, we have in our midst today, honoring us with his presence, a man known to many as the embodiment of service to the community. He is Mr. Faustino Respicio, the founder, producer, and director of the 'Filipino Fiesta.' For the last 33 years, the 'Filipino Fiesta' was acclaimed as the premier Filipino radio program for Filipino-Americans and also other ethnic groups. He is now 82 years old, but Mr. Respicio has single-mindedly devoted his time to public service in the field of entertainment and communication by importing films from the Philippines. He promoted Filipino culture here in the State. He has also done a yeoman's job in promoting his television program, and I understand, Mr. Speaker, that one of our colleagues also participated in the TV program in the person of Representative Chang.

"Mr. Respicio is, of course, advanced in age, but he has trained a young man to carry on his legacy, and I will be introducing him later on as he is here with us ... a young man and he's the youngest among them.

"There are some members of this honorable body, Mr. Speaker, who would recognize him as, you know, 'Take it away,' and I must also mention that Representative Ihara also remembers that trademark.

"During World War II, Mr. Speaker, Mr. Respicio rallied the Filipino-American community to support the

war effort. As the chairman of the Filipino War Bond Drive in Hawaii, he inspired the community to raise two million dollars ... at that time, Mr. Speaker, two million dollars was a lot of money. In recognition for his service to America, Mr. Respicio received a 'distinguished service' citation from the U.S. Army and also the U.S. Treasury Department.

"For your inspiring example of service to the community and loyalty to our country, Mr. Tata Respicio, we, members of the House, extend to you our thanks and appreciation."

Representative Duldulao then rose and stated:

"I, too, would like to express my commendations and appreciation to Mr. Respicio for the outstanding job that he did in presenting the Filipino culture to the people of Hawaii through television. I distinctly remember how I looked forward to enjoy 'Filipino Fiesta' on television on Sunday afternoon. I believe it was the best Filipino program, not only in Hawaii, but throughout the whole United States and the nation. I not only enjoyed the program for its entertainment value but for its educational value as well. The information which I gained about the local Filipino community and its relationship with the greater State community were invaluable to me. In addition to being enjoyed by the locally-born Filipinos, 'Filipino Fiesta' was especially helpful to the immigration of Filipinos in their transition into the local community.

"Mr. Respicio's production for thirty years not only entertained, but provided a much needed link between the Filipino culture and the many other ethnic groups which make up our beloved Hawaii. The understanding and cohesiveness created within the Filipino community and with other cultural groups were immeasurable and contributed much to the healthy relationship existing between the various cultures in our State.

"On behalf of the many Filipinos whom I represent and on behalf of the entire Waipahu community, I extend my heartfelt gratitude to Mr. Respicio for his invaluable contribution to the Filipino community and, indeed, to the entire State of Hawaii.

"Thank you, Mr. Speaker."

Representative Menor then rose to speak in support of the resolution, stating:

"It does give me great pleasure to be able to join all of you in commending Mr. Respicio for his many contributions to the State of Hawaii. As has been stated earlier, Tata Respicio, as I oftentimes refer to him, which is a Filipino title for someone that you have a tremendous amount of respect for, but Tata Respicio, of course, has been a tremendous leader within the Filipino community. I know that he was also a role model for many Filipinos of my generation, and I'd also like to add that Mr. Tata Respicio was also a friend of my late father, Benjamin Menor, who also greatly admired and respected Mr. Respicio and all of his contributions.

"In that respect, Mr. Respicio, thank you very much for all of your commitments and dedication to the entire State of Hawaii, and best wishes on your future endeavors.

"Thank you."

The motion was put by the Chair and carried, and H.R. No. 422 was adopted.

At this time, Representative Alcon introduced the honoree, Mr. Faustino A. Respicio, and asked him to stand to be recognized.

Accompanying Mr. Respicio on the House floor were his wife, Mrs. Rosalina Respicio; Josephine Respicio, his niece "who happens to be a nurse and takes care of Mr. Respicio"; Mr. George Respicio, her husband; and Mr. Wilson Pascua, "who is carrying on the tradition that Mr. Respicio has started."

Representative Duldulao then presented Mr. Faustino Respicio a Certificate of Recognition while floral leis were presented to the honored guests by Representatives Chang, Isbell, Bunda, Beirne, Menor, Ishii-Morikami and Chun.

H.R. No. 423, entitled: "HOUSE RESOLUTION HONORING QUEEN KENDELLE CHIEMI YAMAMOTO AND HER COURT OF THE 1994 CHERRY BLOSSOM FESTIVAL," was jointly offered by Representatives Lee and Bunda.

Representative Lee moved that H.R. No. 423 be adopted, seconded by Representative Bunda.

Representative Bunda rose to speak in support of the resolution, stating:

"Mr. Speaker, Queen Kendelle and her family ... we have something in common -- her family and myself -- we all hail from Wahiawa. I know she's a Mililani resident now but that's nothing against you. I would just like to congratulate Queen Kendelle.

"I was honored to be a guest at the Coronation Ball, and all of you were very lovely at that Ball, and it was most cultural. I had a really nice feeling about the cultural aspect of the program. As I said, all of you were lovely, and I loved the kimono that you got from Japan ... that was most lovely.

"Again, congratulations to you all, and congratulations, Kendelle."

Representative Menor then rose to speak in support of the resolution, stating:

"When you think about Central Oahu and the community of Mililani, one oftentimes thinks about the rows of pineapple that is gradually being supplanted by residential housing development. However, I think after this year, when you think of Mililani and Central Oahu, you're going to have to start thinking about cherry blossoms because I believe that this is the second time in the past three years that Mililani has produced the Cherry Blossom Queen.

"So in that respect, I want to, as one of the legislators from Mililani and Central Oahu, congratulate Kendelle and her court on your accomplishments, and thank you very much for honoring us with your presence today."

Representative Lee then rose to speak in support of the resolution, stating:

"I would like to say that I feel a little embarrassed because it's not the second time, but the third time that I'm doing this for a Queen who is from Mililani. We had Miss Kadoyama, and Miss Yoshida, the daughter of the Athletic Director of the University of Hawaii, and today we have someone that I would like to honor because her mother had taught one of my children at Wheeler Intermediate School. We are very happy to have Queen Kendelle with us, and we would have honored her and her court a few weeks ago except she was dancing in the Merrie Monarch Festival in Hilo and that is one of the

reasons why we think that this year there is a significance to the Cherry Blossom Queen and her court.

"Let me illustrate.

"Queen Kendelle was born and raised in Wahiawa and she graduated from Leilehua High School, but she has lived in Mililani the last seventeen years. The reason why she went to Leilehua was because she was interested in her roots and went to Japanese Language School in Wahiawa, and it was easier for her to go to Leilehua at that time to continue with the friends she went to school with from grade one. Now, after she learned how hard it was to study Japanese, she turned to Hawaiian. She did a great job with Hawaiian, and became an accomplished hula dancer as well and performed at the Merrie Monarch Festival in Hilo.

"Now, what I am trying to say is that Mililani is a microcosm of the State of Hawaii. We are a mirror of the society of Hawaii. The original people who lived in Mililani were the ones who were working on the plantation -- the pineapple plantation at that time. When the town began, it was the children of the plantation workers from Waialua, Wahiawa and Waipahu who came to buy homes and lived in Mililani. They have grown up; they have raised families, and Kendelle is the third generation.

"And what is important about this is that the children of the plantation went into the natural occupation for people at that time; that is, to become school teachers. Kendelle's father is a teacher at Aiea Intermediate School. Her mother, as I said, teaches at Wheeler Intermediate School where my children attended school, and she herself, however, has evolved what we would like to think Hawaii will become in the future. Just think of it! The representatives who are introducing the resolutions, who are speaking up for the Japanese Cherry Blossom Queen and her court, are two Filipinos and one 'Pake.' And so when Queen Kendelle had started to learn the Hawaiian language, the Hawaiian culture and become a hula dancer, in her own life she epitomizes what we would like to see the State of Hawaii become ... that the cross-cultural fertilization among all of us will bring forth a love, a tolerance that we all should respect and ourselves practice.

"For that reason, it is really a great honor today to welcome Queen Kendelle and her court, and I would like my colleagues to join us in voting unanimously for this resolution.

"Thank you, Mr. Speaker."

Representative Thielen then rose to speak in support of the resolution, stating:

"Since we're getting regional, I would like to give special recognition to Lisa Shimabukuro and Tammy Sumida who I note here were both born in Kailua, Hawaii, one of the most beautiful places in our islands. I wanted to especially recognize them.

"Lisa should be known for volunteering with both youth and elderly organizations, and then I note that Tammy has particular interest in traveling, dance, piano, needlepoint, and roller-blading which is quite a skill, Mr. Speaker.

"I wanted to thank them for being with us, and I do honor those wonderful Kailua-born awardees today."

Representative Tom then rose to speak in favor of the resolution, stating:

"I look around and all of the women are so beautiful. I just wanted to make that comment.

"Also, I think Tammy is from Kaneohe. You know, you look at me ... I'm very congenial and I think that's just a reflection of Kaneohe. I don't want to say Kailua because sometimes Cynthia isn't as congenial to me, but I just want to say that Kaneohe is congenial!

"Thank you, Mr. Speaker."

Representative Yonamine then rose and stated:

"If you listen to Representatives Lee, or Menor, or Bunda, you'll think Mililani was the only outstanding community in this State. Well, that's not true. The more outstanding community is Pearl City, and today we are recognizing and commending one of the finalists, and this is Princess Linda Aiko Asato. So on behalf of Representatives Dave Ige and Roy Takumi, let me just say a few words about her.

"Linda didn't want to bring too much on herself, gaining too much attention, but entered this Cherry Blossom contest because a number of her friends also entered and persuaded her to apply. She attended Momilani Elementary School, Highlands Intermediate before graduating from Pearl City High School, a classmate of my daughter, Cheryl. Cheryl remembers you as a very friendly, bright, active and good scholar. Linda was a cheerleader, a member of the cycling team, speech team and the Key Club. She graduated from the University of Hawaii, College of Business Administration, in international business, and she plans to attend graduate school in the near future. Linda comes from a very close family who has always encouraged her to succeed in her quest for more education and to pursue a career in the business field. Currently, she is engaged as a unit trainer with the GTE Mobile Unit in the Network Department.

"Linda, you make all of us in Pearl City proud and we want to commend you, and we are going to congratulate the Queen and your very talented court, and we wish you well in your future endeavors.

"Thank you."

Representative Chun then rose and stated:

"I also want to congratulate the Queen and her court. It's really wonderful that you could join us today, and not only the beauty, but your intelligence and your perseverance has brought you this far.

"I would like, in particular, to recognize Maya Fujii who is from Liliha, and she is a graduate of Hawaii Baptist Academy, and loves fishing and traveling and being with her family and friends, and she wants to pursue a career in retail.

"Although I can't see Maya, congratulations, and to all of you -- congratulations!"

Representative Takumi then rose and stated:

"I would like to echo the comments made by my colleague from Pearl City, but also echo some of the other remarks about how wonderful these contestants are and the efforts that they put into the contest.

"I would also like to recognize Princess Allyn Mamo Ueyehara who, I understand, lives in the 36th Representative District. If we're talking about communities, we should talk about Representative Districts and which is the best. I make no claims that we're the best, but you judge for yourself.

"I would like to join my colleague from Waipahu, Representative Duldulao, in congratulating Princess Uyehara in her efforts and wish the Queen and her court ... omedeto gozai masu."

The motion was put by the Chair and carried, and H.R. No. 423 was unanimously adopted.

At this time, Representative Lee introduced the Queen and her court, who were seated on the House floor, and asked them to stand to be recognized, as follows: Queen Kendelle Chiemi Yamamoto; Lorelei Kinuko Kawamura, First Princess; Allyn Mamo Uyehara, Princess, "a graduate of Mililani High School"; Lisa Michie Shimabukuro, Princess; and Linda Aiko Asato, Princess.

Representative Lee then introduced Tammy Hatsumi Sumida, Miss Congeniality, and Maya Mie Fujii, Miss Popularity, who were seated in the gallery, and asked them to stand to be recognized.

Certificates of Recognition were presented to the Queen and her court by Representatives Takumi, Menor, Yonamine, Thielen and Say, while floral leis were presented to the honored guests by Representatives Nekoba, Bunda, Tajiri, Lee and Chun.

At 12:17 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.

#### STANDING COMMITTEE REPORT

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1785-94) recommending that H.R. No. 292, as amended in HD 1, be referred to the Committee on Tourism.

Representative Ihara moved that the report of the Committee be adopted and H.R. No. 292, HD 1, be referred to the Committee on Tourism, seconded by Representative Thielen.

Representative Thielen rose to speak against the resolution, stating:

"Mr. Speaker, what this does is it will ultimately set up ecotourism at Akaka Falls on the Big Island.

"My concern is that this resolution still has enough in it that will still allow a tram system to chug through. I think any tram system at Akaka Falls would be a travesty.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 292, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENGAGE WITH THE PRIVATE SECTOR TO DEVELOP ECOTOURISM CONCEPTS AT AKAKA FALLS," was referred to the Committee on Tourism, with Representative Thielen voting no.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill No. 2177, HD 2 (SD 1), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to House Bill No. 2177, HD 2 (SD 1).

#### SUSPENSION OF RULES

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

#### FINAL READING

The following bill was taken from the Clerk's desk and the following action taken:

##### H.B. No. 2274, SD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2274, and H.B. No. 2274, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading by a vote of 41 ayes, with Representatives Hagino, Hirono, Peters, Shon, Takamine, Tam, Taniguchi, Tanimoto, Ward and Young being excused.

The Chair directed the Clerk to note that H.B. No. 2274 had passed Final Reading at 12:38 o'clock p.m.

#### APPOINTMENT AND DISCHARGE OF CONFEREES

##### S.B. No. 3082, SD 2, HD 2:

Representative Peters was discharged as a conferee and Representative Santiago was added as a conferee on Senate Bill No. 3082, SD 2, HD 2.

#### ANNOUNCEMENTS

Representative Isbell: "We have some Conference Committee meetings today at 1:00 p.m. and I would like to encourage those who have been notified that this will be in Room 407, and it will be on H.B. Nos. 65, 2760, 2912, 3159, 3333 and 3600."

Representative Chun: "There will be a conference on H.B. No. 2449, HD 1, SD 1, in Conference Room 407."

Representative Bunda: "Just to remind the conferees on H.B. Nos. 2599, HD 1, SD 1; 2635, HD 1, SD 1; 3451, HD 2, SD 2; and 3585, HD 1, SD 1, that we will be having a conference today at 2:00 o'clock in Room 802."

**ADJOURNMENT**

At 12:40 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 21, 1994.

## FIFTY-THIRD DAY

Thursday, April 21, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain Captain W. David Cannon of the United States Air Force, Hickam Air Force Base, after which the Roll was called showing all members present with the exception of Representatives Amaral, Hirono, Ihara and Peters, who were excused.

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

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

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 163) was read by the Clerk and was placed on file:

Gov. Msg. No. 163, informing the House that on April 20, 1994, he signed the following bills into law:

House Bill No. 1642 as Act 22, entitled: "RELATING TO THE FAMILY COURTS";

House Bill No. 2319 as Act 23, entitled: "RELATING TO PARENTAGE";

House Bill No. 3138 as Act 24, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT"; and

House Bill No. 3511 as Act 25, entitled: "RELATING TO HAWAII RULES OF EVIDENCE".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 706 and 707) were read by the Clerk and were placed on file:

Sen. Com. No. 706, informing the House that the President, on April 20, 1994, 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. 1611, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1612, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1620, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

Sen. Com. No. 707, informing the House that on April 20, 1994, the Senate has made the following changes to Senate conferees' assignments on the Senate and House Bills listed below:

**S.B. No. 1555, SD 2, HD 2:**

Discharges Senator Solomon; adds Senator Fukunaga.

**S.B. No. 2596, HD 2:**

Discharges Senator Fernandes Salling.

**S.B. No. 2755, SD 2, HD 2:**

Discharges Senator Baker; adds Senator Fukunaga.

**S.B. No. 3045, SD 2, HD 2:**

Adds Senator Kanno.

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

Discharges Senator Iwase.

**H.B. No. 1088, HD 1, SD 1:**

Discharges Senators Grauly, Levin, Baker, A. Kobayashi and Reed.

**H.B. No. 2730, HD 1, SD 2:**

Discharges Senator A. Kobayashi; adds Senator Solomon.

**H.B. No. 2985, HD 1, SD 1:**

Adds Senator Baker.

**H.B. No. 3190, HD 1, SD 1:**

Discharges Senator Tanaka; adds Senator Grauly.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<b>S.C.R. Nos.</b>	<b>Re-referred to:</b>
25	Committee on Transportation
40	Committee on Consumer Protection and Commerce
53	Committee on Economic Development and Business Concerns
54	Committee on Finance
55	Committee on Finance
63	Committee on Intergovernmental Relations and International Affairs
95 Arts	Committee on Higher Education and the

115	Jointly to the Committees on Energy and Environmental Protection and Transportation
208	Committee on Intergovernmental Relations and International Affairs
220	Committee on Agriculture
243	Committee on Finance
265	Committee on Finance
269	Committee on Legislative Management

#### INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

H.R. No. 424, entitled: "HOUSE RESOLUTION HONORING THE SMALL BUSINESS AWARD WINNERS OF 1994," were jointly offered by Representatives Stegmaier, Kanoho, Isbell, Morihara and Tanimoto and was read by the Clerk.

Representative Stegmaier moved that H.R. No. 424 be adopted, seconded by Representative Kanoho.

Representative Stegmaier rose to speak in support of the resolution, stating:

"As we heard a lot recently, small business is indeed our lifeline, and the people we honor today are an inspiration to us all.

"I'd like first, before we hear from individual members of the House, to ask the people who have just been mentioned, to stand and be recognized. Unfortunately, we weren't able to sit everyone on the House floor, but I would like to ask those who are on the floor as well as those in the first row in the gallery to stand and be recognized when I call your name and the award that you have been given."

Representative Stegmaier then introduced and asked the following honorees to stand to be recognized: Earl Y. Kashiwagi, Small Business Person of the Year; Gary 'Gus' H. Rouse, Small Business Exporter of the Year; David M. Davenport, Young Entrepreneur of the Year; John Brizdle and Roger Watson, Entrepreneurial Success Award recipients; Lloyd Y. Kimura, Accountant Advocate of the Year; Roger MacArthur, Financial Services Advocate of the Year; Rodney T. Sanchez, Media Advocate of the Year; Dennis Ken Konda, Minority Small Business Advocate of the Year; Carolann Guy, Women in Business Advocate of the Year; and Andrew Poepoe, Head of the Hawaii Small Business Administration.

Representative Isbell then rose and stated:

"Mr. Speaker, I would like to, at this time, say a few words about the Exporter of the Year because what he exports is very interesting. It is something that you probably never thought of. I call him the 'King' of the Queen bee. This is Gus Rouse, and he has been exporting Queen bees to 25 countries and the United States.

"One of the reasons for this is that there is a disease called the 'bee mites' which has been killing off bees throughout the world and, as a matter of fact, I was involved in legislation a few years ago which would ban importation of any kind of bees that might be infected into the State so we could keep this State as a clean place for Queen bees. I think also very notable is that throughout the world, because of pesticides and other things that are killing off bees besides the mites, without

the Queen bees reinstalling their domination in the nests that without the Queen bee, you will have no little babies.

"And so I just want to make sure that everyone understands the importance of the Queen bee and the fact that this is probably one of the cleanest industries that we could have in the State."

Representative Tanimoto then rose and stated:

"Mr. Speaker, I'd like to say a few words about Mr. David Davenport. Although I have not personally met the honoree from my Sixth District, it gives me great pleasure to welcome and congratulate Mr. Davenport, and the Sixth District is an isolated country area.

"More importantly, he is in the business of raising chickens to lay eggs, and that I thought was a lost business in Hawaii because when you see the words 'Island Fresh Eggs,' I was given the impression that these eggs are two weeks or three weeks or even longer kept before it gets to the market. But as I drive down the road in the my district to get to the airport or get to the golf course, there is this poultry farm on the side of the road. Lately, I have been wondering as there's been construction there, and now I understand that with the construction, it would increase the production of eggs by 40 percent, and much more eggs being delivered to the local markets in a timely manner, which I understand to be one or two days, which makes it very fresh eggs.

"It's quite enlightening to me, and I think all of us here, that we still have people who are producing fresh eggs because of the high cost of feed that you always hear about and all kinds of things, but I'm glad to see it's alive and well in our district, and again, David, congratulations on being awarded this presentation.

"Thank you, Mr. Speaker."

Representative Morihara then rose and stated:

"I would like to congratulate all the winners, particularly from Maui.

"I would like to introduce Mr. Lloyd Kimura who is the Small Business Accountant Advocate of the Year, and Lloyd Kimura certainly is a presence on the island of Maui and business. He has helped many small business owners to rethink and focus their objectives, increasing their chances for success. He is recognized for his twenty years of support for small businesses on Maui.

"In addition to his professional work, Lloyd Kimura volunteers his time for so many organizations such as the American Cancer Society, on which I sat on the Board with him, the Wailuku Main Street Association, Hale Makua Finance Committee, Maui Chamber of Commerce, the Maui Culture and Arts Task Force, and with all those things, he is still able to run his business, and I would like to congratulate him.

"Thank you."

Representative Chumbley then rose and stated:

"Mr. Speaker, it is my pleasure today to be able to comment on the only woman of the group today and she did come along with two other people ... she brought her husband with her, Mike Ozaki, and also her eight-month-old daughter, and she is going to be bringing her daughter into the State here in another month, so congratulations on that.

"Carolann Guy has been nominated and awarded as the Hawaii's Woman in Business Advocate of the Year, Mr.

Speaker. She hails from your district and, in fact, you and her have a lot in common. She takes the position as the chairperson of the Chamber of Commerce as opposing any new taxes as you do, Mr. Speaker, so I think she is an avid supporter of yours for that aspect.

"Carolann has done a lot of work in our community and, in fact, we're all very proud of her. As the chairperson of the Chamber of Commerce, she has worked countless hours in counseling and advising other women who are actively seeking to become involved in our business community in Maui, so we're very proud of her for that.

"Also, she plays another role. She is the manager of the Ask 2000 organization on Maui, supplying a lot of information to constituents throughout the island.

"Carolann, for all of your efforts, we do applaud you, and congratulations for your accomplishments.

"Thank you."

Representative White then rose and stated:

"Mr. Speaker, I rise to introduce Roger MacArthur, the 1994 Financial Services Advocate of the Year.

"Mr. Speaker, while he has, for the last year or so, been doing strange calisthenics throughout the community as he displayed earlier in the program, Roger MacArthur, for 33 years, has been providing financial services to small businesses in such a way as to help their growth and vitality in Maui's community, and I'm not sure, maybe some others with First Hawaiian.

"I know Roger to be a very, very active member of the community and has volunteered his time in many, many ways throughout Maui, and it is with great pleasure that we welcome him to the chamber today and have an opportunity to recognize him for an outstanding honor.

"Mahalo, Roger, from all of us from Maui."

Representative Ward then rose and stated:

"It is an auspicious day to have so many small business people surrounding us and have the gallery so filled with people who represent probably the best hope of Hawaii, Mr. Speaker. I have a couple of generic comments and then one very specific to an individual.

"Lest we forget, the Big Five and big business are no longer and what we have left is what we see in front of us today. These men and these women are the backbone of the economy, Mr. Speaker. Over half of our general fund comes out of our excise tax that these small businesses are generating. Seventy percent of all the new jobs come out of their particular businesses, ninety percent having less than nineteen employees, as verification that these are the small group who donate the highest and the best of what we have in Hawaii. Particularly when times are down, it's the small business community that can roll with the punch. These people had odds against their startup. Eighty percent of all new businesses fail within the first five years. These are the ones who made it beyond that particular time in their businesses' existence.

"It's a tough thing but it's very rewarding, and it's very pleasing to see, as yesterday in the Small Business awards at the Ilikai Hotel, that they were all acknowledged among hundreds of people, seeing that we appreciate you small business people because sometimes I think with workers' compensation rates and other taxation issues that sometimes preoccupy your thinking that we, in the Legislature, don't think of you, don't remember you.

Well, over the last few years, we're remembering you more, and we're thinking of you more. You may not realize that yet by what comes out of some of the legislation yet, but we're still thinking and working as hard as we can.

"Which brings me to one hard worker, one colleague in arms, one who climbed the hills of Bhutan with me in the past ... Mr. Dennis Kondo, the Minority Small Business Advocate of the Year.

"Dennis is an author, a consultant, an architect, who put Alu Like and much of the programs of OHA together, a man who has dedicated his life to the cause of small business and helping them. He is a gentle spirit, but with a very precise and specific way of applying his technique.

"Dennis, we honor you today and we expect great things from you in the future and all of your colleagues ... congratulations!

"Aloha."

Representative Young then rose and stated:

"I am certainly pleased to see such a wonderful array of people on our floor of the House and commend all of them, but in particular I would like to talk about two gentlemen who started the tour business which is now one of our premier tour businesses.

"Twenty years ago, they began with the Volkswagen van and took two women on a circle island tour around the islands, and now they service more than a thousand riders per day. Their job is to interpret Hawaii to the people and they do it with a great deal of sensitivity and appreciation of the Hawaiian culture, and that's John Brizdle and Roger Watson.

"In particular, I would like to note that I've had the pleasure of working with Roger Watson in the Waimanalo community. He has been a strong community advocate and has really devoted much of his time to bettering the community there, and I congratulate both of them for the excellent work they have done, and all of you also.

"Thank you."

Representative Stegmaier then rose and stated:

"Just to follow up on the Oahu awardees, the E-Noa Tour Company and Waikiki Trolleys which, many years ago, was created by its two owners and managers, John Brizdle and Roger Watson.

"I met John Brizdle first on the soccer field where our daughters were playing soccer in Hawaii Kai. At the time, I did not know that he was such a highly productive entrepreneur. I did want to mention that these two attribute their success partly to their ingenuity. One of the things that they really pioneered was this concept of narrative tours.

"Secondly, they've emphasized employee training and the Golden Rule that one must treat others as you would want to be treated, and they've encouraged a high level of knowledge among their guides concerning Hawaii's history and culture. Mr. Brizdle, in particular, has been very important in the growth and impact of the Interpret Hawaii Program at Kapiolani Community College.

"I want to congratulate them on twenty years of operating a highly successful business in Hawaii.

"And concerning Mr. Kondo, if I could mention just one other item among the myriad contributions that he

has made up to this time, the greatest recognition was his invitation to become the first male member of the Women in Business Committee where he has taken a lead in promoting the development of alternative loan programs for women, and establishing an international women's network in Hawaii.

"Thank you."

Representative Kawakami then rose and stated:

"I would like to offer my congratulations to Mr. Earl Kashiwagi. Earl is our 1994 Small Business Person of the Year for the State of Hawaii, and we're very proud of that.

"I have known Mr. Kashiwagi over many years, and I must say he is a person that truly embodies the aloha spirit. This person is one who offers his help and doesn't have to be prodded. After Hurricane Iniki, he opened his facility -- Esaki's Produce -- and he, along with the military and the National Guard, distributed goods throughout the island of Kauai. So Mr. Kashiwagi unselfishly let his facility be used until we could get back on our feet, and this is the kind of person he is.

"I want to say ... congratulations to you, Earl, a person with heart, and to congratulate all the rest of you.

"Thank you, Mr. Speaker."

Representative Kanoho then rose and stated:

"As true with all the winners here today, Rodney Sanchez, the 1994 Media Advocate of the Year for the State of Hawaii, epitomizes the meaning of small business entrepreneurship. Webster defines 'entrepreneur' as a person of Rodney Sanchez who organizes, operates, and assumes the risk of business ventures, especially an impresario. Indeed, all of these winners here today are impresarios.

"Rodney is a Kauai boy because his family comes from Kauai, has been in the radio business for nineteen years, fifteen years on Oahu, before returning home to Kauai in 1990. About three years ago, at the tender age of 29, he bought KONG Radio. Although it has undergone three name or call-letter changes through its predecessors, KONG has reportedly existed for nearly sixty years and is outlived in the State only by Radio Station KGU.

"KONG today, under Rodney's leadership, is clearly number one in all categories on Kauai and what he did immediately after Iniki, in providing critical information and restoring a sense of security and in bringing the people together, has already filled many, many pages of accolades.

"Congratulations, Rodney, and best wishes. We know you will ascend to much greater heights in your business pursuits and endeavors.

"And now, Mr. Speaker and members, some brief comments about Hawaii's 1994 Small Business Man of the Year, Earl Y. Kashiwagi.

"If he was to remove his shirt, we'd see that on his clothing beneath, he really is 'superman.' That's because all of the superlatives we can think about or find in the dictionary really apply to him. His personality is not described as a ray of sunshine, but as a super bright ray of sunshine -- dynamic absolutely, but more appropriately, super dynamic. Very hard worker doesn't cut it -- super extraordinary hard worker is more like it. By working harder and smarter, he accomplishes in one day what others may require two or three days to do.

"In 1973, he became the first regular employee of Esaki Farms which was owned by his two uncles who, up till that time, employed only a few casual laborers. He became manager in 1980 when one of his uncles fell ill, and purchased the business in 1990 when the other uncle retired. With a current work force of 25, his company is the biggest of its kind on Kauai. In bouncing back from Iniki in 1992 and a disastrous flood in December 1991 which literally wiped him out after he had just moved into new quarters, he has shown unparalleled resilience and determination.

"As indicated by Representative Kawakami, there are many pages, too, in his book of the unselfish assistance rendered to the people of Kauai during Iniki when he gave everything away and literally stayed at his warehouse twenty-four hours a day, from September 11 to November 10, to serve the people of Kauai, including the National Guard, other military units and relief workers.

"Earl, our deepest mahalo, congratulations, and best wishes!"

The motion was put by the Chair and carried, and H.R. No. 424 was adopted.

Certificates of Recognition and floral leis were presented to the honorees by Representatives Tajiri, White, Say, Kawakami, Duldulao, Marumoto, Tanimoto, Nakasone, Ward, Young and Stegmaier.

At 12:32 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:43 o'clock p.m., the following late introductions were made to the members of the House:

Representative Isbell introduced Mr. Reggie Marumoto, sponsor of Gus Rouse, and Manager of the First Hawaiian Bank in Kealahou, Kona.

Representative Ward then introduced Mr. Bill McCready, "a pioneer of small business in Hawaii, a venture capitalist, one who was a colleague in Bhutan. He is a rugged man, a man who is now going to be one of the first Hawaii-based business people in South Vietnam."

## SUSPENSION OF RULES

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

## FINAL READING

The following bill was taken from the Clerk's desk and the following action taken:

**H.B. No. 2177, HD 2, SD 1:**

On motion by Representative Okamura, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2177, HD 2, and H.B. No. 2177, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Final Reading by a vote of 47 ayes, with Representatives Amaral, Hirono, Ihara and Peters being excused.

The Chair directed the Clerk to note that H.B. No. 2177 had passed Final Reading at 12:46 o'clock p.m.

#### STANDING COMMITTEE REPORT

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1786-94) recommending that H.R. No. 49 be adopted.

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 49, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS LEGISLATION TO AMEND THE IMMIGRATION AND NATIONALITY ACT TO PROVIDE FOR PROMPT PAROLE INTO THE UNITED STATES OF ALIENS IN ORDER TO ATTEND THE FUNERAL OF AN IMMEDIATE BLOOD RELATIVE IN THE UNITED STATES," was adopted.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Okamura moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2692, HD 2 (SD 2) and 3329 (SD 1), seconded by Representative Thielen and carried.

Representative Okamura then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2692, HD 2 (SD 2) and 3329 (SD 1).

#### APPOINTMENT OF CONFEREES

##### S.B. No. 1249, SD 1, HD 3:

Representative Pepper was added as an additional conferee on the part of the House at the conference on S.B. No. 1249, SD 1, HD 3.

##### S.B. No. 2615, SD 2, HD 2:

Representative Arakaki was added as an additional conferee on the part of the House at the conference on S.B. No. 2615, SD 2, HD 2.

#### ANNOUNCEMENT

Representative Chun rose and requested waiver of the 48-hour hearing notice requirement for decision-making on S.C.R. Nos. 24, SD 1; 226, SD 1; 81; 238, SD 1; 89, SD 1; 195, SD 1; 251, SD 1, tomorrow at 3:00 p.m. in Conference Room 1206, and the Chair "so ordered."

#### ADJOURNMENT

At 12:49 o'clock p.m., on motion by Representative Okamura, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 22, 1994.

## FIFTY-FOURTH DAY

Friday, April 22, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Brother Fred Tanaka of the Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all members present with the exception of Representatives M. Ige and Tajiri, who were excused.

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

On motion by Representative Ihara, seconded by Representative Thielen 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. 708 and 709) were read by the Clerk and were placed on file:

Sen. Com. No. 708, informing the House that on April 21, 1994, the Senate has made the following changes to Senate conferees assignments on the House bills listed below:

**H.B. No. 2284, SD 2:**

Adds Senator Kanno as a member.

**H.B. No. 2391, HD 1, SD 2:**

Discharges Senator Solomon; Adds Senator Kanno as a member.

**H.B. No. 2639, HD 1, SD 2:**

Discharges Senator Fukunaga; Adds Senator Hagino as a member.

**H.B. No. 3194, HD 2, SD 1:**

Adds Senator Baker as a member.

Sen. Com. No. 709, transmitting S.C.R. No. 280, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONTRACT WITH THE UNIVERSITY OF HAWAII TO PROVIDE MOTORCYCLE EDUCATION COURSES ON THE NEIGHBOR ISLANDS," which was adopted in the Senate on April 21, 1994.

By unanimous consent, further action was deferred.

At this time, Representative Chumbley introduced a former colleague, Herbert Honda. "Herbert served Maui for 14 years. . . and he is here today to be before the Senate Confirmation Committee and is up for an appointment to the Board of Agriculture."

At 11:52 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
50	Committee on Finance
202	Committee on Finance
258	Committee on Judiciary, then to the Committee on Legislative Management
259	Committee on Finance

## SUSPENSION OF RULES

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

At 12:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:08 o'clock p.m.

## FINAL READING

The following bill was taken from the Clerk's desk and the following action taken:

**H.B. No. 3329, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3329, and H.B. No. 3329, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE LIBRARY FOUNDATION CONCESSIONS AT PUBLIC LIBRARY FACILITIES," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives M. Ige and Tajiri being excused.

The Chair directed the Clerk to note that H.B. No. 3329 had passed Final Reading at 12:09 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1787-94) recommending that S.C.R. No. 213, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 213, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION EXAMINE WAYS THAT THE LAND BETWEEN, UNDER, AND SURROUNDING HIGHWAY INTERCHANGES AND INTERSECTIONS

CAN BE BEAUTIFIED," was referred to the Committee on Finance.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1788-94) recommending that S.C.R. No. 275, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 275, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE 'DESIGN AND BUILD' CONCEPT FOR SELECTED HIGHWAYS PROJECTS," was referred to the Committee on Finance.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1789-94) recommending that S.C.R. No. 276, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 276, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF DEMOLISHING THE OLD ANAHOLA STREAM BRIDGE, KAUAI," was referred to the Committee on Finance.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 1649, HD 1 (SD 1); 2312 (SD 1); 2631, HD 2 (SD 1); 2912 (SD 2); and 3180 (SD 1), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 1649, HD 1 (SD 1); 2312 (SD 1); 2631, HD 2 (SD 1); 2912 (SD 2); and 3180 (SD 1).

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

#### ANNOUNCEMENTS

Representative Bainum rose and wished everyone a Happy 24th Earth Day, stating:

"Earth Day is a commitment to make life better, not just bigger and faster, but to provide real rather than rhetorical solutions. It is a day to re-examine the ethic of individual progress at women and mankind's expense. It is a day to challenge the corporate and government leaders who promise change to fund the programs of change. It is a day for looking beyond tomorrow. April

22nd seeks a future worth living. Earth Day seeks a future. I hope you all enjoy Earth Day.

"Thank you, Mr. Speaker."

Representative Ward was permitted a late introduction and he proceeded with his introduction, asking:

"What are 'mathletes?'"

"Mathletes are those who take part in 'Mathcounts' which is a national program of coaching seventh and eighth graders to be good in math -- something that's probably hard during budget times for us here in this chamber, Mr. Speaker. The four mathletes I'll introduce have demonstrated exceptional mathematical ability against students from across the State, and they will go to the nationals and win up to eight thousand dollars."

Representative Ward then asked the following "mathletes" to stand to be recognized: Stanley Yuen, First Place Winner; Scott Ogawa, Second Place Finalist; Dylan Owens, Third Place Finalist; and Avery Ching, Fourth Place Finalist. They were accompanied by their coach, Mrs. Evelyn Cheong; a Punahou teacher; Mrs. Pauline Marcello, Steering Committee member; Mr. Ching, father of Avery; and Mrs. Abigail Ogawa, mother of Scott.

Representative Tam then rose and stated:

"Mr. Speaker and fellow colleagues, I am very honored to say a few words in honor of Avery Ching, the Fourth Place Finalist in the 1994 Mathcounts State Competition.

"I'm very honored because he happens to be residing in my representative district, and I wish to congratulate him, along with his parents who stand by his side and who are very supportive. Avery is also in the Boy Scouts that presents him as a very fine man and very astute in terms of community activities."

Representative Stegmaier then rose and requested waiver of the 48-hour hearing notice requirement to hear S.C.R. Nos. 247; 198; 197; 47, SD 1; and 271, SD 1, tomorrow morning at 10:00 a.m. in Conference Room 1206, and the Chair "so ordered."

#### ADJOURNMENT

At 12:17 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 25, 1994.

## FIFTY-FIFTH DAY

Monday, April 25, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain Major James Greaser, Installation Chaplain's Office, Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives Shon, Tanimoto and Yonamine, who were excused.

At this time, the members of the House and audience stood for a moment of silence in memory of the late Richard M. Nixon, former President of the United States.

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

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

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 164) was read by the Clerk and was placed on file:

Gov. Msg. No. 164, informing the House that on April 22, 1994, he signed the following bills into law:

House Bill No. 2318 as Act 26, entitled: "RELATING TO PARENTAGE"; and

House Bill No. 2320 as Act 27, entitled: "RELATING TO PATERNITY".

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 710) was read by the Clerk and was placed on file:

Sen. Com. No. 710, informing the House that the President, on April 22, 1994, 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. 759, HD 2, SD 2:**

Senators Ikeda, Chair; Kanno, Tanaka, Holt and Koki.

**H.B. No. 1990, HD 1, SD 2:**

Senators Chang, Chair; Grauly, Solomon and Reed.

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

Representative Bainum, on behalf of Representatives Cachola, White and himself, and the members of the Tourism Committee, introduced a group of employees from the Outrigger Hotel, as follows: Dorothy Moreno, Patti Blezard, Chuck Smith, Peggy Chasteen, Sandi Yara, Ivy Kwok and Lehua Kalai.

Representative Okamura introduced Mr. Derek Fujise, a constituent from the Red Hill area, and an employee of the City and County of Honolulu.

At 11:52 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:11 o'clock p.m.

## ORDER OF THE DAY

## DEFERRED RESOLUTION

The following concurrent resolution (S.C.R. No. 280) was disposed of as follows:

**S.C.R. No.**      **Referred to:**

280              Committee on Transportation, then to the Committee on Finance

## COMMITTEE REASSIGNMENTS

The following House resolution (H.R. No. 389) and Senate concurrent resolutions (S.C.R. Nos. 62, 68 and 221) were disposed of as follows:

**H.R. No.**      **Re-referred to:**

389              Committee on Water and Land Use Planning, then to the Committee on Finance

**S.C.R. Nos.**

62              Committee on Energy and Environmental Protection

68              Committee on Consumer Protection and Commerce

221              Committee on Ocean Recreation and Marine Resources, then to the Committee on Tourism, then to the Committee on Finance

## SUSPENSION OF RULES

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

## FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

**H.B. No. 1649, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1649, HD 1, and H.B. No. 1649, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Shon, Tanimoto and Young being excused.

**H.B. No. 2312, SD 1:**

Representative Ihara moved that the House agree to the amendments proposed by the Senate to H.B. No. 2312, and H.B. No. 2312, SD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Tom rose to speak in strong support of the bill, stating:

"Mr. Speaker, it was through your leadership that the House of Representatives began the process that has led both houses of the Legislature to pass legislation which will give the Hawaii Supreme Court the opportunity to reconsider their interpretation of the meaning and effect of our marriage licensing laws. I believe, and the Senate has agreed, that the issue of same-sex marriage is too important to be decided without the input and approval of the people of this State.

"The bill before us, Mr. Speaker, explicitly agrees with all of the concepts expressed in the original House draft. It says that the marriage license laws are properly addressed as a policy matter by the Legislature because of the State's interest in the propagation and well-being of future generations. It also provides that licensing and benefits are two separate issues and that a simple clarification of our marriage laws would address the concerns of the Supreme Court. The one major change is a provision for a commission to report to the Legislature on the issue of sexual orientation and the law which I believe is a study worthy of legislative support.

"The bottom line, Mr. Speaker, in both bills or in both drafts, is the same. The people of this State, through their elected representatives, have, for good reason, licensed marriage in this State for opposite-sex couples only and not for same-sex couples.

"I have read and heard from those critics who have said that the bill before us is a blow to civil rights. I would ask those critics to consider just for a moment what the effect would be on civil rights for both women and for homosexuals if this measure did not pass. The Supreme Court did not reconsider its decision, and same-sex marriages were licensed in the State of Hawaii. The first and most immediate effect would be the final nail in the coffin to the proposed Equal Rights Amendment to the United States Constitution. Neither the United States Congress nor any state Legislature would dare propose to bar discrimination on the basis of sex if there is a court decision saying that if you do, you must license same-sex marriages.

"The second effect, and one which will evidence itself with a fury that would be impossible to stop, will be a rush from dozens of states to rewrite their Constitutions to bar same-sex marriages so that they do not have to recognize same-sex marriages licensed in Hawaii. Some federal court somewhere will rule that the full faith and credit clause of the Constitution will force them to recognize such marriages. With that decision, the push will be on to amend the United States Constitution even to bar same-sex marriages.

"Don't kid yourselves. You've read the polls throughout the country. You know this will be the inevitable result if this body were to adopt the approach of these critics who preach civil rights. The end result will be permanent second-class citizenship for homosexuals written right into the Constitution. Why do you think I opposed the Constitutional amendment? I said last December, Mr. Speaker, that I didn't want to take one segment of our population and deny them the benefits of our Constitution. If this Supreme Court decision is not reversed, mark my word, a Constitutional

amendment is inevitable. And women's rights and homosexual rights will be battered from coast to coast. So I am more than a little tired of these holier-than-thou attitude of those arguing against this bill. If you don't wake up and face reality, reality will impose itself upon you. I believe the bill we are voting on today is the best solution to the controversy before us because it recognizes all segments of the community and tries to meet their concerns.

"For these reasons, I ask all of my members, please vote up on this measure.

"Thank you, Mr. Speaker."

Representative Alcon then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, the only reason why I'm voting with reservations is that, you know, as far as I can see and I am not a lawyer, it would have been much better if we had a Constitutional amendment. By having a Constitutional amendment, it is not 76 members of the Legislature that has to determine the fate of the bill but then it will be the entire State of Hawaii.

"Therefore, Mr. Speaker, I would like to vote with reservations."

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

"Mr. Speaker, some people have said we've spent more time on the 3G's than the 4E's in this session. We've talked about gambling, gays and guns more than we've talked about the economy and education, the environment, and improving ethics in government. But one of the reasons, Mr. Speaker, we've talked more about those is because of this bill here today that none of us in our constituency actually originated. This bill never came from the Senate, it never came from the House -- it came to us on high from the Hawaii Supreme Court. It's not something we requested, it's not something that we speak of on our own as our usual legislative packages would dictate.

"As this bill astutely points out, the Hawaii Supreme Court overstepped its boundaries when it declared that it was its kuleana to bring social policy into their court. By starting this nuptial turf war, the Legislature and many people are being polarized in our community, and I don't want to reiterate what has happened on both sides of the issue. But one issue of traditional marriage, the people have been shocked and deterred about how the change in what was basic in belief to them would be turned upside down. Also, those who believe that this is a civil right and those rights are being impaired are also as shocked and dismayed. Even some of us in this room have had our constituencies give us serious inquiries. Some have called them inquisitions. There has been a lot of divisiveness, a lot of bloodletting over this bill, Mr. Speaker.

"What then is the best thing that we can do, given that scenario? If we do nothing, it would be simply a total recapitulation to what otherwise judicial activism has set forth before us by what the court has said. But, Mr. Speaker, I would contend that the best thing that we can do is to pass this bill unanimously and then send a loud and clear message to the State Supreme Court that the turf war is over and that the policymaking domain of this State is in the Legislature ... that place where the Constitution says it is.

"I would also contend, Mr. Speaker, that there is no more compelling state interest than when my colleagues

and I and you stand up and speak the voice of the people ... those who sent us here -- those 1.2 million people who, when they do express something, that it is taken as a compelling state interest which I understand, technically, the Supreme Court is not capable of discerning that at the moment.

"Mr. Speaker, the Senate voted 21 to 4 on this bill a few weeks ago, and that vote sent a loud message that the overwhelming majority of the Senators, as in the public, which is an overwhelming majority of 78 percent of the public, has said that they would not prefer same-sex marriage at this moment. But again, Mr. Speaker, the question is ... is the Supreme Court really listening to us? Will the court listen to us by lessening thereby shortening the turf war they've started with us, or will they turn a deaf ear that will widen this gap and let slip the dogs of war nationally which my colleague has already referred to? Because of the reciprocal marriage agreements with other states, the entire nation will be affected by what we do today and because of the cultural preeminence of the U.S., even the world could be affected and drawn into the fray at some time in the future. If the Supreme Court voids out what we are doing today, the fallout and the backlash in 1995 could be immense and not healthy for any members of our community on both sides of the issue.

"Just yesterday, the **Advertiser** carried an article noting that many states and federal courts would likely gang up to defeat what the Supreme Court is attempting to do in our more liberal Hawaii. The scenario was a series of states passing Constitutional amendments banning same-sex marriage and one often-mentioned option here which has not been used because it would be considered a slam-dunk and not appropriate at this point, but that one would be a 4A in the future as again Representative Tom has mentioned, that people would even be to the point where, at the federal level, possibly concluding this whole issue at the national level with the statute and Constitutional amendment literally locking out homosexuals entirely.

"The point is, Mr. Speaker, the Hawaii Supreme Court can save all of us a lot of grief and a lot of anguish and both the people of Hawaii and the United States by simply seeing what we are doing here today as compelling State interest. If the court persists in pursuing the matter, numerous adverse national and local repercussions are likely to result that would end up injuring the homosexual community more than they are claiming now for lack of license rights to marriage. Are all of these risks worth taking simply over an interpretation of gender bias or that which is being confused with sexual orientation? Shall we stake the tranquility of this State and the nation on the interpretation of a right purportedly denied by Judge Levinson but a right that he cannot reference to exist in any society, in any country, and at any time in history or in the present? Mr. Speaker, in order to argue a civil right, we must be shown its existence in some society before we can say such a right is denied.

"Mr. Speaker, the point is that all the Supreme Court would likely do to save a lot of grief and challenge is to listen to what this body is saying today and what the Senate has said in the ensuing weeks. If there is to be a time and a season for same-sex marriage, this bill does say there is a study commission and that domestic partnerships, if they should be legislated, so they will be in the 1995 session. The point again is that it is our kuleana to speak about domestic partnerships or same-sex marriage.

"Mr. Speaker and colleagues, I urge all of you who voted the last round on 2312 to reconsider and vote unanimously for this bill. Let us put this issue to rest, lest more lives be destroyed as a possible backlash that

could destroy more rights than marriage licenses could be bestowed. However, let us be fair and let us be balanced, but let us not kowtow to kiss the rings of the black-robed justices who would have us think that we have no say in this matter. Then, Mr. Speaker, let us return to the pressing issues of the people and how we can better educate our children, how we can better boost our economy, but how we can forever stay out of the bedroom of our people. The whole nation is watching us, Mr. Speaker. May we vote unanimously today to get this issue behind us.

"Thank you."

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

"Mr. Speaker, I rise with sadness to speak against this measure, knowing that the majority of my constituency and the majority of the people want this measure passed, but also knowing that our Constitution was formulated to protect minorities, not always to have the majority will go forth.

"Mr. Speaker, at the beginning of the painful legislative process of this bill, I asked myself who would be helped by the passage of this measure. I could find no one who would be helped by denying legal sanction to people deeply committed to a monogamous relationship -- no one. Certainly not those who find such a concept as same-sex marriage repugnant and who would never themselves enter such a relationship ... they won't be helped by the passage of this measure. I could find only people who would be harmed by the passage of this measure. I, therefore, voted against the House version of this bill. The Senate draft, on which we vote today, contains the same provision and adds still another reason for voting against this bill. It sets up a commission and has among other representatives, representatives from the American Friends Service Committee, the Catholic Church, and the Church of the Latter-Day Saints.

"The commission shall be to examine the precise legal and economic benefits extended to opposite sex couples but not to same-sex couples. It shall examine whether substantial public policy reasons exist to extend such benefits to same-sex couples and the reasons therefore, and recommend appropriate action which may be taken by the Legislature to extend such benefits to same-sex couples.

"Mr. Speaker, this measure has particular religious groups making recommendations on terribly important moral issues which affect those of us of all religious faiths. That's not the Constitution as I understand it.

"I urge my colleagues who voted for this measure the first time to take a second look at this bill and join me in opposition to this bill.

"Thank you, Mr. Speaker."

Representative Amaral rose to speak against the bill, stating:

"As you know, when this bill crossed over from the House to the Senate, I spoke in opposition to it and waited to see if any substantial amendments could be made to bring reason to the position that the Legislature is about to take with respect to licensing of married couples. I am not persuaded that the position of the Senate, in fact, deals substantially with the difficulties that I had when I voted against the bill. I still note that the problem exists in the bill that the purpose of marriage is for procreation. I don't agree with that, I cannot agree

with that, but I note also some additional language has been added.

"The Senate deals with the issue of tradition and it gave me a while to pause and to think a bit about the tradition before us that we are facing. It made me think about the tradition that was inherited by the foreigners who arrived on the shores of this fair Hawaii prior to 1778, and how they found the tradition of openness and the tradition of inclusion, and how they were pulled in to this culture and warmly welcomed, that that tradition of inclusion and of openness, I think, was what made Hawaii a unique territory and later a unique state, and that caused people to come to these shores to find a place where they could be accepted.

"I believe that this measure runs contrary to that history of tradition. I think that this Legislature is quite unique in the courageous stands that we have taken in the past. I ask you to think about the fact that we are one of the few states -- I think there are twenty-six states that contain or remain having sodomy laws -- that Hawaii is one of the few states that has repealed sodomy laws. We were the first State to pass the abortion law; we were one of the few states to approve the Equal Rights Amendment. We have a history, a legislative history, of inclusion and of courage. This marks that tradition.

"I have still reasons to question what the State is doing in the marriage business, and I am not persuaded by the language I see here in the Senate draft. Given these concerns, and given what I know is the reality in my district as it is in all of your districts, that we will face then a very difficult election based upon the way we cast our votes today. I think that I can go back to my district and present some of these dilemmas that face me, and in good conscience face the people that are about to cast their votes in the upcoming election with some good right reasons. I cannot do that in support of this measure. I can't give them good reasons to support the measure. About the only thing I think that maybe I can agree with is that the Legislature has decided that we will study the domestic partnership that I don't also happen to agree with the way we have put that commission together, but I think that it's wise to study a domestic partnership act than to deal with the issue of benefits that accrue to these people. It would have been good to study the legislative role in marriage. I guess we have chosen not to, and I disagree that the court has no place in this issue, and I hope that the conduct of this body, in fact, does not undermine the courage and the wisdom that the courts have brought to this matter, and I look forward, in fact, to a future decision from them instead.

"Thank you, Mr. Speaker."

Representative Tam then rose and stated:

"Mr. Speaker and fellow colleagues, I stand before you to cast my vote in opposition to this bill, House Bill 2312, SD 1, and there have been a number of reasons, but let me state something that's rather different in terms of the confusion of this bill.

"Mr. Speaker and fellow colleagues, this bill is 'double talk.' It's confusing the issue. This bill does two things: Number one, it defines marriage between man and female; and number two, it establishes a commission to study 'same-sex marriage' benefits.

"Now the confusion is this. The confusion is that the first part of this bill already -- already -- determines ineligibility of benefits for same-sex couples. Thus, this bill is 'double talk' once again. We are inviting more confrontation on this issue rather than clarity.

"Again, the two parts are very confusing, and we're going to end up causing more dissension in the community rather than doing our job. We want to address whether there should be or should not be.

"I'll go along with Representative Annelie Amaral that if we are going to say that we want a study, let's study it, but let's have a study whereby religion is not involved at this time. Let's have a study on the legal basis rather than bringing religion into this. Remember, according to the Constitution of the State of Hawaii and the Constitution of the United States, religion and politics are separate entities.

"Thank you."

Representative Thielen then rose and stated:

"Mr. Speaker, I'm rising to announce that I will be voting for the bill, and I would like to say a few remarks about it.

"I'm casting a 'yes' vote today based upon the following understanding of the legislation. First, I'd like to explain that I was raised traditionally. As an Episcopalian, I have always believed that the rite of marriage is between a man and a woman. But this issue before us is not about traditional upbringing, Mr. Speaker ... it is whether or not we should give a minority equal rights under our laws.

"Section 1 of the bill, the legislative findings and purpose, is offensive and, frankly, Mr. Speaker, ineffective. We are bluntly telling the Supreme Court it has no right to review the constitutionality of laws we pass. Section 1 attempts to redefine the doctrine of separation of powers. In controversial areas affecting the rights of minorities, Section 1 claims laws affecting these rights are a 'determination of policy.' Therefore, Section 1 concludes, any change in the laws 'must come from the Legislature or a constitutional convention, not the Judiciary.' That legislative finding frankly is wrong. The Legislature's role is to enact laws; the court's role is to review these laws and where they violate constitutional rights, to strike down the offending provisions.

"We are preaching to the Court in Section 1. That's what it is -- a sermon, a sermon to the Court. Using an illogical argument, Section 1 says: 'The Supreme Court has the right to pass upon the constitutionality of HRS 572-1.' Then Section 1 says, but 'the question before the Court in *Baehr v. Lewin* was one of policy.' Then Section 1 says, 'policy decision should be left to the Legislature,' and then Section 1 says, 'therefore the Court's intervention in this matter encroached on the function of the Legislature.' With this analysis, the Legislature in effect says the Supreme Court is not entitled to review any controversial policy decisions we have enacted into law.

"The separation of powers into executive, legislative and judicial is the foundation of our constitutional republic. We cannot control nor should we try to control the judicial review of our legislative actions. So that preaching to the Supreme Court in Section 1 is of no effect, Mr. Speaker, nor should it be of any impact.

"This body should consider two examples from our history that illustrate the importance of the separation of the judicial from the executive and legislative powers. One of these is a negative example of what happens when the system breaks down. In the early 1940s, there was a shameful failure on the part of the court to recognize its duty to overrule the unconstitutional wishes of the majority. The United States Supreme Court upheld an Act passed by Congress and signed by the President that

ordered the internment of thousands of loyal and patriotic Americans of Japanese ancestry. It took several decades for the Court to recognize the injustice of this decision and to acknowledge that it should have withstood the winds of popular opinion by striking down the Act even though the Act expressed the policy will of the majority on an important issue of public policy.

"The second example that this body should keep in mind is a positive example of one of the brightest moments in the history of our courts. In 1954, the school systems of many of our states were segregated by race. This was undoubtedly the wish of the majority of the citizens, white citizens anyway, of those states. But in Brown v. Board of Education, the Supreme Court showed the wisdom and courage to find this segregation was an intolerable evil.

"In Brown v. Board of Education, the Court did its job -- scrutinizing the will of the majority to ensure that it did not trample the sacred constitutional rights of a minority. We should not only respect the Hawaii Supreme Court's right to subject our acts to the same scrutiny, we should be deeply grateful for its role. That deals with Section 1, Mr. Speaker, which is not the law.

"I am now going to move to Sections 2, 3 and 4 of the bill which are the law that we are enacting.

"Sections 2, 3 and 4 of the bill define marriage as between a man and a woman, because Hawaii's marriage licensing statutes as originally enacted and at present are intended to apply only to male/female couples. I agree that Hawaii's marriage licensing statutes as originally enacted were intended to apply to male/female unions. The Supreme Court will decide if Sections 2, 3 and 4 which, at present, will deny marriage licenses to same gender couples, violate the State's constitutional guarantee of equal protection under the law. This is the proper role of the Supreme Court, and I welcome its review.

"The final section, Section 6, creates a commission to examine the legal and economic benefits which are denied to this minority and recommend appropriate action to the Legislature before next session. I support the establishment of this commission although, like others, I do share some concerns about its composition.

"In closing, I would like to share an experience with you. As a child, I visited the Deep South with my mother. In a store, I walked up to a drinking fountain to get a drink. A man rushed over and told me I couldn't use that drinking fountain. When I asked why, because I was thirsty, he said it was for 'coloreds only.' And then I saw the sign above the fountain -- 'colored' -- and the other fountain with a sign above it, saying 'whites.' Hawaii's Supreme Court will tell us if we today have enacted a 'whites only' law -- and this is the proper role for the Court.

"Thank you, Mr. Speaker."

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

"There are a number of reasons to vote against this bill, but let me just spell out one reason and, in many ways, the most important reason to vote against this bill.

"As I speak today, there are thousands of people who are on strike. There are tens of thousands more, perhaps even several hundreds of thousands of people, who are affected by this strike. There are thousands of people more, parents, children, who are concerned over what's happening in public education. Many thousands more are concerned about issues such as affordable housing,

and yet, let's be very clear that the little that we do today, and it is little that we do today, is going to be the hallmark of the Seventeenth Legislature -- the hallmark of the Seventeenth State Legislature.

"I considered coming today with the hearing folders of the Judiciary Committees of both houses held on this matter, and the letters, and the various slips noting various telephone messages, also the newspaper articles and they were probably piled very high on my desk, but this piece of legislation, House Bill 2312, will not address all the problems that I have previously cited.

"This State is going nowhere. We have a leadership that is asleep at the wheel, in my opinion, and yet we engage in this activity which is simply not going to affect the lives of most, if not all, of the people of Hawaii. It is not going to affect the desires of a better way of life, and yet, we have spent the bulk of this legislative session dealing with this issue.

"So, I intend to vote against the bill for a number of reasons, but if for no other reason, as a measure of protest for this Legislature for occupying its time so much on an issue that can be best settled away from the legislative process. And I would like to assure the Chair of Judiciary and the representative from East Honolulu that unlike some other barnyard fowl, I do not believe that the sky is falling, that I don't think the sky is going to fall because we do not pass this bill. It simply, I think, is a waste of the peoples' time in bringing up this issue. I intend to vote no.

"Thank you."

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

"Some of the earlier remarks make it seem as though the thoughts and the decisions of the State Supreme Court are superior to the thoughts and decisions of the Legislature. Earlier statements make it seem as though there's something very worthy in the opinion of the State Supreme Court based on precedent or the interpretation of the statutes and the Hawaii Constitution, and I just want to bring to the attention of the members that the opinion has been questioned seriously by members of the Supreme Court.

"The opinion basically says that refusing to provide a marriage license to same-sex couples is unconstitutional because it violates Hawaii's constitutional prohibition against discrimination on the basis of sex. The Court arrived at this conclusion by a narrow three to two margin even though nothing in any of the records of the 1968 or 1978 Constitutional Conventions, nor in any of the legislative history, points to anything other than gender-based protection, i.e. the protection of women against discrimination. Where discrimination on the basis of sexual orientation has been protected in our laws, it is always set apart from discrimination on the basis of sex, that is gender.

"The dissenting opinion of Justice Heen, concurred in by Justice Hayashi, clearly spells out the weakness in the plurality opinion. And, by the way, Justice Burns had to write his own concurring opinion to find reason to join the plurality. I believe that Senator Gaulty and his colleagues have done an excellent job of explaining why the Hawaii Supreme Court is on such shaky ground. Justice Heen, by the way, in his dissenting opinion castigates the plurality of his colleagues, saying that the Hawaii Supreme Court should not have 'manufactured a civil right which is unsupported by precedent.'

"In the legislative findings in this bill, we described the Supreme Court's actions in the Baehr decision as, in effect, the substitution of its own judgment for the will of the people of this State. Many of you have conducted your surveys, and in my survey of my constituents, 83 percent of the people stated that they believe that state laws should maintain the definition of marriage as between two people of opposite sex, not of the same sex. Interestingly enough, a majority of people -- 55 percent -- said that they would be willing to consider expanding the rights of individuals, same-sex couples, concerning rights that would acknowledge their commitment to each other and the rights that they should have as long-term partners in relationships.

"Fellow colleagues, for me, the bottom line is the question ... are we going to express the will of the people today, or are we going to leave policy up to the unprecedented whims of a plurality of the Supreme Court?

"Again, referring to Justice Heen's dissenting opinion, surprisingly, it never seemed to have occurred to Justice Levinson and to Justice Moon what impact this policy change would have on our society and, in particular, on our courts for which the Supreme Court is administratively responsible. The dissenters warned that the decision 'will have far-reaching and grave repercussions on the finances and industry of this State and all other states in the country.' Knowing this, Mr. Speaker, I believe that it would be irresponsible to leave this issue to the plurality of the State Supreme Court.

"Thank you."

Representative Santiago then rose to speak in favor of the bill, with serious reservations, stating:

"You know, I heard Representative Hagino talk earlier about how we spent so much time on this and that. If nothing else, I'm going to come away from this session really disappointed in agreeing that if we were to spend one-quarter of the amount of time we spent on this issue, one-quarter of the amount of time in energy and money to deal with some of the human services issues ... we've seen the number of cases of Child Protective Services' child abuse rise, we've had a number of cases reported in the local media recently that truly alarms me ... where are our priorities, people? But I am going to have to vote for this bill with some reservations, and let me just tell you why.

"The domestic partnership part in the bill is what I have been calling for from the beginning of session. I have been asking that we, as a legislative body, do what we can to not discriminate, acknowledging the fact that there are extremes on either side of the issue, that we'll never agree with whatever comes out. There are people who will never allow domestic partnership, or ever agree that domestic partnership is the way to go, and will stop short of nothing of saying they will never ever be an acknowledgement of an individual group that may differ from theirs.

"For me, when the Dalai Lama came by, I guess that's the highlight that I am going to take away from this session. And when he talked about the need for us to develop our spiritual and emotional side, because after having gone through the hate and the threats and the fear that people have expressed to me when we deal with this issue, I say ... where is the compassion and tolerance that we all talk about and know we need?

"And so in voting with some reservations on this bill, I run the risk of having those individuals interpret my vote as their victory in thinking that they can bully any one of us into changing our votes. But that's the risk I got to

take. I also risk some of my colleagues thinking this is more political mumbo-jumbo from somebody, but I vote my conscience. I voted my conscience the first go around because I felt that bill was fundamentally flawed, and I've shared that with the Chair. I acknowledge the work that has been put into it but in this bill, as I read it, I don't like a lot of stuff in it. But if we can begin to seriously look at what we should be looking at, which is not discriminating against a group of people and finding some middle ground that most of the people out there can understand and can support, then I think that's the way to go. We're not going to please everybody -- that's impossible. And so, with a heavy heart, I will vote with reservations.

"Thank you."

The motion was put by the Chair and carried, and 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 MARRIAGE," having been read throughout, passed Final Reading by a vote of 36 ayes to 12 noes, with Representatives Amaral, Bainum, Chun, Hagino, Hiraki, Hirono, Nekoba, Pepper, Takamine, Takumi, Tam and Taniguchi voting no, and Representatives Shon, Tanimoto and Young being excused.

#### **H.B. No. 2631, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2631, HD 2, and H.B. No. 2631, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Shon, Tanimoto and Young being excused.

#### **H.B. No. 2912, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2912, and H.B. No. 2912, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Shon, Tanimoto and Young being excused.

#### **H.B. No. 3180, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3180, and H.B. No. 3180, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PERSONNEL SERVICES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Shon, Tanimoto and Young being excused.

The Chair directed the Clerk to note that H.B. Nos. 1649, 2312, 2631, 2912 and 3180 had passed Final Reading at 12:54 o'clock p.m.

### **STANDING COMMITTEE REPORTS**

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1790-94) recommending that S.C.R. No. 83 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A MEDIATION PROCESS TO ADDRESS THE ISSUE OF LONG-STANDING PROBLEMS IN THE RELATIONSHIP BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND FOSTER PARENTS AS IT RELATES TO THE QUALITY OF CARE PROVIDED TO FOSTER CHILDREN," was referred to the Committee on Finance.

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1791-94) recommending that S.C.R. No. 195, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 195, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR COLLABORATION AMONG STATE AGENCIES AND FOR PUBLIC-PRIVATE PARTNERSHIPS BETWEEN THE STATE AND PROVIDERS OF HUMAN SERVICES IN FURTHERING FAMILY PRESERVATION AND SUPPORT," was referred to the Committee on Finance.

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1792-94) recommending that S.C.R. No. 238, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 238, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DEFER UNTIL JUNE 15, 1995, PROPOSED POLICY CHANGES TO THEIR CHORE SERVICE FOR THE ELDERLY AND DISABLED THAT WOULD PROHIBIT NEW APPLICANTS AFTER JUNE 15, 1994, SO THAT OTHER AVENUES OF FUNDING SUCH SERVICES CAN BE EXPLORED AND SERVICE DELIVERY CAN BE CONTINUED," was referred to the Committee on Finance.

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1793-94) recommending that S.C.R. No. 251, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 251, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S TASK FORCE ON MAKAALA BE RECONVENED IN ORDER TO FIND WAYS AND MEANS TO KEEP MAKAALA AND ITS VALUABLE PROGRAMS FOR THE DISABLED VIABLE IN OUR STATE," was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1794-94) recommending that S.C.R. No. 47, SD 1, be referred to the Committee on Education.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 47, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, SCHOOL FOOD SERVICES PROGRAM TO PURCHASE FOOD, SUPPLIES, AND EQUIPMENT THAT WERE LOCALLY GROWN, MANUFACTURED, OR

CONSTRUCTED, WHENEVER POSSIBLE," was referred to the Committee on Education.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1795-94) recommending that S.C.R. No. 197 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 197, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY FUTURE SPACE INDUSTRY OPPORTUNITIES FOR THE STATE OF HAWAII," was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1796-94) recommending that S.C.R. No. 198 be referred to the Committees on Education and Higher Education and the Arts.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING THE FUTURE FLIGHT HAWAII PROGRAM AS A YEAR-ROUND, STATEWIDE AEROSPACE EDUCATION ACTIVITY IN HAWAII," was referred jointly to the Committees on Education and Higher Education and the Arts.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1797-94) recommending that S.C.R. No. 247, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 247, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ASSIST HAWAII SMALL BUSINESSES IN PARTICIPATING IN VARIOUS COUNTY FAIRS ON THE CONTINENTAL UNITED STATES," was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1798-94) recommending that S.C.R. No. 271, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 271, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO FACILITATE THE CREATION OF A KA'U COORDINATING COMMITTEE," was referred to the Committee on Finance.

#### SUSPENSION OF RULES

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

**RECONSIDERATION OF  
ACTION TAKEN**

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2 (SD 2); 2882 (SD 1); 3199, HD 2 (SD 2); 3433, HD 2 (SD 1); and 2071, HD 1 (SD 2), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2 (SD 2); 2882 (SD 1); 3199, HD 2 (SD 2); 3433, HD 2 (SD 1); and 2071, HD 1 (SD 2).

**ANNOUNCEMENTS**

Representative Nekoba rose and requested waiver of the 48-hour hearing notice requirement to hear S.C.R. No. 339, SD 1, tomorrow at 1:30 p.m. in Conference Room 1310, and the Chair "so ordered."

Representative Arakaki then rose and requested waiver of the 48-hour hearing notice requirement to hear S.C.R. No. 156 tomorrow at 9:30 a.m. in Conference Room 1310, and the Chair "so ordered."

At this time, Representative Okamura, on behalf of the members of the House, extended birthday greetings to Representative Bunda and to the Speaker.

**ADJOURNMENT**

At 12:59 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 26, 1994.

## FIFTY-SIXTH DAY

Tuesday, April 26, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor Darrell Rott of the Seventh-Day Adventist Church, Aiea, after which the Roll was called showing all members present with the exception of Representatives Hagino and Shon, who were excused.

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

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

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

Representative Tajiri introduced four members of the Big Island Chamber of Commerce, as follows: Lani Kahawai, former Senator Richard Henderson, Harris Hirata and Tony Hanley.

Representative Young introduced a group of County Council members from Inje, Korea, as follows: Mr. Eom Kyu Wan, Chair of the County Council; Mr. Shin Tae Sik, Mr. Lee Ki Woo, Mr. Jeong Byung Seok, Mr. Han Eui Dong, Mr. Nam Duk Woo, and Mr. Yoo Jeoi Young.

At 11:48 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following concurrent resolutions (S.C.R. Nos. 89, 156 and 226) were re-referred as follows:

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
89	Committee on Human Services
156	Committee on Hawaiian Affairs, then to the Committee on Legislative Management
226	Jointly to the Committees on Human Services and Health

## SUSPENSION OF RULES

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

## FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

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

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

Representative Ward rose to speak in support of the bill, stating:

"Mr. Speaker, the road to mobility in America has been proven to be education. Education is the root to socio-economic mobility, and this bill goes to the heart of that by saying ... if you have a family member who is a deceased National Guardsperson, we will give you a tuition waiver, not only because of the patriotic service to this country, but as we know the Kauai Iniki, a great service that those people has performed.

"This bill is a nice, good, solid educational gesture by which this Legislature can say ... Right on! Well done! Thank you for sacrificing your lives.

"Thank you, Mr. Speaker."

Representative Alcon then rose to speak in support of the bill, stating:

"As a World War II veteran, I support this bill. I think it is a good bill, and if we look back in our history, Mr. Speaker, a lot of the leaders of today went through free tuition.

"Thank you."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2, and H.B. No. 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Hagino and Shon being excused.

**H.B. No. 2882, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2882, and H.B. No. 2882, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Hagino and Shon being excused.

**H.B. No. 3199, HD 2, SD 2:**

Representative Ihara moved that the House agree to the amendments proposed by the Senate to H.B. No. 3199, HD 2, and H.B. No. 3199, HD 2, SD 2, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Arakaki rose to speak against the bill, stating:

"I guess what I am objecting to is the fact that the Senate had removed the prohibition of advertisements for alcohol or tobacco products at University of Hawaii events. As I recall, in February, which was Drug Free Hawaii Month, I had paid tribute to our Chair and the

members of the Higher Education Committee for having the courage to take a stand and make a statement in behalf of our young people which many of these advertisements affect, that it was not acceptable to have advertisements for tobacco and alcohol, recognizing the deleterious effects that they have on our young people and the kind of message that it had.

"Now, I feel like we are backing down on that and I guess I'm feeling that we're backing down because of again, money. We know that the University of Hawaii will lose a lot of revenues by not being able to advertise tobacco and alcohol products. But I think that's where we have to make the policy choices, and we have to set the direction and set the message for our society and for our young people. By backing off, I feel like we're saying ... maybe it's okay if we can make money off of it. And that's not the kind of message I think we want to send to our young people.

"We have to think about the context of athletics and how much it means to young people. Any time you mix the two, there's a tendency to get confused, and I think we see a lot of advertisements on TV that sort of implies that if you're a good athlete, you also drink and you smoke. I think those are the kinds of wrong messages we don't want our young people to have.

"For the sake of our young people, and for the sake of giving them the right messages, especially from our Legislature and our legislators, I do want to vote no on this measure, and I hope my colleagues will also join me in casting a no vote.

"Thank you."

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

"I rise to speak against it for the fiscal reasons and the logical inconsistencies that this bill implies, Mr. Speaker.

"This State has had the wisdom to prevent billboards on our highways but we have not had the wisdom to prevent billboards in our stadium, Mr. Speaker, the point being this is a double standard. If it was really that necessary and we felt so strongly that we needed the money for our sports arena, why doesn't this body in the Finance Committee simply fund it, or why doesn't the sports arena, with one rock concert, raise sufficiently overly abundantly the amount of money that these probably very ugly unaesthetic advertisements are going to raise. It just doesn't fit. It's not logical, it's not fiscally responsible, and I'm surprised that we are this far along doing what we are doing.

"Thank you, Mr. Speaker."

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

"Very briefly, I think this is a precedent -- a toe in the door -- in breaching our unique sign law in Hawaii. I see another bill coming down the pipe that is poised for final passage regarding a precedent in our historic preservation law. The bill would allow a State department to say 'no' as to whether placing a structure on the Historic Register.

"I think we have two unique laws which protect our environment here in Hawaii and I would hate to see either of them breached. I think one precedent leads to another precedent and it just may be a matter of time before the flood.

"I urge all people to vote against this measure. I think it's a bad idea.

"Thank you."

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

"Once you open up the door to one exemption, there's no stopping, and what will happen is that each entity that will come before us will have a justifiable reason for saying ... this will bring us some money for our worthwhile program.

"I guess I vote with the Outdoor Circle on this, Mr. Speaker, and I say 'no' to billboards."

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

"Mr. Speaker, I think that the Higher Education Committee was on the right track when we looked at what these kinds of advertisements could do, and the message that it was sending out. I feel, Mr. Speaker, that it has been changed with the Senate's help, and I think that even though it might draw a lot of funding in for University of Hawaii events, we are still sending the wrong message.

"Thank you."

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

"Mr. Speaker, this is a good bill. It is for the University of Hawaii. It will add income to the University of Hawaii and, hopefully, they will never come over and ask us for additional money.

"The only trouble with this bill, Mr. Speaker, is that it makes a hypocrite out of us. We try to ban smoking and yet we advertise it for the sake of income. Besides, Mr. Speaker, this will be done within the stadium, auditorium, and so on, so if you don't want to look at it, you can close your eyes.

"Thank you, Mr. Speaker."

Representative Marumoto then rose and stated:

"Mr. Speaker, I forgot to mention that I agree with the first speaker who spoke who was disappointed with the provision on alcohol and tobacco being removed from this bill. I had hoped that that provision would remain in the bill if it had to pass at all, and included with that prohibition would be disallowing any advertising for gambling establishments. I think if we go to the stadium, we may be seeing some advertisements to that effect.

"Just to sum up, I'm against this bill.

"Thank you very much."

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

"I just wanted to briefly mention that I am hoping that the message will be heard loud and clear by those people who will be in charge of seeing which ads actually get put up there. When the bill came before us in the Finance Committee, it was a major concern for some of the members that alcohol and tobacco not be advertised. If I go to a game, I'd like to see Nike or Pepsi-Cola or some other thing that is associated with the event that I am watching and not necessarily alcohol and tobacco which, as mentioned earlier, is too closely aligned with sporting events.

"The only reason I'm getting up to speak is that the people who are in charge will hear this loud and clear and use discretion as to who they will allow to advertise.

"Thank you."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3199, HD 2, and H.B. No. 3199, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," having been read throughout, passed Final Reading by a vote of 35 ayes to 14 noes, with Representatives Arakaki, Bainum, Beirne, Chun, Duldulao, Hiraki, Isbell, Marumoto, Nekoba, Pepper, Santiago, Stegmaier, Thielen and Ward voting no, and Representatives Hagino and Shon being excused.

**H.B. No. 3433, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3433, HD 2, and H.B. No. 3433, HD 2, SD 1, entitled: "A BILL FOR AN ACT APPROVING THE ADVISORY OPINIONS OF THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL," having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Hagino and Shon being excused.

The Chair directed the Clerk to note that H.B. Nos. 2, 2882, 3199 and 3433 had passed Final Reading at 12:18 o'clock p.m.

**STANDING COMMITTEE REPORTS**

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1799-94) recommending that S.C.R. No. 219, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 219, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO REVIEW AND REVISE REAL PROPERTY TAX ORDINANCES TO SUPPORT AGRICULTURAL POLICIES," was referred to the Committee on Finance.

Representative M. Ige, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1800-94) recommending that S.C.R. No. 220 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 220, entitled: "SENATE CONCURRENT RESOLUTION REQUESTS THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE AQUACULTURE PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Representatives Chun and Duldulao, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 1801-94) recommending that S.C.R. No. 24, SD 1, as amended in HD 1, be referred to the Committee on Education.

Representative Ihara moved that the joint report of the Committees be adopted and notwithstanding the recommendation of the Committee that S.C.R. No. 24, SD 1, HD 1, be referred to the Committee on Education, that S.C.R. No. 24, SD 1, HD 1, be adopted.

At 12:19 o'clock p.m., Representative Thielen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:20 o'clock p.m., Representative Thielen seconded the motion.

The motion was put by the Chair and carried, and the joint report of the Committees was adopted, and notwithstanding the recommendation of the Committees that S.C.R. No. 24, SD 1, HD 1, be referred to the Committee on Education, S.C.R. No. 24, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII," was adopted.

At 12:21 o'clock p.m., Representative Arakaki asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

Representative Arakaki, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1802-94) recommending that S.C.R. No. 156, as amended in HD 1, be referred to the Committee on Ocean Recreation and Marine Resources.

By unanimous consent, action was deferred one day.

**SUSPENSION OF RULES**

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

**RECONSIDERATION OF ACTION TAKEN**

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 2925, HD 1 (SD 1); 3164, HD 2 (SD 1); 3165, HD 2 (SD 2); and 3321 (SD 1), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 2925, HD 1 (SD 1); 3164, HD 2 (SD 1); 3165, HD 2 (SD 2); and 3321 (SD 1).

**ANNOUNCEMENTS**

Representative Chun rose and requested waiver of the 48-hour hearing notice requirement for the purpose of decision-making on S.C.R. No. 89, today at 5:00 p.m. in Conference Room 1310, and the Chair "so ordered."

Representative Duldulao rose and requested waiver of the 48-hour hearing notice requirement to hear S.C.R. Nos. 99 and 88, tomorrow at 9:00 a.m. in Conference Room 1206, and the Chair "so ordered."

Representative D. Ige: "The members of the Committee on Education will be having decision-making on S.C.R. No. 190 in the Majority Caucus Room immediately following session."

Representative Tom: "I just want to remind the Judiciary Committee members of the conferencing this afternoon. Also, at 6:30 p.m. today, we're having a public hearing and decision-making on S.C.R. No. 250."

Representative Isbell then rose and stated:

"The members of the House of Representatives would like to announce that they would like to have a presentation made -- a special, unique floor presentation to one of our colleagues. I would like to, at this time, announce that our floor presentation is to our own Alexander Santiago, and this is because he was chosen Social Worker of the Year for 1993-1994."

Representative Isbell then asked Representative Santiago to stand to be recognized and presented a Certificate of Recognition to him, and a lei was presented to the honoree by Representative Thielen.

#### **ADJOURNMENT**

At 12:30 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 27, 1994.

## FIFTY-SEVENTH DAY

**Wednesday, April 27, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:44 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor David Oldfather of the Kalihi Union Church, after which the Roll was called showing all members present with the exception of Representatives Duldulao, M. Ige and Peters, who were excused.

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

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

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 711) was read by the Clerk and was placed on file:

Sen. Com. No. 711, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate Bills and has agreed to the amendments and that said bills passed Final Reading in the Senate on April 26, 1994:

Senate Bill 2198, HD 1  
Senate Bill 2837, SD 1, HD 2  
Senate Bill 2949, SD 1, HD 1

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
2	Committee on Energy and Environmental Protection
9	Committee on Energy and Environmental Protection
88	Jointly to the Committees on Health and Human Services
106	Committee on Finance
156	Committee on Hawaiian Affairs

## UNFINISHED BUSINESS

**Stand. Com. Rep. No. 1802-94 on S.C.R. No. 156, HD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted, and notwithstanding the recommendation of the Committee that S.C.R. No. 156, HD 1, be referred to the Committee on Ocean Recreation and Marine Resources, S.C.R. No. 156, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT BY THE LEGISLATIVE AUDITOR OF THE CONTRACT, INSPECTION AND CONSTRUCTION OF THE HOMES ON PANAWEA RESIDENTIAL LOT, UNITS 3 AND 4, BUILT ON HAWAIIAN HOMELANDS IN A JOINT VENTURE BETWEEN DEPARTMENT OF HAWAIIAN HOMELANDS AND THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was adopted.

## SUSPENSION OF RULES

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

## FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

**H.B. No. 2925, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2925, HD 1, and H.B. No. 2925, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, M. Ige and Peters being excused.

**H.B. No. 3164, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3164, HD 2, and H.B. No. 3164, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, M. Ige and Peters being excused.

**H.B. No. 3165, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3165, HD 2, and H.B. No. 3165, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE BENEFITS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, M. Ige and Peters being excused.

**H.B. No. 3321, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3321, and H.B. No. 3321, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," having been read throughout, passed Final Reading by a vote of 48 ayes, with

Representatives Duldulao, M. Ige and Peters being excused.

The Chair directed the Clerk to note that H.B. Nos. 2925, 3164, 3165 and 3321 had passed Final Reading at 12:20 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1803-94) recommending that S.C.R. No. 108, SD 1, as amended in HD 1, be referred to the Committee on Finance.

Representative Ihara moved that the report of the Committee be adopted and S.C.R. No. 108, SD 1, HD 1, be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Lee rose to speak in favor of the concurrent resolution, stating:

"I am in favor of this concurrent resolution, but I think we are only speaking against the wind. The only way you can get the federal Congress and the federal executives to stop unfunded federal mandates is to pass a balanced budget amendment. That will send a real message that even Hawaii is in favor of a balanced budget amendment, and so to stop sending us unfunded federal mandates.

"That is a suggestion I would urge upon the Committee on Intergovernmental Relations to work on that in conjunction with other states in the NCSL.

"Thank you, Mr. Speaker."

Representative Ward then rose and stated:

"Mr. Speaker, why people say politics are such strange bedfellows in that I would violently disagree with what he previously said. I would violently agree that we do need a balanced budget amendment, and I would hope that there would be the guts to do that, not only in our message, but those who are sitting in the Congress to do such.

"So I commend my colleague from Mililani for bringing that up so strongly."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 108, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION PRESERVING THE REPUBLIC AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1804-94) recommending that S.C.R. No. 240, as amended in HD 1, be referred to the Committee on Finance.

Representative Ihara moved that the report of the Committee be adopted and S.C.R. No. 240, HD 1, be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Ward rose to speak in favor of the concurrent resolution, stating:

"The correct action, Mr. Speaker, in this concurrent resolution would be to raise the presence of Hawaii in the Philippines which the concurrent resolution presently reads to be an office in the Philippines. And why I

emphasize that is not only, one, because we are in the era of Asia and the Pacific and not Europe and the Atlantic, but that we are closing, in effect, our presence in Asia by the Finance Committee and others having decided that the Hong Kong office will no longer be open. Mr. Speaker, if we are the crossroads of the Pacific, we have to thrust into the Asian future, into the markets that are there.

"This concurrent resolution only says we will have a presence in the Philippines. We need an office. Even though it's a resolution, it could have some teeth if presence was turned into an office. I beg to bring that attention to my colleagues on the Finance Committee to consider that. As we contract in one side of the Pacific, perhaps we can expand on the other.

"Thank you."

Representative Lee then rose to speak in favor of the concurrent resolution, stating:

"I have worked in commercial promotion for the United States Federal government overseas, and I have found that official promotion is not as effective as the private sector seeking profits and doing the right thing. I would certainly think that it's about time we leave it to the private sector to do its job, which is to make business make money, and that we should cut back on unnecessary expenses like cutting out that office."

Representative Alcon then rose to speak in favor of the concurrent resolution, stating:

"Mr. Speaker, there is a lot of bond between Hawaii and the Philippines and by establishing a commercial relationship with that country, it will also help the country get on its feet. We are closing the offices in Hong Kong, Mr. Speaker, and there is no better place for us to open one than in the Philippines. I want you to know, Mr. Speaker, that the fastest growing section of this world is Southeast Asia; therefore, I would ask that the Finance Committee, of which I am a member, will also amend it.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 240, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INTERNATIONAL RELATIONS AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO RECOMMEND WAYS TO ENCOURAGE COMMERCIAL ACTIVITIES BETWEEN HAWAII AND THE PHILIPPINES," was referred to the Committee on Finance.

Representative D. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1805-94) recommending that S.C.R. No. 190, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 190, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH AND REVIEW DISCOUNTED RATES FOR TELECOMMUNICATIONS SERVICES USED FOR EDUCATIONAL INSTITUTIONS AS PART OF ITS CURRENT TELECOMMUNICATIONS DOCKET NO. 7702" was referred to the Committee on Consumer Protection and Commerce.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1806-94)

recommending that H.R. No. 292, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 292, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENGAGE WITH THE PRIVATE SECTOR TO DEVELOP ECOTOURISM CONCEPTS AT AKAKA FALLS AND SURROUNDING AREAS," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1807-94) recommending that S.C.R. No. 76 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 76, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MARKET POTENTIAL AND APPROPRIATE SITES FOR SATELLITE CONVENTION FACILITIES ON THE NEIGHBOR ISLANDS," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1808-94) recommending that S.C.R. No. 134, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 134, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 93-25, 'MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU'," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1809-94) recommending that S.C.R. No. 182 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 182, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE GOVERNMENT TO PROMOTE HAWAII AS A HEALTH AND FITNESS DESTINATION LEADING UP TO THE NAGANO WINTER OLYMPIC GAMES IN 1998 AND THE SYDNEY SUMMER OLYMPIC GAMES IN THE YEAR 2000," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1810-94) recommending that S.C.R. No. 231 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 231, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INCREASE OPPORTUNITIES FOR BUSINESSES AND AGENCIES TO COMPETE FOR TOURISM MARKETING CONTRACTS," was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1811-94)

recommending that S.C.R. No. 248 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 248, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF THE HAWAII VISITORS BUREAU'S NEIGHBOR ISLAND AFFILIATE ORGANIZATIONS," was referred to the Committee on Legislative Management.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1812-94) recommending that S.C.R. No. 253, SD 1, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 253, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE IMMIGRATION AND NATURALIZATION SERVICE TO REASSESS ITS PROCESSING PRACTICES FOR APPLICATIONS FOR NON-IMMIGRANT VISAS FOR VISITORS FROM ASIA," was referred to the Committee on Judiciary.

Representatives Cachola and Stegmaier, for the Committees on Tourism and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 1813-94) recommending that S.C.R. No. 187, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 187, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UNDERTAKE A PUBLIC/PRIVATE CAMPAIGN TO ENCOURAGE HAWAII BUSINESSES, PARTICULARLY THOSE RELATED TO THE PROMOTION, MARKETING, AND DEVELOPMENT OF THE TOURISM INDUSTRY, TO GIVE PURCHASING PREFERENCE TO OTHER HAWAII BUSINESSES," was referred to the Committee on Finance.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1814-94) recommending that S.C.R. No. 153, as amended in HD 1, be adopted.

Representative Ihara moved that the report of the Committee be adopted and S.C.R. No. 153, HD 1, be adopted, seconded by Representative Thielen.

Representative Lee rose to speak<sup>1</sup> in favor of the concurrent resolution, stating:

"I am in favor of telling the Federal government to stop sending us mandated programs without any assistance. The only way they'll listen to us is if we give them a real message, and the real message is that we are sending back a balanced budget amendment to the Federal government. If we do that, they will sit up and notice; otherwise, we'll just be shouting against the wind.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 153, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL

GOVERNMENT TO PRESERVE A BALANCED STATE AND FEDERAL PARTNERSHIP," was adopted.

Representative Taniguchi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 1815-94) recommending that S.C.R. No. 257, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 257, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE ACHIEVEMENTS AND CONTRIBUTIONS OF THE REPUBLIC OF CHINA ON TAIWAN," was adopted.

#### CONFERENCE COMMITTEE REPORTS

Representative Bainum, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1999, SD 1, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 1999, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 1999, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," was deferred for a period of 48 hours.

Representatives Chun, Isbell, Bunda and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2288, HD 1, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 2288, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and S.B. No. 2288, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," was deferred for a period of 48 hours.

Representatives M. Ige, Bainum and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2956, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 2956, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and S.B. No. 2956, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," was deferred for a period of 48 hours.

Representatives Oshiro and Bunda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3322, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 3322, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and S.B. No. 3322, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII AIR CARRIERS," was deferred for a period of 48 hours.

Representative Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2235, HD 1, SD 1,

presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 2235, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 2235, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX OF SALES AND GROSS PROCEEDS OF SALES," was deferred for a period of 48 hours.

Representatives Oshiro and Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2402, HD 1, presented a report (Conf. Com. Rep. No. 6) recommending that S.B. No. 2402, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and S.B. No. 2402, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF MORE PARKING SPACES," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1816-94) recommending that H.R. No. 124, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 124, HD 1, entitled: "HOUSE RESOLUTION URGING FEDERAL, STATE, AND COUNTY AGENCIES TO ADOPT A POLICY THAT UTILIZES THE AHUPUA'A AS A MODEL FOR THE INTEGRATED RESOURCE MANAGEMENT OF WATER AND OTHER RESOURCES," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1817-94) recommending that H.R. No. 155, HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 155, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE HAWAIIAN HOMES COMMISSION, AND THE OFFICE OF STATE PLANNING TO IDENTIFY ALL PUBLIC TRUST LANDS HELD BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1818-94) recommending that H.R. No. 389 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 389, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR AND THE MAYOR OF THE COUNTY OF HAWAII TO DEVELOP AN OVERALL STRATEGY THAT WOULD MAINTAIN THE AGRICULTURAL/RURAL CHARACTER OF THE HILO-HAMAKUA COMMUNITY AND ASSIST IN THE

TRANSITION OF THAT COMMUNITY FROM A PLANTATION ECONOMY," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1819-94) recommending that S.C.R. No. 116, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER KOHALA COASTAL ACQUISITIONS," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1820-94) recommending that S.C.R. No. 206, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 206, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO DEVELOP AND IMPLEMENT A PLAN TO REHABILITATE NUUANU STREAM," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1821-94) recommending that S.C.R. No. 233, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 233, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONTINUING THE TASK FORCE TO PRESERVE WAIPIO VALLEY," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1822-94) recommending that S.C.R. No. 239, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 239, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE CONCEPT OF EXCHANGING STATE LANDS AT PUUANAHULA WITH LAND AT KEAHOE OWNED BY HAWAII ELECTRIC LIGHT COMPANY," was referred to the Committee on Finance.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 1627, HD 1 (SD 2); 2075 (SD 2); 2623 (SD 1); and 3176, HD 2 (SD 1), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 1627, HD 1 (SD 2); 2075 (SD 2); 2623 (SD 1); and 3176, HD 2 (SD 1).

#### ANNOUNCEMENT

Representative Bunda: "Just to remind the members of the CPC Committee to be available this afternoon for decision-making on resolutions that we heard on Monday, April 25th."

#### ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Ihara, seconded by Representative Thielen and carried, the House of Representatives adjourned until 4:00 o'clock p.m. tomorrow, Thursday, April 28, 1994.

## FIFTY-EIGHTH DAY

**Thursday, April 28, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 4:15 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Pastor John Boaz of the Kalihi Union Church, after which the Roll was called showing all members present with the exception of Representative Duldulao, who was excused.

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

On motion by Representative Ihara, seconded by Representative Thielen 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. 712 to 714) were read by the Clerk and were placed on file:

Sen. Com. No. 712, informing the House that on April 26, 1994, the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate Bills, and has, on April 27, 1994, agreed to the amendments and that said bills passed Final Reading in the Senate:

S.B. No. 2787, HD 2  
 S.B. No. 3044, SD 1, HD 1  
 S.B. No. 2753, SD 1, HD 1  
 S.B. No. 2889, SD 1, HD 2  
 S.B. No. 2834, SD 1, HD 1  
 S.B. No. 3010, SD 2, HD 2  
 S.B. No. 2623, SD 2, HD 1  
 S.B. No. 2979, HD 1  
 S.B. No. 3015, SD 2, HD 1  
 S.B. No. 3024, SD 1, HD 2  
 S.B. No. 2098, SD 1, HD 1  
 S.B. No. 2752, SD 2, HD 2  
 S.B. No. 2781, SD 1, HD 2  
 S.B. No. 2925, SD 2, HD 1  
 S.B. No. 2924, SD 1, HD 2  
 S.B. No. 2954, SD 1, HD 2  
 S.B. No. 2434, SD 1, HD 1  
 S.B. No. 2964, HD 1  
 S.B. No. 2965, HD 1

Sen. Com. No. 713, informing the House that the President has, on April 27, 1994, 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. 1609, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1615, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1617, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1618, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

**H.B. No. 1619, HD 1, SD 1:**

Senators Ikeda/Kanno, Co-Chairs; Holt, Solomon and George.

Sen. Com. No. 714, informing the House that the Senate has reconsidered its action in agreeing to the amendments proposed by the House to Senate Bill No. 2648, SD 1 (HD 2), and has disagreed to the amendments on April 27, 1994.

At this time, Representative Thielen rose and stated:

"I wanted to introduce my daughter today on Take Your Daughter to Work Day, but she is picking up my granddaughter, Natalie Helper Thielen, at the Day Care Center, so I would like to introduce a 'daughter' that I have adopted for the day, and someone who is very special to me," and introduced Gabriella Hammond of the Minority Research Office.

At 4:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:48 o'clock p.m.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<u>S.C.R. Nos.</u>	<u>Re-referred to:</u>
7	Committee on Finance
8	Committee on Intergovernmental Relations and International Affairs
33	Committee on Transportation, then to the Committee on Tourism
38	Committee on Consumer Protection and Commerce
138	Committee on Finance
140	Committee on Finance
175	Committee on Consumer Protection and Commerce
176	Committee on Consumer Protection and Commerce
177	Committee on Finance

## SUSPENSION OF RULES

On motion by Representative Ihara, seconded by Representative Thielen and carried, the rules were

suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar.

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

##### **H.B. No. 1627, HD 1, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1627, HD 1, and H.B. No. 1627, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT PAYMENTS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Duldulao being excused.

##### **H.B. No. 2075, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2075, and H.B. No. 2075, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT-OWNED HAWAIIAN FISH PONDS," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Duldulao being excused.

##### **H.B. No. 2623, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2623, and H.B. No. 2623, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASES," having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Duldulao being excused.

##### **H.B. No. 3176, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3176, HD 2, and H.B. No. 3176, HD 2, 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 Duldulao being excused.

The Chair directed the Clerk to note that H.B. Nos. 1627, 2075, 2623 and 3176 had passed Final Reading at 4:49 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Chun, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1823-94) recommending that S.C.R. No. 89, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 89, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A BLUEPRINT FOR REFORM OF THE CHILD WELFARE SERVICES SYSTEM FOR FAMILIES WHERE CHILD ABUSE AND NEGLECT IS SUSPECTED OR HAS OCCURRED," was adopted.

Representatives Chun and Duldulao, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 1824-94) recommending that S.C.R. No. 226, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 226, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE INTERDEPARTMENTAL CLUSTER FOR SERVICES TO CHILDREN SUBMIT A REPORT TO THE LEGISLATURE ON ITS ACTIVITIES," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1825-94) recommending that S.C.R. No. 6, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 6, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH GROUNDWATER MONITORING PROGRAMS OF EACH ISLAND OF THE STATE," was referred to the Committee on Finance.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1826-94) recommending that S.C.R. No. 62, SD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and notwithstanding the recommendation of the Committee that S.C.R. No. 62, SD 1, be referred to the Committee on Legislative Management, S.C.R. No. 62, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1827-94) recommending that S.C.R. No. 133, SD 1, be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 94-3, 'AUDIT OF THE HAZARDOUS WASTE MANAGEMENT PROGRAM OF THE DEPARTMENT OF HEALTH'," was referred to the Committee on Finance.

Representatives Bainum and Oshiro, for the Committees on Energy and Environmental Protection and Transportation, presented a joint report (Stand. Com. Rep. No. 1828-94) recommending that S.C.R. No. 115, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 115, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE SIERRA CLUB LEGAL DEFENSE FUND'S FORMAL PETITION WITH THE FEDERAL AVIATION ADMINISTRATION TO CONTROL TOUR AIRCRAFT IN THE STATE OF HAWAII," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1829-94) recommending that S.C.R. No. 183 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTY GOVERNMENTS AND STATE DEPARTMENTS OF LAND AND NATURAL RESOURCES, TRANSPORTATION AND ACCOUNTING AND GENERAL SERVICES TO PROMOTE THE USE OF XERISCAPE LANDSCAPING," was adopted.

Representatives Cachola and Stegmaier, for the Committees on Tourism and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 1830-94) recommending that S.C.R. No. 252 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 252, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ENTER INTO DISCUSSIONS WITH THE WALT DISNEY COMPANY CONCERNING DEVELOPMENT OF A HAWAII HISTORY THEME PARK ON THE BIG ISLAND OF HAWAII," was adopted.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1831-94) recommending that S.C.R. No. 250, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 250, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING WORK OF HAWAII'S POLICE OFFICERS AND REQUESTING THAT THE LEGISLATURE BE PROVIDED WITH A COPY OF GENERAL ORDERS," was adopted.

Representatives Duldulao and Chun, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1832-94) recommending that S.C.R. No. 88, SD 1, be referred to the Committee on Judiciary.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and notwithstanding the recommendation of the Committees that S.C.R. No. 88, SD 1, be referred to the Committee on Judiciary, S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO RECOMMEND MORE EFFECTIVE WAYS TO DEAL WITH HAWAII'S DRUG PROBLEMS," was adopted.

Representatives Duldulao and Chun, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 1833-94) recommending that S.C.R. No. 99, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 99, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO REPORT ON PLANS TO RESPOND TO THE HEALTH AND SOCIAL

PROBLEMS ON THE ISLANDS OF HAWAII," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1834-94) recommending that S.C.R. No. 40, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 40, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FACILITATION OF RENEWABLE ENERGY RESOURCES UTILIZATION," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1835-94) recommending that S.C.R. No. 68, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 68, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR LICENSING OF MECHANICS IN THE REFRIGERATION AND AIR CONDITIONING INDUSTRY," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1836-94) recommending that S.C.R. No. 79 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RECOMMEND A DEFINITION OF QUALIFIED NUTRITIONIST AND A WAY TO PROTECT THE PUBLIC FROM NUTRITION FRAUD," was adopted.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1837-94) recommending that S.C.R. No. 191, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 191, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' CABLE TELEVISION DIVISION TO EXAMINE THE CURRENT REGULATORY PROCESSES," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1838-94) recommending that S.C.R. No. 2, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES," was adopted.

Representative Bainum, for the Committee on Energy and Environmental Protection, presented a report (Stand.

Com. Rep. No. 1839-94) recommending that S.C.R. No. 9, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 9, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REPORT TO THE LEGISLATURE REGARDING RESULTS OF THE POLICY TO PROMOTE THE PURCHASE OF PRODUCTS MADE FROM RECYCLED MATERIALS," was adopted.

#### CONFERENCE COMMITTEE REPORTS

Representative Bunda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2605, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 2605, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and S.B. No. 2605, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION," was deferred for a period of 48 hours.

Representative Cachola, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1046, SD 1, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 1046, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and H.B. No. 1046, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Representatives Lee and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3198, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 3198, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 3198, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII INTERCOLLEGIATE ATHLETIC PROGRAMS," was deferred for a period of 48 hours.

Representatives Lee, D. Ige and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3447, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 3447, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 3447, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Bainum and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3180, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 51)

recommending that S.B. No. 3180, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and S.B. No. 3180, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred for a period of 48 hours.

#### HOUSE COMMUNICATION

A communication from the House informing the Senate that the House has objected to the action concerning Senate Bill No. 2648, SD 1, HD 2, relating to the University of Hawaii, was read by the Clerk and was placed on file.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994 in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2186, HD 2 (SD 1); 2190 (SD 1); 2285, HD 2 (SD 1); 2309, HD 2 (SD 1); 2460, HD 1 (SD 1); 2490 (SD 1); 2635, HD 1 (SD 1); 2822, HD 1 (SD 1); 2944, HD 1 (SD 1); 2945, HD 2 (SD 1); 2989, HD 1 (SD 1); 3090, HD 1 (SD 2); 3106, HD 4 (SD 1); 3149, HD 1 (SD 1); 3190, HD 1 (SD 1); 3191, HD 1 (SD 2); 3195 (SD 1); 3210, HD 1 (SD 1); 3211, HD 1 (SD 1); 3302 (SD 1); 3306, HD 1 (SD 1); 3307, HD 1 (SD 1); 3309, HD 1 (SD 1); 3310, HD 1 (SD 1); 3445, HD 2 (SD 2); 3484, HD 2 (SD 1); 3585, HD 1 (SD 1); and 3742 (SD 1), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2186, HD 2 (SD 1); 2190 (SD 1); 2285, HD 2 (SD 1); 2309, HD 2 (SD 1); 2460, HD 1 (SD 1); 2490 (SD 1); 2635, HD 1 (SD 1); 2822, HD 1 (SD 1); 2944, HD 1 (SD 1); 2945, HD 2 (SD 1); 2989, HD 1 (SD 1); 3090, HD 1 (SD 2); 3106, HD 4 (SD 1); 3149, HD 1 (SD 1); 3190, HD 1 (SD 1); 3191, HD 1 (SD 2); 3195 (SD 1); 3210, HD 1 (SD 1); 3211, HD 1 (SD 1); 3302 (SD 1); 3306, HD 1 (SD 1); 3307, HD 1 (SD 1); 3309, HD 1 (SD 1); 3310, HD 1 (SD 1); 3445, HD 2 (SD 2); 3484, HD 2 (SD 1); 3585, HD 1 (SD 1); and 3742 (SD 1).

#### ANNOUNCEMENTS

Representative Nekoba rose and requested waiver of the 48-hour hearing notice requirement to hear S.C.R. No. 230 on Friday, April 29th, at 10:30 a.m. in Conference Room 1310, and the Chair "so ordered."

Representative Bunda then rose and requested waiver of the 48-hour hearing notice requirement for decision-making on S.C.R. No. 38, SD 1, this afternoon at 5:45 p.m. in Room 802, and the Chair "so ordered."

Representative Ward then rose and stated:

"Mr. Speaker, I would like to make a historical footnote into the Journal in that as we speak, the elections

in South Africa proceeds, and that this body takes cognizance of our colleagues in South Africa as a democracy.

"This is an announcement of historical global nature, so I hope the Majority would believe it to be in order to make an announcement ... just so we put it on the record that we are paying attention to what's going on there.

"Thank you, Mr. Speaker."

At 4:57 o'clock p.m., the House of Representatives stood in recess until 7:00 o'clock p.m. tonight.

### NIGHT SESSION

The House of Representatives reconvened at 7:22 o'clock p.m.

### STANDING COMMITTEE REPORTS

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1840-94) recommending that H.R. No. 105, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 105, HD 2, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF EMERGENCY MEDICAL SERVICES FOR THE HOMELESS MENTALLY ILL," was adopted.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1841-94) recommending that S.C.R. No. 269, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 269, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RE-EVALUATE ITS POLICIES CONCERNING THE APPROVAL OF INDIVIDUAL WASTEWATER SYSTEMS IN LOW-LYING AND SEA-LEVEL COMMUNITIES," was adopted.

Representative Menor, for the Committee on Public Safety and Corrections, presented a report (Stand. Com. Rep. No. 1842-94) recommending that S.C.R. No. 158 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 158, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE BY THE AUDITOR PURSUANT TO REPORT NO. 92-26, 'AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY'," was referred to the Committee on Finance.

### CONFERENCE COMMITTEE REPORTS

Representatives Taniguchi 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. 2294, SD 2, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 2294, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com.

Rep. No. 11 and H.B. No. 2294, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," was deferred for a period of 48 hours.

Representatives Nakasone, Taniguchi and Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2197, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 2197, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and H.B. No. 2197, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Representatives Stegmaier, Bunda 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. 2909, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 2909, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and H.B. No. 2909, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOING OUT OF BUSINESS SALES," was deferred for a period of 48 hours.

Representatives Bainum, Tom and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2641, SD 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 2641, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 2641, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," was deferred for a period of 48 hours.

Representatives Bainum 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. 2642, SD 1, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 2642, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 2642, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2515, HD 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 2515, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and S.B. No. 2515, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2829, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 2829, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and S.B. No. 2829, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Representatives Yonamine and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2630, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 2630, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and S.B. No. 2630, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," was deferred for a period of 48 hours.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to H.B. No. 3465, HD 2 (SD 2), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to H.B. No. 3465, HD 2 (SD 2).

#### ANNOUNCEMENT

Representative Ihara moved to keep the Journal open until midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Thielen and carried.

At 7:25 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 (Conf. Com. Rep. Nos. 16 to 50 and 55 to 61) were received in the Clerk's Office:

Conf. Com. Rep. No. 16 and H.B. No. 3255, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 17 and H.B. No. 2491, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPENSING OF PRESCRIPTION

DRUGS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 18 and H.B. No. 2640, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE BROKERS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 19 and H.B. No. 3170, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 20 and H.B. No. 2913, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 21 and H.B. No. 3491, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 22 and H.B. No. 2238, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 23 and H.B. No. 3303, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USED MOTOR VEHICLES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 24 and H.B. No. 1590, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 25 and H.B. No. 2219, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 26 and H.B. No. 2220, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 27 and H.B. No. 2725, 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, May 2, 1994.

Conf. Com. Rep. No. 28 and H.B. No. 2975, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 29 and H.B. No. 2981, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SETTING OF BAIL," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 30 and H.B. No. 3133, 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 placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 31 and H.B. No. 3137, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 32 and H.B. No. 3201, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 33 and H.B. No. 2461, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 34 and H.B. No. 2599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 35 and H.B. No. 3209, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 36 and H.B. No. 2680, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 37 and H.B. No. 2921, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUINE ACTIVITIES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 38 and H.B. No. 2322, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 39 and H.B. No. 3470, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 40 and H.B. No. 1712, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 41 and H.B. No. 3416, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 42 and H.B. No. 2449, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 43 and H.B. No. 1733, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 44 and H.B. No. 3290, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE STATE

ETHICS CODE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 45 and H.B. No. 65, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 46 and H.B. No. 740, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 47 and H.B. No. 929, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 48 and H.B. No. 1088, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 49 and H.B. No. 3017, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 50 and H.B. No. 2985, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 55 and S.B. No. 2180, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 56 and S.B. No. 2722, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 57 and S.B. No. 2563, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 58 and S.B. No. 2182, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR CONSENT OF THE SENATE TO THE APPOINTMENT OF DISTRICT COURT JUDGES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 59 and S.B. No. 2183, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JUDGES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 60 and S.B. No. 2663, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 61 and S.B. No. 256, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," were placed on the calendar for Final Reading on Monday, May 2, 1994.

**ADJOURNMENT**

At 12:00 o'clock midnight, the House of Representatives adjourned until 4:00 o'clock p.m. tomorrow, Friday, April 29, 1994.

## FIFTY-NINTH DAY

Friday, April 29, 1994

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 4:22 o'clock p.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Ezra R. Kanoho, after which the Roll was called showing all members present with the exception of Representatives Duldulao, Hirono and Taniguchi, who were excused.

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

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 165 and 166) were read by the Clerk and were placed on file:

Gov. Msg. No. 165, informing the House that on April 28, 1994, he signed the following bills into law:

House Bill No. 2181 as Act 28, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2234 as Act 29, entitled: "RELATING TO NATUROPATHY";

House Bill No. 2287 as Act 30, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2327 as Act 31, entitled: "RELATING TO LICENSE PLATES";

House Bill No. 2334 as Act 32, entitled: "RELATING TO TOURISM";

House Bill No. 2361 as Act 33, entitled: "RELATING TO THE TRAFFIC CODE";

House Bill No. 2462 as Act 34, entitled: "RELATING TO INSURANCE";

House Bill No. 2825 as Act 35, entitled: "RELATING TO CHARITABLE ORGANIZATIONS";

House Bill No. 3150 as Act 36, entitled: "RELATING TO MILITARY JUSTICE TRAINING FOR MEMBERS OF THE STATE MILITARY FORCES";

House Bill No. 3155 as Act 37, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 3171 as Act 38, entitled: "RELATING TO OCEAN RECREATION";

House Bill No. 3208 as Act 39, entitled: "RELATING TO PHARMACY";

House Bill No. 3213 as Act 40, entitled: "RELATING TO TRAVEL AGENCIES";

House Bill No. 3304 as Act 41, entitled: "RELATING TO THE TRAVEL AGENCY EDUCATION FUND";

House Bill No. 3305 as Act 42, entitled: "RELATING TO THE LICENSING OF OSTEOPATHS";

House Bill No. 3308 as Act 43, entitled: "RELATING TO THE USE OF ACADEMIC DESIGNATIONS IN THE PRACTICE OF ACUPUNCTURE";

House Bill No. 3312 as Act 44, entitled: "RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY";

House Bill No. 3610 as Act 45, entitled: "RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES";

House Bill No. 3729 as Act 46, entitled: "RELATING TO DRIVER'S LICENSE".

Gov. Msg. No. 166, transmitting his statement of objections to Senate Bill No. 2406, which he has returned to the Senate without his approval and which reads as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS  
HONOLULU

April 28, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2406

Honorable Members  
Seventeenth 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. 2406, entitled, 'A Bill for an Act Relating to Insurance.'

The purpose of this bill is to expand the authority of domestic ceding insurers to take credit on financial statements for risks ceded to a group that includes incorporated underwriters in addition to individual unincorporated underwriters, thus paralleling the expansion of membership of Lloyd's of London to include corporations as underwriting members.

However, House Bill No. 2462 is substantially identical to Senate Bill No. 2406, which was also passed during the Regular Session of 1994. Since I intend to approve House Bill No. 2462, which will accomplish the purpose of Senate Bill No. 2406, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 2406 without my approval.

Respectfully,

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 715 to 720) were read by the Clerk and were placed on file:

Sen. Com. No. 715, returning H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A COMPREHENSIVE STATEWIDE BOATING PROGRAM," which was adopted by the Senate on April 28, 1994.

Sen. Com. No. 716, informing the House that the Senate has adopted H.C.R. No. 246, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF THE HAWAII OCEAN MARINE RESOURCES MANAGEMENT PLAN (PLAN), AND THAT THE RELEVANT AGENCIES EXPEDITE THE IMPLEMENTATION OF THE PLAN," on April 28, 1994.

Sen. Com. No. 717, informing the House that the Senate has adopted H.C.R. No. 410, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO UNDERTAKE A COOPERATIVE REGIONAL PLANNING PROGRAM TO RESPOND TO SOCIAL, ECONOMIC, AND PHYSICAL CHANGES THAT ARE PRESENTLY OCCURRING, AND THAT MAY EVENTUALLY OCCUR, IN THE NORTH SHORE REGION OF THE ISLAND OF OAHU," on April 28, 1994.

Sen. Com. No. 718, informing the House that the Senate has adopted H.C.R. No. 174, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THROUGH LAND EXCHANGE, LANDS IN PAHOA, HAWAII, FOR COMMUNITY USES," on April 27, 1994.

Sen. Com. No. 719, returning H.C.R. No. 321, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EFFECTUATE THE INTENT OF ACT 348, SESSION LAWS OF HAWAII, 1993 AND CONTINUE NEGOTIATIONS WITH PRIVATE LAND OWNERS FOR THE PRESERVATION OF MOUNT OLOMANA," which was adopted by the Senate on April 27, 1994.

Sen. Com. No. 720, informing the House that the President, on April 28, 1994, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bill:

**H.B. No. 1088, HD 1, SD 1:**

Senators Graulty, Chair; Baker, A. Kobayashi, Levin and Reed.

At this time, Representative Ward introduced Mr. Willie Raphael from Kenya, Africa.

At 4:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:00 o'clock p.m.

**ORDER OF THE DAY**

**SUSPENSION OF RULES**

On motion by Representative Ihara, seconded by Representative Thielen 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 H.B. No. 1999, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1999, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUILDING CODES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**Conf. Com. Rep. No. 2 on S.B. No. 2288, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2288, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**Conf. Com. Rep. No. 3 on S.B. No. 2956, SD 1, HD 3, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2956, SD 1, HD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I support this measure because it would ensure that the State does not have to compensate landowners when the State exercises its traditional police powers. The right to harvest trees is plainly subject to the State's need to protect health, safety and welfare.

"This bill has been amended because the term 'health safety and welfare' includes protection of the environment. Because I believe that the police power includes the power to protect the natural environment (as recognized by numerous courts), I support this bill.

"I have some additional comments I would like to enter into the Journal, Mr. Speaker."

"The Chair, noting that there were no objections, "so ordered."

Additional comments by Representative Bainum are hereby inserted:

"The U.S. Supreme Court has recognized the importance of protecting 'health, the environment and the fiscal integrity of the area.' Keystone Bituminous Coal Association v. DeBenedictis 480 U.S. 488.

"The Florida Supreme Court pointed out that the 'protection of environmentally sensitive areas and pollution prevention are legitimate concerns of the police power.' Graham v. Estuary Properties, 399 So.2d 1374, 1381 (Fl. 1981). Similarly, the South Dakota Supreme Court held that the state's police power is 'properly exercised in preventing a public harm by protecting the natural environment. . . .' Chockecherry Hill Estates v. Devel County, 294 N.W.2d 654, 657 (1980). The Illinois

Supreme Court has recognized that the public trust doctrine includes 'the interest in conserving natural resources and in protecting and improving the environment.' People Ex. Rel. Scott v. Chicago Park District, 360 N.E.2d 773 (1976).

"As a New York court commented:

"Respecting ecology as a new factor, it appears that the time has come -- if, indeed, it has not already irretrievably passed -- for the courts, as it were, to take 'ecological notice' in zoning matters. . . The definition of 'public health, safety and welfare surely must now be broadened to include and to provide for these belatedly recognized threats and hazards to the public weal.

"Nattin Realty Inc. v. Ludewig, 324 N.Y.S.2d 668, 672 (Sup. Ct. 1971).

"Because I believe that the police power includes the power to protect the natural environment (as recognized by numerous courts), I support this bill."

Representative Thielen then rose to speak in support of the bill, stating:

"After careful thought, I am supporting Senate Bill 2956 because, Mr. Speaker, this bill provides a margin of additional protection for the environment. More importantly, I am supporting this conference draft because the Attorney General's Office has advised the Committee members that the term 'health, safety and welfare' includes protection of the environment.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2956, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**Conf. Com. Rep. No. 4 on S.B. No. 3322, SD 1, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3322, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII AIR CARRIERS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**Conf. Com. Rep. No. 5 on H.B. No. 2235, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2235, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX OF SALES AND GROSS PROCEEDS OF SALES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**Conf. Com. Rep. No. 6 on S.B. No. 2402, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2402, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CREATION OF MORE PARKING SPACES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

The Chair directed the Clerk to note that H.B. No. 1999; S.B. Nos. 2288, 2956 and 3322; H.B. No. 2235 and S.B. No. 2402 had passed Final Reading at 5:05 o'clock p.m.

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

**H.B. No. 2692, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2692, HD 2, and H.B. No. 2692, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2186, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2186, HD 2, and H.B. No. 2186, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2190, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2190, and H.B. No. 2190, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2285, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2285, HD 2, and H.B. No. 2285, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2309, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2309, HD 2, and H.B. No. 2309, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2460, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to

the amendments proposed by the Senate to H.B. No. 2460, HD 1, and H.B. No. 2460, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2490, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2490, and H.B. No. 2490, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OUT-OF-STATE PRESCRIPTIONS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2635, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2635, HD 1, and H.B. No. 2635, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2822, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2822, HD 1, and H.B. No. 2822, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE TAXATION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2944, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2944, HD 1, and H.B. No. 2944, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 2989, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2989, HD 1, and H.B. No. 2989, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL CIRCUITS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3090, HD 1, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3090, HD 1, and H.B. No. 3090, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE AND TOBACCO TAX," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3106, HD 4, SD 1:**

Representative Ihara moved that the House agree to the amendments proposed by the Senate to H.B. No. 3106, HD 4, and H.B. No. 3106, HD 4, SD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker and colleagues, I rise to speak on House Bill 3106, HD 4, SD 1. Last year, Act 348 was passed, which designated a part of Mt. Olomana as a historical landmark. This year, in response to requests from Windward residents and to increasing and unending development, this bill was introduced to provide a vehicle to ensure acquisition and preservation of areas of Mt. Olomana.

"During Third Reading, a historic floor amendment was carried out to address concerns about the potential exchange of ceded lands. This enabled us to proceed in a manner that provides for a responsible and viable means to fulfill the intent of this measure.

"There is an old saying, 'The ends justify the means,' but in this case, Mr. Speaker, we can say that the ends can be justified only if they are achieved through responsibility, integrity and accountability.

"I would like to thank you, Mr. Speaker, my colleagues, the Chair of the Water and Land Use Committee, and also to the Chair before him, and concerned parties for your mana'o and kokua in working together to serve the people of Hawaii.

"Thank you, Mr. Speaker."

Representative Hagino then rose and stated:

"Just a few words in support of House Bill 3106, but expressing some reservations, not about the fact that we're going to save Olomana as I certainly support that, but some concerns about land exchanges in general.

"I find it very interesting that there has been a great clamor over this land exchange. Several years ago, while chairing the Water and Land Committee, I had inserted money into the budget for the purchase of these lands for which we are now going to engage in land exchanges, that the money was taken out, unfortunately. I believe that the proper manner to have preserved Olomana was through the purchase of land. Hopefully, the land exchange will take place after December 1994, but I think this Administration has been a very poor judge over the value of land, and the land swaps that they have engaged in, I think, have been very poorly done."

"I also have noticed that although we had a great deal of excitement over this land exchange, four years prior to this, when there was a land exchange for the Heeia meadow lands which should have been purchased and not swapped for land, the land that was swapped for the Heeia meadow lands was ceded lands at Ala Moana in Kakaako, and the swap was made through a little-known section of the law in the HCDA ... the Kakaako Development Authority law that allows for the land swap without any legislative review. Most land exchanges are done through review; this was done bypassing the legislative review. We never had an opportunity to do it. I had opposed that land swap. I would have supported the purchase of the Heeia lands, and I think it was a mistake then to have done it in that way and it was with ceded lands. I want to remind everyone about that. That

swap was for ceded lands. Now we've woken up a little bit and we see the concern over what happens when we do exchange or we run the risk of exchanging lands from private developers or private owners for ceded lands. I'm glad we're finally, after four or five years, beginning to wake up.

"I do want to make that comment that we have swapped lands before for ceded lands. There was no uproar then. I hope this will teach us to be more vigilant. But, once again, I believe that if we are going to make these kinds of exchanges, that we should purchase the land and not engage in a land swap. We have not done a very good job of valuing lands, in my opinion.

"Thank you."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3106, HD 4, and H.B. No. 3106, HD 4, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOUNT OLOMANA," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3149, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3149, HD 1, and H.B. No. 3149, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3190, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3190, HD 1, and H.B. No. 3190, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC DISCLOSURE OF WRITTEN OPINIONS BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3191, HD 1, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3191, HD 1, and H.B. No. 3191, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF EMPLOYEE BENEFIT PLANS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3195, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3195, and H.B. No. 3195, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3210, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3210, HD 1, and H.B. No. 3210, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3211, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3211, HD 1, and H.B. No. 3211, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSE AIDES," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3302, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3302, and H.B. No. 3302, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3306, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3306, HD 1, and H.B. No. 3306, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PRIVATE DETECTIVES AND GUARDS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3307, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3307, HD 1, and H.B. No. 3307, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REQUIREMENTS FOR OPTOMETRY LICENSE," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3309, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3309, HD 1, and H.B. No. 3309, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING REQUIREMENT FOR A PHOTOGRAPH," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3310, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3310, HD 1, and H.B. No. 3310, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO

PSYCHOLOGISTS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3445, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3445, HD 2, and H.B. No. 3445, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONSERVATION DISTRICT," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3465, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3465, HD 2, and H.B. No. 3465, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3484, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3484, HD 2, and H.B. No. 3484, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

**H.B. No. 3585, HD 1, SD 1:**

Representative Ihara moved that the House agree to the amendments proposed by the Senate to H.B. No. 3585, HD 1, and H.B. No. 3585, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"This bill is relating to underground transmission lines and, basically, my objection to the bill is noted on page 3.

"We all know that there is an indication that high voltage electric transmission lines **may** cause health impacts. We also know that many times these lines are routed near schools because that's where the inexpensive land is located. So what we are doing by this bill is saying that if there is a school or community that believes in the safety and health of its students, that those high voltage electric transmission lines should be routed underground. Then that school or community is going to have to pay for the additional cost of undergrounding the lines.

"I think, Mr. Speaker, when we are talking about the future health of our school children which could be impacted by those overhead lines, that that is a cost that society as a whole should pick up and pay. We shouldn't say to those small individual communities -- which may have inadequate resources -- that you're going to have to pay for that to take care of the health of your children. I think that this is a societal obligation and that we, as a community-at-large, should ensure that any high voltage electric transmission lines near schools are routed

underground. It is much better to use prudent avoidance rather than twenty years down the road be tremendously sorry that we didn't protect those school children.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, over the last ten years, I probably spent as much time as anyone in this chamber trying to understand the studies on electro-magnetic radiation. What is very clear is although we cannot measure what effect it has on any one individual, it is not debatable in scientific literature, that it has the ability to definitely affect cell operations in the human body. In fact, magnetic radiation is utilized in some processes to enhance the growth of broken bones because it does affect the body.

"What we are learning, study after study, is that the immune system is an extremely complex mechanism and if, indeed, magnetic fields are one additional risk factor in the context of multiple risk factors, it is going to be very difficult to say X doses for this person in this context will cause X number of cancers. But what we are learning is that magnetic fields very definitely have the ability to affect the human body, and in some circumstances can increase the growth of normal and abnormal cells. The epidemiological studies, again and again, indicate unexplained elevations of unexplained types of cancer.

"We cannot say for sure that not putting a particular transmission line underground is going to save so many lives. But on the other hand, we cannot say for sure that if you do or do not smoke x number of cigarettes, you will get cancer by a certain date. As a matter of fact, many of the carcinogens which we now recognize as dangerous, we do not have an exact dose response calculation for it. We just know that they are not good for us.

"We're not quite there yet for magnetic fields, but to say to a community, to say to a community ... eh, if you want to protect your kids, cough it up. This is a bailout bill for utilities and the trade-off is health and a peace of mind. Since when do we say to a community that a basic utility and the health and safety and aesthetics, et cetera, et cetera ... oh, you have to cough that up. We put the lines underground downtown because we don't like to see them. How many of us have paid specifically for that because we work down here? Again and again, lines are put underground here and there for aesthetic reasons. Extra costs are not imposed because society determines that is well within the prospect of the general welfare. It's reasonable. But we're saying here ... eh, it's unreasonable to want to keep this away from the kids.

"I concur with the previous speaker, and I urge all of you to think twice before some of the stuff comes to this floor. Maybe we could be a little more cautious, a little more professional, a little more attuned to the sensibilities of communities -- a whole number of communities enter the court case in the PUC over this particular issue. Boy, we are sensitive aren't we?

"I cast a no vote on this, Mr. Speaker."

Representative Pepper then rose to speak in favor of the bill, with some reservations, stating:

"With all due respect to the previous speakers, Mr. Speaker, we have heard words from them like 'unexplained cancer cases,' we have heard words like 'using prudent avoidance.' I, at this point, do not have the extensive knowledge as one of the previous speakers

with respect to this issue, but I, too, have reviewed some of those literature. My conclusion is that we simply do not know enough about electro-magnetic radiation to be able to make a connection -- a solid connection -- between diseases and electro-magnetic radiation.

"It is, therefore, my conclusion that we should not be spending millions of dollars to avoid what may not be a matter of harm to us. It is further my observation that the costs which a previous speaker has described is a bailout for the utilities would, in fact, be passed on to the consumers of those utility services so we would, in fact, be costing, not the utilities, but the consumers.

"At this point, we do not have the evidence to spend the millions of dollars which would be necessary and it is my conclusion, as it is the conclusion of the Health Department, that we should continue to study, continue to learn about this phenomenon, and in the meantime, personally be careful to avoid electro-magnetic radiation when it is possible to do so, but without subjecting ourselves or our fellow citizens to great expense.

"Thank you, Mr. Speaker."

Representative Lee then rose to speak in favor of the bill, with reservations, stating:

"I think we should be absolutely careful about the public health and welfare of all citizens. It's not only a matter of aesthetics that power lines are placed underground. Of course, it's not the utility companies who pay for it -- it's all of us. The point is whether it should be all of us, or some of us, or only those who want it underground.

"I can point to areas where a community, because of its wealth and standing and home policies, have themselves paid for underground utilities. Indeed, most of the subdivisions now going up require undergrounding of utilities and these are subsumed in the cost of the houses and, therefore, are paid by the consumers of that particular community.

"My point is that although we may not know the exact ill-effects of the radiation of these power lines, I think it's about time that we really look at the question of undergrounding powerful utility lines, not only for aesthetics which is done in downtown Honolulu or in East Honolulu along Kalaniana'ole Highway, but also in the public health and welfare of the citizens involved, especially those in the Leeward area, who have been subjected to an undue burden of providing a service to other parts of the more wealthy areas of Honolulu.

"Finally, I would like to point out a very important factor in undergrounding. Undergrounding provides an additional safety measure for the continued power during a natural phenomenon. Whenever there are outages, as long as the direct power line that goes to Mililani continues to operate, the entire town of Mililani does not suffer power outages associated with the downing of a line because those lines are underground. Of course, the people in Mililani paid for it, but I think, for the larger power lines which are transmission lines from the power plant to other parts of the community, they should be considered for undergrounding, particularly if they affect neighboring communities such as Village Park, Pearl City and Kamehameha Highway.

"At the present time, it will be much more economical and easier to underground transmission lines because there are very little development between Kahe and Pearl City or Waipahu through the Kapolei area. So, I would like to urge the Public Utilities Commission and all those who are concerned with our health and welfare to really

look at this question ... whether we are ready or willing to have the entire community bear the burden of what may be a peculiar or limited area, but that limited area does provide the transmission lines to the more affluent areas of Honolulu. If Kapolei and Ewa ever suffer a stoppage, you know, it will affect all of Honolulu because that's where all the power comes from.

"Thank you, Mr. Speaker."

Representative Amaral then rose to speak in support of the bill, stating: .

"Mr. Speaker, as you know I represent an area in West Oahu that was very concerned, and very specifically Village Park, and that we've been very concerned about the siting of the overhead 138 kv line, so this is a concern that has been close to my heart and I have been, as you have been, Mr. Speaker, part of the intervenors to try to get the Public Utilities Commission to deal with this issue.

"We anticipated that the utility companies would, in fact, try to bring in a discussion to minimize their responsibilities with respect to the placing of the lines overhead. In knowing that therefore, I think that the committees had a responsibility to try to fashion either a policy statement or try to assign responsibility for someone to look into the future policy of this.

"The reason that I support this measure is what started out as a statement saying the Public Utilities Commission shall not require any public utility to place, construct, erect, or otherwise build these high voltage lines underground has since turned into a bill that now says ... these are criteria we would like you to consider when thinking about how you're going to construct your future power lines, and we have asked, as policy makers, that the first factor is whether there is a benefit that outweighs cost to place the electric transmission system underground. So the first factor is, unless you can find any better reason, it should go underground.

"The other two then go to public policy and the creation of public policy. It would seem our responsibility to begin fashioning that argument, whether it's through the Department of Health or whether it's through a conversation with the utilities of the communities. This sets that conversation up. True, there is a part that says that whether the government agency or other parties would be willing to pay the additional cost of undergrounding, as our former speaker who was speaking, the communities have valued that and have chosen to pay for it but, certainly also, it is a public policy. We can choose to factor in and pay for that and that is something we should all be discussing.

"Because this is not a perfect world and because we're not all going to see the righteousness of undergrounding these power lines, we have to otherwise persuade our colleagues, and I see this as one of the few mechanisms that allows us to do that. It is for that reason, Mr. Speaker, that I support this measure.

"Thank you."

Representative Ward then rose and stated:

"I rise in support of this measure with one simple statement.

"The people of the State of Hawaii do not want to pay \$181 per month for their electricity and above in order to do their daily necessities with electricity. It is as simple as that.

"Thank you very much."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3585, HD 1, and H.B. No. 3585, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Shon and Thielen voting no, and Representatives Duldulao, Hirono and Taniguchi being excused.

#### H.B. No. 3742, SD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3742, and H.B. No. 3742, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUNG SCHOLARS PROGRAM," having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Duldulao, Hirono and Taniguchi being excused.

The Chair directed the Clerk to note that H.B. Nos. 2692, 2186, 2190, 2285, 2309, 2460, 2490, 2635, 2822, 2944, 2989, 3090, 3106, 3149, 3190, 3191, 3195, 3210, 3211, 3302, 3306, 3307, 3309, 3310, 3445, 3465, 3484, 3585 and 3742 had passed Final Reading at 5:24 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1843-94) recommending that S.C.R. No. 21, SD 1, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 21, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT MANAGEMENT AND FINANCIAL AUDITS OF THE AIRPORTS DIVISION OF THE DEPARTMENT OF TRANSPORTATION," was referred to the Committee on Legislative Management.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1844-94) recommending that S.C.R. No. 22, SD 1, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 22, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT MANAGEMENT AND FINANCIAL AUDITS OF THE HIGHWAYS DIVISION OF THE DEPARTMENT OF TRANSPORTATION," was referred to the Committee on Legislative Management.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1845-94) recommending that S.C.R. No. 33, SD 1, as amended in HD 1, be referred to the Committee on Tourism.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 33, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

TRANSPORTATION TO ESTABLISH A HAWAII AIRPORTS CULTURAL ADVISORY COMMITTEE," was referred to the Committee on Tourism.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1846-94) recommending that S.C.R. No. 281 be referred to the Committee on Legislative Management.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 281, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF A HAWAII PORT AUTHORITY," was referred to the Committee on Legislative Management.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1847-94) recommending that S.C.R. No. 25, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 25, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO HALT CONSTRUCTION OF VARIABLE MESSAGE SIGNS ON TRANS-KOOLAU FEEDER ROUTES IN WINDWARD OAHU," was adopted.

Representative Oshiro, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1848-94) recommending that S.C.R. No. 282 be adopted.

Representative Ihara moved that the report of the Committee be adopted and S.C.R. No. 282 be adopted, seconded by Representative Thielen.

Representative Ward rose to speak in favor of the concurrent resolution, stating:

"Mr. Speaker, I bring to the floor the fact that Tetsuo Harano has worked 52 or 53 years of his life for the Department of Transportation, a man who has probably walked every highway from when it was beginning as a cow path to now as a freeway, a man who probably all of us have dealt with because of the importance of transportation in our district, and a man with much power but also much humility. I know we don't always agree with him because traffic is still a problem in all of our areas, but if the H-3 tunnel is named for Tetsuo Harano, we will certainly always remember him as we 'tunnel' our way to the Windward side.

"Thank you, Mr. Speaker."

Representative Beirne then rose to speak against the concurrent resolution, stating:

"Mr. Speaker, Tetsuo Harano, I am sure, is very well known among many that use the highways and he has been of service to the people of Hawaii for a long, long time -- maybe too long. I think, Mr. Speaker, that Tetsuo needs to be recognized naturally, but I would recommend they name the Department of Transportation Building after Tetsuo Harano. I say this, Mr. Speaker, because it was very delicate -- the H-3 Freeway -- to many of the Hawaiians. And I think perhaps that if they named that particular area for the ili that it represents, or the moku, or the ahupuaa, I think it would be proper. And I think perhaps that when it was moving, we didn't catch it but my office did send comments to the Transportation Committee, and I just stand to raise this concern. I think

Tets needs to be honored for his years of service but I think to name the H-3 tunnel after him, they should really look into naming it after the ahupuaa.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 282, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE H-3 TUNNEL IN HONOR OF HIGHWAY ADMINISTRATOR TETSUO HARANO," was adopted, with Representative Beirne voting no.

Representative Bunda, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1849-94) recommending that S.C.R. No. 38, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 38, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF KAUAI TO DISPERSE GRANTS-IN-AID TO VICTIMS OF HURRICANE INIKI AFFECTED BY THE FAILURE OF LICENSED CONTRACTORS TO COMPLETELY EXECUTE THE TERMS AND CONDITIONS OF THEIR CONTRACTS," was adopted.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1850-94) recommending that S.C.R. No. 230 be referred to the Committee on Finance.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 230, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE MAYOR OF THE COUNTY OF HAWAII TO ESTABLISH A HILO-HAMAKUA STRATEGIC DEVELOPMENT ALLIANCE," was referred to the Committee on Finance.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1851-94) recommending that H.R. No. 268, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 268, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DECLARE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, AS NATIONAL HISTORIC LANDMARKS," was adopted.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1852-94) recommending that H.R. No. 379, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 379, HD 1, entitled: "HOUSE RESOLUTION URGING THE NATIONAL PARK SERVICE TO INCLUDE KUKUIPAHU HEIAU AND MAHUKONA HISTORICAL SITE IN NORTH KOHALA, COUNTY OF HAWAII, IN THE NATIONAL REGISTER OF HISTORIC PLACES," was adopted.

#### APPOINTMENT AND DISCHARGE

#### OF CONFEREES

##### H.B. No. 3144, SD 2:

The Chair discharged all conferees on H.B. No. 3144, SD 2, and has renamed Representative Say as Chair, and Representatives Kawakami and Marumoto as conferees.

#### ANNOUNCEMENT

Representative Say rose and requested waiver of the 48-hour hearing notice requirement for decision-making on S.C.R. No. 108, SD 1, HD 1, and the Chair "so ordered."

At 5:28 o'clock p.m., the House of Representatives stood in recess until 8:00 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 8:22 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 721 to 743) were read by the Clerk and were placed on file:

Sen. Com. No. 721, returning H.C.R. No. 377, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ASSISTED LIVING COMMUNITY TASK FORCE TO PREPARE RECOMMENDATIONS AND A REPORT ON PROPOSED HOUSING AS DEVELOPED FROM A CONFERENCE HELD TO EXPLORE ASSISTED LIVING HOUSING FOR SENIORS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 722, returning H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE ESTABLISHMENT OF A DEPARTMENT OF HOUSING," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 723, returning H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII DEVELOP A PROJECT PROPOSAL FOR A STUDY TO EXAMINE THE NATURE OF MULTIPLE-INCOME FARM FAMILY ENTERPRISES AND THE ROLE THESE ENTERPRISES PLAY IN HAWAII'S AGRICULTURAL SECTOR," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 724, returning H.C.R. No. 32, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 725, returning H.C.R. No. 470, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, IN CONJUNCTION WITH THE HAWAII CENTER FOR PEACE, TO ADVOCATE HAWAII AS A GATHERING PLACE FOR PEACE," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 726, returning H.C.R. No. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE BEHAVIOR, MOVEMENTS, AND ACTIVITIES OF SHARKS FOUND IN HAWAIIAN WATERS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 727, returning H.C.R. No. 293, HD 1, (SD 1), entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR GIVE PRIORITY TO THE OFFICE OF SPACE INDUSTRY IN ITS ONGOING AUDIT OF CONTRACT MANAGEMENT OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," which was adopted by the Senate on April 29, 1994, in an amended form.

By unanimous consent, H.C.R. No. 293, HD 1, as amended by the Senate, was placed on the Clerk's desk.

Sen. Com. No. 728, returning H.C.R. No. 433, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DESIGN AN APPROPRIATE MENTAL HEALTH GOVERNANCE STRUCTURE, AND TO PROPOSE ENABLING LEGISLATION," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 729, returning H.C.R. No. 263, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO DEVELOP ORDINANCES TO PROHIBIT BUSINESSES WHICH HAVE AS THEIR PRIMARY PURPOSE THE SELLING, RENTING OR SHOWING OF SEXUALLY EXPLICIT MATERIALS FROM OPERATING IN RESIDENTIAL NEIGHBORHOODS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 730, returning H.C.R. No. 489, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE NEED FOR THE DIVERSITY OF RELIGIOUS AND SPIRITUAL REPRESENTATION," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 731, returning H.C.R. No. 399, HD 1, (SD 1), entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES AS OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," which was adopted by the Senate on April 29, 1994, in an amended form.

By unanimous consent, H.C.R. No. 399, HD 1, as amended by the Senate, was placed on the Clerk's desk.

Sen. Com. No. 732, returning H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII WATER RESOURCE RESEARCH CENTER TO DEVELOP GUIDELINES WHICH MAY BE ADOPTED BY COUNTY PLANNING AND BUILDING DEPARTMENTS TO CONTROL THE CONSTRUCTION OF PRIVATE WATER CATCHMENT FACILITIES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 733, returning H.C.R. No. 361, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS,

ECONOMIC DEVELOPMENT, AND TOURISM TO SUBMIT RECOMMENDATIONS WHICH WOULD STIMULATE THE ARTS COMMUNITY AND REVITALIZE HAWAII'S ECONOMIC CLIMATE," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 734, returning H.C.R. No. 400, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE VIABILITY OF DEVELOPING INCUBATION CENTERS FOR SMALL BUSINESSES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 735, returning H.C.R. No. 390, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A HAWAII MUSEUM CENTER AT BARBERS POINT TO PRESERVE OUR HISTORY AND PROMOTE ECONOMIC DEVELOPMENT IN KAPOLEI," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 736, returning H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION RATIFYING THE TWENTY-SEVENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO THE COMPENSATION OF MEMBERS OF THE UNITED STATES CONGRESS AND WHEN ANY VARIANCES THEREIN SHALL TAKE EFFECT," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 737, returning H.C.R. No. 417, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENHANCE COOPERATIVE AND RECIPROCAL ARRANGEMENTS WITH STUDENTS, FACULTY, AND STAFF FROM SISTER-STATE INSTITUTIONS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 738, returning H.C.R. No. 89, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A WRITTEN POLICY FOR THE COORDINATION OF TRANSITION OF SERVICES FOR YOUNG ADULTS FROM THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION TO THE ADULT MENTAL HEALTH DIVISION," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 739, returning H.C.R. No. 259, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EVALUATE THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 740, returning H.C.R. No. 443, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A PLAN, INCLUDING FUNDING PROPOSALS, TO ENABLE THOSE LEASING LAND FROM THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN MAUNALAHA, MAKIKI HEIGHTS, ON OAHU, TO IMPROVE THEIR EXISTING HOMES OR TO CONSTRUCT NEW HOMES IN AN ENVIRONMENTALLY SENSITIVE MANNER," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 741, returning H.C.R. No. 94, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SUBMIT A REPORT ON THE EXPANSION NEEDS OF THE FOOD SAFETY CONSULTATIVE AND EDUCATION PROGRAM," which was adopted by the Senate on April 29, 1994.

A communication from the Senate (Sen. Com. No. 742) informing the House of an error contained in a Senate Communication dated April 18, 1994, relative to House Bill No. 2344. The Senate conferees identified in said communication should have been: Senators Ikeda, Chair; Fukunaga, Holt, Ann Kobayashi and George.

Sen. Com. No. 743, informing the House that the following bills have passed Final Reading in the Senate on April 29, 1994:

S.B. No. 2513, HD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE TERMS OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION";

S.B. No. 2288, HD 1, CD 1, entitled: "RELATING TO THE LANDLORD-TENANT CODE";

S.B. No. 2956, SD 1, HD 3, CD 1, entitled: "RELATING TO TREE FARMS";

S.B. No. 3322, SD 1, HD 2, CD 1, entitled: "RELATING TO HAWAII AIR CARRIERS";

S.B. No. 2402, HD 1, CD 1, entitled: "RELATING TO THE CREATION OF MORE PARKING SPACES";

H.B. No. 1999, SD 1, CD 1, entitled: "RELATING TO BUILDING CODES"; and

H.B. No. 2235, HD 1, SD 1, CD 1, entitled: "RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX OF SALES AND GROSS PROCEEDS OF SALES".

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

Representative Ihara moved that the House reconsider its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2553, HD 2 (SD 2); 2690, HD 1 (SD 1); 2897, HD 2 (SD 2); 3151, HD 1 (SD 1); 3461, HD 1 (SD 1); and 3472, HD 1 (SD 2), seconded by Representative Thielen and carried.

Representative Ihara then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 2553, HD 2 (SD 2); 2690, HD 1 (SD 1); 2897, HD 2 (SD 2); 3151, HD 1 (SD 1); 3461, HD 1 (SD 1); and 3472, HD 1 (SD 2).

At 8:25 o'clock p.m., Representative Ihara asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:27 o'clock p.m., Representative Bainum was permitted a late introduction and he introduced to the members of the House Ms. Erin Theresa Molly McGuire, a lobbyist.

#### CONFERENCE COMMITTEE REPORTS

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 495, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 495, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and S.B. No. 495, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2393, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 2393, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 2393, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND DANGEROUS WEAPONS," was deferred for a period of 48 hours.

Representatives Takamine, M. Ige and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3309, SD 2, HD 3, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 3309, SD 2, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 3309, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Representative Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1731, SD 1, presented a report (Conf. Com. Rep. No. 111) recommending that H.B. No. 1731, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111 and H.B. No. 1731, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES," was deferred for a period of 48 hours.

Representatives Herkes and Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2746, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 112) recommending that H.B. No. 2746, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112 and H.B. No. 2746, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AN INDUSTRIAL ENTERPRISE," was deferred for a period of 48 hours.

Representatives Cachola and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2333, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 113) recommending that H.B. No. 2333, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113 and H.B. No. 2333, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY," was deferred for a period of 48 hours.

Representative Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2344, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 114) recommending that H.B. No. 2344, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114 and H.B. No. 2344, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES," was deferred for a period of 48 hours.

Representatives Pepper and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3326, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 115) recommending that H.B. No. 3326, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115 and H.B. No. 3326, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS DIVISION'S PILOT AUTONOMY PROJECT," was deferred for a period of 48 hours.

Representatives Bunda and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3451, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 116) recommending that H.B. No. 3451, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116 and H.B. No. 3451, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PUBLIC UTILITIES REGULATION," was deferred for a period of 48 hours.

#### ANNOUNCEMENT

Representative Ihara moved to keep the Journal open until midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Thielen and carried.

At 8:29 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 (Conf. Com. Rep. Nos. 65 to 89 and 117 to 156) were received in the Clerk's Office:

Conf. Com. Rep. No. 65 and S.B. No. 905, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AIRPORT REVENUES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 66 and S.B. No. 3161, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 67 and S.B. No. 2615, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM FOR CHILDREN," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 68 and S.B. No. 3254, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1994 SAMOAN FLAG DAY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 69 and S.B. No. 2728, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 70 and S.B. No. 3307, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 71 and S.B. No. 2249, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 72 and S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF AMBULANCE SERVICES ON OAHU," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 73 and S.B. No. 2172, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 74 and S.B. No. 1628, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DREDGING OF MAUNALUA BAY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 75 and S.B. No. 2378, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 76 and S.B. No. 576, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 77 and S.B. No. 2366, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 78 and S.B. No. 3292, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT TAXI SERVICE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 79 and S.B. No. 2161, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 80 and S.B. No. 3303, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 81 and S.B. No. 2141, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 82 and S.B. No. 2261, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 83 and S.B. No. 2908, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII QUALIFIED HEALTH CENTERS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 84 and S.B. No. 2170, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLED MATERIALS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 85 and S.B. No. 2377, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 86 and S.B. No. 1249, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 87 and S.B. No. 2653, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR TAX LAW," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 88 and S.B. No. 2262, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 89 and S.B. No. 3045, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS DEVELOPMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 117 and H.B. No. 3160, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 118 and H.B. No. 3458, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 119 and H.B. No. 3132, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NONPRESENTMENT OF WARRANTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 120 and H.B. No. 3212, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 121 and H.B. No. 3333, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PANAWEWA RESIDENTIAL LOTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 122 and H.B. No. 2605, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 123 and H.B. No. 2647, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL EDUCATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 124 and H.B. No. 1609, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 125 and H.B. No. 1615, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 126 and H.B. No. 1618, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 127 and H.B. No. 3630, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 128 and H.B. No. 3135, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUVENILE JUSTICE INFORMATION SYSTEM," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 129 and H.B. No. 3506, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 130 and H.B. No. 1317, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURES IN REAL ESTATE TRANSACTIONS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 131 and H.B. No. 2928, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 132 and H.B. No. 759, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 133 and H.B. No. 1332, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 134 and H.B. No. 3443, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 135 and H.B. No. 2221, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 136 and H.B. No. 3323, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 137 and H.B. No. 2284, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATIZATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 138 and H.B. No. 3300, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 139 and H.B. No. 2780, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 140 and H.B. No. 2990, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 141 and H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 142 and H.B. No. 3144, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 143 and H.B. No. 2730, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 144 and H.B. No. 3513, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OVERSIGHT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 145 and H.B. No. 3600, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 146 and H.B. No. 1241, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 147 and H.B. No. 3456, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EXEMPTIONS FOR THE COMMUNITY HOSPITALS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 148 and H.B. No. 3324, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT AUTONOMY FOR HILO AND MAUI MEMORIAL HOSPITALS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 149 and H.B. No. 2515, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 150 and H.B. No. 3169, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 151 and H.B. No. 3179, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 152 and H.B. No. 3458, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 153 and H.B. No. 3428, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 154 and H.B. No. 3607, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ASSISTANCE," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 155 and H.B. No. 3676, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," were placed on the calendar for Final Reading on Monday, May 2, 1994.

Conf. Com. Rep. No. 156 and H.B. No. 3657, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Monday, May 2, 1994.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Monday, May 2, 1994.

## SIXTIETH DAY

**Monday, May 2, 1994**

The House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 10:27 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative Ezra R. Kanoho, 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 Ihara, seconded by Representative Thielen 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. 167) was read by the Clerk and was placed on file:

Gov. Msg. No. 167, informing the House that on April 29, 1994, he signed the following bills into law:

Senate Bill No. 3064 as Act 47, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1994 FOR HAMAKUA MEDICAL CENTER";

Senate Bill No. 2151 as Act 48, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE"; and

Senate Bill No. 2404 as Act 49, entitled: "RELATING TO INCOME TAXATION".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 744 to 776) were read by the Clerk and were placed on file:

Sen. Com. No. 744, returning H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COORDINATION IN THE DEVELOPMENT OF AN ACTION PLAN TO IMPLEMENT A GREEN WASTE BAN AND TO FACILITATE THE DEVELOPMENT OF A LOCAL GREEN WASTE RECYCLING INDUSTRY," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 745, returning H.C.R. No. 31, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING USE OF ANNUAL FULL COST ANALYSIS IN ASSESSING SOLID WASTE MANAGEMENT AND SOURCE REDUCTION PROGRAMS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 746, returning H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INITIATE AND SUPPORT LEGISLATION AND OTHER ACTION TO ENSURE THAT FILIPINO-AMERICAN VETERANS ARE GRANTED THE SAME VETERANS BENEFITS AS PERSONS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES OR JOINED THE PHILIPPINE SCOUTS BEFORE

OCTOBER 6, 1945," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 747, returning H.C.R. No. 80, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE IMMIGRATION AND NATURALIZATION SERVICE TO REASSESS ITS PROCESSING PRACTICES FOR APPLICATIONS FOR NON-IMMIGRANT VISAS FOR VISITORS FROM ASIA," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 748, returning H.C.R. No. 164, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSTRUCT A HALE KUPUNA IN KAHANA VALLEY AND TO ESTABLISH RULES AND A PLAN WITH KAHANA VALLEY RESIDENTS REGARDING THEIR PARTICIPATION IN AHUPUA'A O KAHANA," which was adopted by the Senate on April 29, 1994, in an amended form.

Sen. Com. No. 749, returning H.C.R. No. 201, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION ASSISTING AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 750, returning H.C.R. No. 256, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONSTRUCTION OF THE MOKULEIA WASTEWATER TREATMENT WORKS, EXPEDITE THE INSTALLATION OF SEWERS AND SEWAGE COLLECTION SYSTEMS IN THE AREA BETWEEN KAHALUU AND MOKULEIA, AND ASSESS THE FEASIBILITY OF USING THE KUILIMA WASTEWATER TREATMENT WORKS TO ALLEVIATE THE WASTEWATER TREATMENT NEEDS OF THE NORTH SHORE AREA OF THE ISLAND OF OAHU," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 751, returning H.C.R. No. 282, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE RESOLUTION OF TRADE NEGOTIATIONS BETWEEN THE UNITED STATES OF AMERICA AND JAPAN," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 752, returning H.C.R. No. 347, HD 3, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE LEGISLATION THAT LOWERS THE ESTATE TAX EXEMPTION," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 753, returning H.C.R. No. 368, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO CONDUCT WASTEWATER TREATMENT EDUCATION WORKSHOPS WITH COMMUNITY ORGANIZATIONS IN WINDWARD OAHU COMMUNITIES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 754, returning H.C.R. No. 379, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF PROTECTING

THE CORAL REEF ECOSYSTEM," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 755, returning H.C.R. No. 428, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE WAYS TO ENSURE THAT LOCAL COMPANIES ARE COMPETITIVE WITH COMPANIES FROM OTHER JURISDICTIONS IN BIDDING FOR WORK CONTRACTS WITH THE STATE GOVERNMENT," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 756, returning H.C.R. No. 437, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PREPARE A PLAN TO REDUCE EXECUTIVE BRANCH EXPENDITURES ON THE LEASING OF COMMERCIAL OFFICE SPACE," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 757, returning H.C.R. No. 454, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONVENE A STEERING COMMITTEE TO DEVELOP 'BENCHMARKS' TO ACCOMPLISH THE STRATEGIC VISION OF THE STATE OF HAWAII," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 758, returning H.C.R. No. 478, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE BACK/PURCHASE OPTION AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 759, informing the House that the Senate has adopted H.C.R. No. 5, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PRESIDENT CLINTON ACCELERATE PLANS FOR THE RETURN OF LANDS UTILIZED BY THE U.S. MILITARY IN OKINAWA TO THE GOVERNMENT AND PEOPLE OF OKINAWA PREFECTURE, JAPAN," on April 29, 1994.

Sen. Com. No. 760, returning H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL LEGISLATION WHICH REQUIRES MILITARY INSTALLATIONS TO PURCHASE CIGARETTES IN HAWAII IN A MANNER SIMILAR TO THAT REQUIRED FOR ALCOHOL UNDER 10 UNITED STATES CODE, SECTION 2488 (NONAPPROPRIATED FUND INSTRUMENTALITIES; PURCHASE OF ALCOHOLIC BEVERAGES) AS AMENDED," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 761, informing the House that the Senate has adopted H.C.R. No. 21, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII," on April 29, 1994.

Sen. Com. No. 762, returning H.C.R. No. 97, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF CURRENT PHYSICAL EDUCATION ACTIVITIES IN THE PUBLIC SCHOOLS PRIOR TO THE DEVELOPMENT OF A COMPREHENSIVE PHYSICAL EDUCATION

PROGRAM," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 763, informing the House that the Senate adopted H.C.R. No. 102, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONTRACT WITH THE UNIVERSITY OF HAWAII TO PROVIDE MOTORCYCLE EDUCATION COURSES ON THE NEIGHBOR ISLANDS," on April 29, 1994.

Sen. Com. No. 764, informing the House that the Senate adopted H.C.R. No. 196, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HUI 'IMI TASK FORCE TO CONVENE A CONFERENCE OF EARLY CHILDHOOD EDUCATION AND CHILD CARE AGENCIES AND OTHER ORGANIZATIONS AND AGENCIES THAT SERVE NATIVE HAWAIIANS AND HAWAIIANS," on April 29, 1994.

Sen. Com. No. 765, returning H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE MOST COST EFFECTIVE OPTIONS THE LEGISLATURE MAY USE TO DEVELOP ENHANCED INTERGOVERNMENTAL RELATIONS WITH THE FEDERAL GOVERNMENT," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 766, returning H.C.R. No. 301, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING FACT-FINDING STUDIES TO DETERMINE THE FEASIBILITY OF ALTERNATIVE OR IMPROVED TRANSPORTATION MODES GEARED SPECIFICALLY TOWARDS SENIOR CITIZENS AND PERSONS WITH DISABILITIES," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 767, returning H.C.R. No. 312, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE AND CULTURE CURRICULUM AT HAUULA ELEMENTARY SCHOOL, OAHU, AND WAIMEA HIGH SCHOOL, KAUAI," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 768, informing the House that the Senate adopted H.C.R. No. 335, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE 'HALEIWA BYPASS' IN HONOR OF THE LATE REPRESENTATIVE JOSEPH P. LEONG," on April 29, 1994.

Sen. Com. No. 769, returning H.C.R. No. 378, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF EXPANDING STATE REGULATORY PRACTICES TO AUTHORIZE OPTOMETRISTS TO USE THERAPEUTIC PHARMACEUTICAL AGENTS," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 770, returning H.C.R. No. 461, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY WAYS OF EXPANDING THE USE OF CLOSED-CAPTIONING IN EDUCATIONAL AND COMMERCIAL PROGRAMMING," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 771, returning H.C.R. No. 452, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES DEPARTMENT

OF STATE TO REVIEW AND REVERSE THE DECISION TO POSTPONE APPROVAL OF THE JAPAN AIR LINES NEW AIR ROUTE BETWEEN SENDAI CITY, JAPAN AND HONOLULU AND TO APPROVE THE ROUTE IMMEDIATELY," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 772, returning H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CONVENTION CENTER MARKETING STRATEGY," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 773, returning H.C.R. No. 372, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF THE HAWAII VISITORS BUREAU TO CONSIDER REVIEWING THE DUTIES OF ITS PRESIDENT AND SENIOR VICE-PRESIDENT FOR MARKETING," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 774, informing the House that the President, on April 29, 1994, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bill:

**H.B. No. 150, HD 2, SD 1:**

Senators Ikeda, Chair; Grauly, Baker, Iwase, Holt and George.

Sen. Com. No. 775, informing the House that the Senate disagreed to the amendments proposed by the House to S.C.R. No. 156 (HD 1), which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 776, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions, and that said concurrent resolutions were adopted in the Senate on April 29, 1994:

S.C.R. No. 24, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII";

S.C.R. No. 153, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO PRESERVE A BALANCED STATE AND FEDERAL PARTNERSHIP";

S.C.R. No. 9, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REPORT TO THE LEGISLATURE REGARDING RESULTS OF THE POLICY TO PROMOTE THE PURCHASE OF PRODUCTS MADE FROM RECYCLED MATERIALS";

S.C.R. No. 68, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR LICENSING OF MECHANICS IN THE REFRIGERATION AND AIR CONDITIONING INDUSTRY";

S.C.R. No. 89, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A BLUEPRINT FOR REFORM OF THE CHILD WELFARE SERVICES SYSTEM FOR FAMILIES WHERE CHILD ABUSE AND NEGLECT IS SUSPECTED OR HAS OCCURRED";

S.C.R. No. 191, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION AND THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS' CABLE TELEVISION DIVISION TO EXAMINE THE CURRENT REGULATORY PROCESSES";

S.C.R. No. 226, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE INTERDEPARTMENTAL CLUSTER FOR SERVICES TO CHILDREN SUBMIT A REPORT TO THE LEGISLATURE ON ITS ACTIVITIES";

S.C.R. No. 250, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING WORK OF HAWAII'S POLICE OFFICERS AND REQUESTING THAT THE LEGISLATURE BE PROVIDED WITH A COPY OF GENERAL ORDERS"; and

S.C.R. No. 269, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RE-EVALUATE ITS POLICIES CONCERNING THE APPROVAL OF INDIVIDUAL WASTEWATER SYSTEMS IN LOW-LYING AND SEA-LEVEL COMMUNITIES".

**ORDER OF THE DAY**

**STANDING COMMITTEE REPORTS**

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1853-94) recommending that S.C.R. No. 108, SD 1, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 108, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION PRESERVING THE REPUBLIC AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1854-94) recommending that S.C.R. No. 35, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 35, HD 1, entitled: "SENATE CONCURRENT RESOLUTION CONFIRMING THE USE OF THE HOMES REVOLVING FUND TO PROVIDE THE STATE'S EQUITY CONTRIBUTION FOR THE PAWAA PROJECT," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1855-94) recommending that S.C.R. No. 50 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE BIENNIAL REVIEW OF THE COMPENSATION PLANS FOR CIVIL SERVICE EMPLOYEES AND THE COSTS THEREOF SUBMITTED BY THE CONFERENCE OF PERSONNEL DIRECTORS TO TAKE EFFECT ON JULY 1, 1994," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1856-94) recommending that S.C.R. No. 54, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 54, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW ITS RULES AND REVISE, SIMPLIFY, AND CONSOLIDATE ITS ADMINISTRATIVE RULES RELATING TO SMALL BOAT HARBORS AND BOATING TO MAKE THEM USER-FRIENDLY, AND PREPARE A RULE BOOK FOR LAYPEOPLE FOR EACH REGISTERED VESSEL OWNER," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1857-94) recommending that S.C.R. No. 184, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 184, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY OF THE JOBS PROGRAM AND MAKE RECOMMENDATIONS FOR ITS CONTINUANCE," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1858-94) recommending that S.C.R. No. 202 be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR INVESTIGATE AND DEVELOP CORRECTIVE MEASURES TO ELIMINATE WAGE INEQUITIES AMONG SPECIFIC PUBLIC EMPLOYEE JOB CLASSES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1859-94) recommending that S.C.R. No. 213, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 213, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION EXAMINE WAYS THAT THE LAND BETWEEN, UNDER, AND SURROUNDING HIGHWAY INTERCHANGES AND INTERSECTIONS CAN BE BEAUTIFIED," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1860-94) recommending that S.C.R. No. 242, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 242, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO ASSIST THE COORDINATING COMMITTEE ESTABLISHED TO PLAN HAWAII'S COMMEMORATION OF THE 50TH ANNIVERSARY OF THE END OF WORLD WAR II," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1861-94) recommending that S.C.R. No. 256, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 256, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ESTABLISH A JOINT LEGISLATIVE INTERIM COMMITTEE TO STUDY THE EFFECTIVENESS OF THE STATE'S PLANNING-PROGRAMMING-BUDGETING SYSTEM," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1862-94) recommending that S.C.R. No. 273, SD 1, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 273, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE BACK/PURCHASE OPTION AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1863-94) recommending that S.C.R. No. 275, SD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 275, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE 'DESIGN AND BUILD' CONCEPT FOR SELECTED HIGHWAYS PROJECTS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1864-94) recommending that H.R. No. 136, HD 1, as amended in HD 2, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 136, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CHANGE ITS POLICIES AND PROGRAMS IN REGARD TO CHILDREN WITH CANCER AND THEIR FAMILIES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1865-94) recommending that H.R. No. 325, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 325, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP EFFECTIVE MANAGEMENT MEASURES TO RESTORE AND PROTECT HAWAII'S BOTTOMFISH RESOURCES," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1866-94) recommending that H.R. No. 385, HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.R. No. 385, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE

STATE OF HAWAII TO PROMOTE TARO FARMING AND POI PRODUCTS," was adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1867-94) recommending that S.C.R. No. 259, as amended in HD 1, be adopted.

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 259, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE MANAGEMENT AUDIT OF THE JUDICIARY'S CIVIL SERVICE SYSTEM AND BUDGET OFFICE," was adopted.

At 10:37 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:25 o'clock a.m.

### SUSPENSION OF RULES

On motion by Representative Ihara, seconded by Representative Thielen 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. 141 on H.B. No. 2500, HD 1, SD 1, CD 1:**

Representative Say 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 Thielen.

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

"I just want to say thank you very much for giving me the opportunity, the leadership, and the members of this House, and also to thank the support staff of the House Finance Committee, Mr. Speaker. Also, I would like to convey my very best aloha to the members of the Finance Committee who learned a lot during these past two years, traveling throughout the State, learning what special funds, revolving funds and trust funds are, and also to say that this is a supplemental budget. A supplemental budget should not be interpreted as the two-year biennium budget, but it reacts and it adjusts to what the problems are in the State of Hawaii.

"At this time, Mr. Speaker, the two highlights that I did state in the caucus were in the area of Educational Facilities Special Fund where we did utilize the present funds that are in construction for other schools, and secondly, the program known as "Health Quest," which will be saving the State of Hawaii close to two hundred fifty to two hundred sixty million dollars within the next five years.

"So, on behalf of myself, I would like to say, 'thank you very much,' and also to wish everyone the very best as far as their elections, and also to thank one person who has been the supporting cast for me, my Vice Chair, Bertha Kawakami.

"Thank you."

Representative Shon then rose and stated:

"Very respectfully, I rise to speak against the bill. I do this, not with any disrespect or lack of appreciation for all the many items that are in it or all the work that went into it, but I do think that it is important to make as strong a statement as I can for one particular decision that this bill encompasses that does relate to health in more than a symbolic way.

"Mr. Speaker, several years ago we took the initiative in health. We accepted our responsibilities to prevent disease, to control exposure to carcinogens such as secondhand smoke, to educate our people about the dangers of AIDS, teen pregnancy, substance abuse. We initiated award-winning programs such as Healthy Start. And we tried, somewhat unsuccessfully, to improve our treatment of the mentally ill.

"At the same time, we recognized that with a work force of over six thousand employees, the Department of Health had become unmanageable. If we wanted more than a caretaker administration, if we wanted pro-active initiatives to protect the public health, then we had to deal with the burdens placed on the Director. Our solution at the time, endorsed by an overwhelming majority of this House, including you, Mr. Speaker, was to reorganize the Department and to add three new deputies. It was obvious that no single administrator could allot their attention to all that we asked. Indeed, we have in recent years, gone beyond that perspective. We have sought to make the community hospitals more independent, and we have seriously considered a new Department of the Environment, in part because these areas need more individualized attention.

"During the late 1980's and early 1990's, Mr. Speaker, we sought to meet the challenges of public health head on. We knew that AIDS, smoking, teen pregnancy, child abuse, substance abuse, homelessness, Hawaiian Health, children's mental health, adult mental health, developmental disabilities -- these could not be ignored. The system was not responding quickly enough nor with enough leadership, in spite of the budgets that we did pass. So we chose to add three new deputies to assist the Director. The first was in mental health. We were ranked last in the nation on more than one occasion. We cannot afford to allow the courts to take over and force us into an inappropriate, expensive, cookie-cutter solution. We need a home-grown commitment. The Department of Justice began to step in. Now they are also involved, in children's mental health. The State has been forced to deal out of court and accept the premises of the class action suit. Specific remedies are being identified as we speak which the State will need to meet to avoid a complete take over of the system. That's one reason a special deputy for mental health is justified. In fact, advocates have pushed forward the idea that not only do we need a deputy, we need a new independent authority. This area needs more attention and administrative leadership, not less.

"Secondly, we recognized that issues involving maternal and child health were at the core of our public health agenda. We needed a bold and aggressive day-to-day presence to fight for our children, the health of their moms during pregnancy, the health of their families after birth. We needed someone who could understand the essential role of public health nurses, who could champion school health initiatives, who could mobilize resources for the homeless, and to support our growing number of community clinics. We decided an additional deputy would be in order. We were right. That particular deputy was so effective that she was a serious contender for a number of high level health-related positions in the Clinton Administration.

"Thirdly, we knew that the essential role of a public health department was to be on the cutting edge of emerging health challenges. No challenge was greater than the HIV virus. Today, it is commonplace to entertain omnibus bills for serious issues. But it was back in 1988 that this House passed the first omnibus bill in recent times -- it was for AIDS. It was in a supplemental year, almost unheard of. It funded, for the first time, non-profits who were delivering services to persons with AIDS. It became the model for a whole series of omnibus bills -- on substance abuse, children's mental health, child abuse services. Today, our education bill owes its existence in part to the path blazed by the 1988 omnibus AIDS bill.

"We acted with boldness and compassion, and we recognized that we could not sweep this unpleasant disease under the rug. We created a special deputy to deal with AIDS. The deputy was also placed in charge of health promotion and disease prevention programs. Health promotion and disease prevention are areas of future emphasis even at the national level. Hawaii helped lead the way, back in the 80's. Most of our smoking legislation was passed in part by the leadership of our deputy in charge of those areas.

"And, Mr. Speaker, as if to emphasize the leadership shown by these deputies, when Iniki struck, I personally observed the long hours and terrific work of these three deputies as they were among the first to hit the ground on Kauai. I sat in on some of the morning meetings daily, sometimes twice a day, sometimes more often in the Department of Health, as they helped our State and the people of Kauai cope. They really earned our trust and respect after Iniki.

"As I look at this budget, the first things that stands out is the elimination of administrative leadership and attention to public health. Specifically, the removal of three deputy directors of health. These are the director who oversees smoking, AIDS, and health prevention; the director who oversees community health centers, homeless health, Healthy Start, and child immunizations; and the director who oversees mental health.

"What a great monument to our wisdom, commitment and ability to set priorities. What a great message to the people of Hawaii. We no longer need any special attention to health prevention. Yes, while the rest of the world is slowly coming to its senses, Hawaii has lost its marbles. We are cutting back. We are cutting back on attention to smoking, the number one preventable cause of disease and premature mortality in the United States. Surely the tobacco lobby is pleased with the 1994 Legislature. First we pre-empted the counties from their legitimate role in public health, and now we remove leadership in the Health Department that might further fight their dangerous products.

"Mr. Speaker, that is not all. No, we have also taken a bold step to remove leadership in the fight against AIDS. I wonder how many of us on the floor of this House today will be proud to put that in our brochures. Re-elect me, we eliminated the director, the deputy in charge of AIDS and smoking.

"Mr. Speaker, that is not all. We also have removed the deputy in charge of Healthy Start. No need to pay any more administrative attention to the infants at risk. I wonder what Senator Yamasaki would say about that! And while we are at it, let's make sure the Director of Health has less time to deal with the homeless. He only has six thousand employees. What is he doing all day anyway?

"Yes, Mr. Speaker, I am in awe of the decision that says with a mental health system on the verge of being taken over by the Department of Justice, we are bold enough to remove the deputy director of behavioral health. No sir, no federal courts are going to push us around. . .

At this point, the Chair interrupted and advised Representative Shon that "you have gone beyond your ten minutes," whereupon Representative Alcon rose and yielded his ten minutes to Representative Shon.

Representative Shon thanked the Chair and continued, saying:

"And while we are asserting our independence, let's not forget that along with that deputy position also goes more attention to substance abuse.

"Now, Mr. Speaker, I know the arguments for these cuts. Programs really don't need any more administrators at the top. They are a waste of taxpayers' dollars. Why, in cutting these three positions, we may have saved our citizens about \$240,000. Actually less than what we gave back to the oil companies in their tax break. Why, that amounts to a whopping twenty cents for every resident. I'm sure that there are those that believe that our community is comforted by the savings of that twenty cents, and certainly glad to get rid of the deadwoods wasting their time on homeless health, AIDS, smoking, mental health, native Hawaiian health. Well, after all, Mr. Speaker, this is a landmark legislative session that wants to seriously examine the possibility of forensic pathologists being our primary care doctors.

"Mr. Speaker, I hold in my hand my handsome savings from these bold cuts which reinvent government -- two thin dimes -- the price of leadership and attention in public health. I do not want this puny and shortsighted rebate. You can have it back. I'd gladly trade it for a nickel's worth of common sense.

"At this time, Mr. Speaker, I stand in tribute to the three deputies which this Legislature apparently does not appreciate. They are Masaru Oshiro, Charlene Young and Geri Marullo. I consider it an honor to have known and worked with each of them. These three individuals worked tirelessly, and took a lot of grief, on behalf of the disenfranchised of our community. This is what really bothers me about the elimination of their positions and why I must cast a symbolic no vote. These are administrators who are advocates for those who are told, time and time again, you don't belong. Your contribution is not needed. Your voices should not be heard.

"To Masaru, Charlene and Geri, at least you have the personal heartfelt thanks of one legislator. And I know there are literally thousands without a voice in our community who appreciate your good work and would have hoped that that kind of leadership would be there for us at the beginning of the next legislative session, at the beginning of the next Administration.

"I'm sure many will stand to praise the budget and the work of the Committee. Hard work, especially of the staff, is always worthy of appreciation and I take no issue with many of the specific appropriations. But, Mr. Speaker, it is not enough to work hard. Our times require that we deliver, especially for those who are most physically and financially frail among us. I fear that this budget, with its elimination of the three deputies in Health, will mean a less effective and less proactive public health effort in this State. Certainly, it sends the message that the Legislature, collectively, does not value the time and effort needed at the top levels of public health to deal

with these three major areas. Who will want to become the new director in a new Administration, following the legislative attitude towards these issues? Whoever is Governor, there is no way to replace the administrative leadership immediately. Even if we restore some positions next year, it will be at least twelve months before these constituencies have a full advocacy team at the highest levels. It is highly likely that the elimination of the deputy director of behavioral health will be seen by the Justice Department as a lack of commitment and an invitation to take over our system.

"Mr. Speaker, it is too late. The deed is done. I had thought this session the proposal to eliminate some of the deputies in the various departments would be done with some analysis. Apparently not. It was across the board. Now we are stuck. And so I cast my lonely vote in opposition, not in opposition to many of the items in the budget, but in opposition to taking the wrong fork in the road, to stepping back from the most proactive way we can for public health. And I cast my vote in honor of those individuals like Masaru Oshiro, Charlene Young and Geri Marullo who have served us proud. I ask them to believe that their efforts were not in vain, and that perhaps in the future we will again recognize that public health administrative leadership at the highest levels is more than a few bucks here and there -- it is also executive leadership. And it is for executive leadership and public health that I stand today.

"Thank you."

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

"I take this opportunity to offer these remarks on the State supplemental budget. I can assure you that the work of the Finance Committee under the leadership of Chairman Say has painstakingly provided for the most urgent priorities in this budget. As this is a supplemental budget year, our role was to authorize funding for emergencies or unforeseen contingencies that have arisen since the last budget.

"We are glad to note that despite the fiscal constraints under which we operated, we have remained true to the Majority pledge at the beginning of the session. And it is with great accomplishment to state that this budget imposes no new across-the-board taxes on either businesses or the hardworking people of our State.

"Instead, we have opted to take creative steps in finding additional sources of revenue, and have encouraged those reliant on State funding to take an active role in looking for funds and raising funds for their own operations.

"In the area of health and human services, we have attempted to maintain funding of the essential programs so as not to deprive any of the special populations that rely on these services for their well-being. In an attempt to cut costs in the provision of health-related services, we have authorized the State to embark on HEALTH QUEST, a project which aims to cut costs in the State Medicaid Program for the less fortunate and disabled. Also, despite a reduction in the community hospitals budget, we have allowed them to take greater fiscal responsibility for their operations by giving them the power to raise their own funds for their operations.

"Education has always been a top priority for me and will continue to be in the future. And I think this budget reflects our commitment to the future generations of Hawaii.

"I know that many will, despite our best efforts to balance our fiscal responsibilities with our social ones, find certain parts of this measure disagreeable, as we have just heard. But this bill reflects a supplemental budget which we earnestly believe is fiscally sound and provides for the most basic and essential of services within the parameters that we were given.

"Finally, Mr. Speaker, I wish to extend my heartfelt thanks to you, to Chairman Say for his wisdom and leadership, and the members of the Finance Committee for their continued support and assistance in helping Kauai complete its recovery from the aftermath of Hurricane Iniki. Although most of the destruction and the telltale signs of its wrath are no longer visible to the human eye, there is still many significant aftereffects in its wake. With all of your efforts, Kauai will once again be able to make significant contributions to this great State of ours.

"On this day of adjournment, I also extend my deepest appreciation to our Finance Committee staff for their countless hours and superior efforts displayed throughout the session. It has been both a pleasure and an honor to work with such dedicated individuals.

"Mr. Speaker, thank you for allowing me to speak in support of House Bill 2500, and I ask my colleagues to help in passing this measure.

"Thank you very much."

Representative Ward then rose to speak in support of the bill, with reservations, stating:

"Mr. Speaker, this is a good budget, but it's not very good in areas that it overlooks, and I would like to point a few of those things out.

"First, the best part of the budget, Mr. Speaker, is the fiscal constraint that the previous speaker and the Chair, Representative Say, had spoken of, and his sense of fairness in the applications of what otherwise were hard times and hard decisions that had to be made as to where things were to be cut.

"However, the most generous part of the budget is really an unkind cut, and that is, Mr. Speaker, we've given more money for renovation of the Capitol. When will enough be enough, Mr. Speaker? I think we've gone around that one enough. It's unfortunate that we had to top it off, and I know there are reasons why we had to do it, but there's also got to be a political vow when we say, no more money for the renovation of the Capitol, and this budget has not drawn the line on that.

"Also, Mr. Speaker, the least compassionate part of this budget is the non-funding of the Safe Haven. This was for the helpless, the homeless, the mentally ill who are flopping around on our streets. We have no place to put them lest they be preys to other people on the streets. It's unfortunate that we did not have the compassion for a few hundred thousand dollars to put this in order.

"And also an oversight, Mr. Speaker. Of course, we have no new taxes in the budget but we certainly have the new euphemism for taxes -- user fees. That is there and the 'T' word, I think, has evolved to being a user fee rather than a tax.

"Mr. Speaker, the budget also makes hungry where it most satisfies, and that is in where it has paid little attention to what otherwise is going to be the attention of the future of Hawaii and the world. Mr. Speaker, I am referring to where we have cut out Asia and small business in the budget and it has not deserved its fair

share. Mom and Pop and Asia, to me, Mr. Speaker, are the future directions and the trump cards in this State. Our relationship with Asia is going backwards by our closing our Hong Kong office as indicated in this budget, and cutting the budget of the International Business Center that helps our small businesses. Mr. Speaker, I consider these as unwise cuts and things that run contrary to the future strength and economic vitality of this State.

"The realities are very clear, Mr. Speaker. The realities of the new world are Asia and the Pacific, not Europe and the Atlantic. We are in the midst of that. Believe it or not, or whether we realize it or not, we are in the midst of that very vital three trillion dollar economy that is going on in Asia right now, not Washington, D.C. and Europe. We have to realize that the small business community must be a priority and we must pay attention to it. We must give it resources and to be mindful that 90 percent of all of our businesses have less than nineteen employees. There are no Big Five and big businesses left. But when we cut back on the services to Mom and Poppers, we jeopardize what is otherwise one of the biggest strengths we have in the State of Hawaii.

"My contention, Mr. Speaker, is that this budget should have expanded our presence in Asia, not contract. It should have expanded our services and emphasis to small business, not contract it. But it should be noted, Mr. Speaker, that my colleague from Mililani noted that it should be the private sector that does all this expansion overseas, and I think it should be noted that leaving it only to the private sector is the traditional American model. The story is that when a big bid gets out onto the streets, the Japanese know about it the next evening, tomorrow the French know, the day after the British know, and then a week after the Americans find out about it. That's exactly why we are behind in the international economic development mode. Because we have not had public/private cooperation. We have not allowed our public servants to sit with the private sector like Japan does, and Japan is leading the world economically, to allow international development to take place. This is unfortunate, Mr. Speaker.

"Another unfortunate thing, Mr. Speaker, is the process by which this budget was derived, conceived and originated. Some day, if we are to best serve the people of Hawaii, this budget process needs to be reformed. I refer specifically to the BJ tables -- the budget justification tables. I hope someday they are available to all of us. I hope someday that the budget is not locked into the Finance Committee room which is unable to be removed. I hope someday that the mumbo-jumbo of the process and the secrecy and the mysteriousness of the budget process would be open to all legislators and to the public. Someday when this happens, I would hope that the budget process, like what we've all gone through in the committee process, of sitting in Conference Committees and have only the sacred chairs to speak while we mumble and the public kind of bends its ears to listen to what's going on. That is the not the best way to conduct business of the people and to put out a budget.

"Someday that will change, but my point of reservation, Mr. Speaker, is again ... we need to focus on Asia as a Hawaiian state. We need to focus on small business for the future vitality of our economy, and we need to focus on the budget process as a way of being wise with what resource we do have of which we have been blessed.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I would like to highlight the opportunities which we have made available to the people of Hawaii by authorizing Health Quest in this budget. Mr. Speaker, we have improved the accessibility and the quality of service for many people who need health services most while saving State dollars. That's a good trick if you can do it ... we've done it.

"I would also like to speak with respect to something that one of the previous speakers spoke with respect to, and that is the elimination of deputy director positions. The previous speaker focused on those deputy positions being eliminated in the Department of Health, and I would like to take this opportunity also to voice my appreciation for the work done by Masaru Oshiro, Charlene Young and Geri Marullo. Their efforts over the past years have been heroic in the face of severe fiscal and managerial constraints.

"But with respect to the elimination of the positions in the Department of Health and in other departments, I choose to view what we have done as an opportunity to move decision-making closer to the people receiving services and to the people delivering those services, and I regard this as a very positive policy kind of decision having been made by the Legislature.

"Thank you, Mr. Speaker."

Representative Tam then rose to speak in favor of the bill, with reservations, stating:

"Before I express my reservations, I wish to thank Representative Calvin Say, Chairman of the Finance Committee, for his hard work and fairness as a Chairman. Also, my appreciation to the Finance Committee staff for their endurance in details of the State Budget and the long hours they spent.

"My reservations of the State Budget are as follows -- essentially there are two reasons:

"Number one. The Senate inserted into the budget additional dollars for the renovation of the State Capitol, an additional \$5.6-million. I label that as wasteful spending and poor efficient use of taxpayers' dollars by the State Administration. The Administration designed the renovation very badly and now expects the taxpayers to pay for their mistakes on these renovations. Thus, right now, I am sending a message to the Administration to do a better job for the future of our taxpayers -- stop wasting taxpayers' dollars.

"Number two. The lack of funding for School/Community-Based Management schools who have been formally adopted by the Board of Education as School/Community-Based Management schools. The funds would have been used for innovative educational programs of School/Community-Based Management schools that need to fulfill their goals and objectives to achieve improved quality education which we are asking them to achieve in public education. I realize that the Legislature was trying to find funds, therefore, Mr. Speaker and fellow colleagues, I gave Governor John Waihee on Monday, April 25, 1994, a petition of over three thousand signatures (right here) asking him to restrict or eliminate his wasteful spending in his administrative budget which, quite frankly, we had a difficult time finding these dollars although we found some dollars but not enough. After all, the Administration is the bookkeeper of their own books. We do not keep their books for them and they do not share their information with us very often.

"Let me read this petition to you: 'We, the undersigned, are supportive and involved in

School/Community-Based Management in public schools. Furthermore, we request for funds to be budgeted during the 1994 legislative session for implementation of innovative educational programs developed by School/Community-Based Management schools, approved by the Board of Education. Presently, there are no funds for SCBM schools' innovative education programs. The need for funds is not to be confused with the eleven thousand per school for start-up costs which essentially is in-service training to help the school change its governing structure to School/Community-Based Management.'

"The question I have in my mind, fellow colleagues, is ... how can we be supportive if by and large, we are not funding in the budget additional dollars for School/Community-Based Management innovative programs? The same message goes to the Governor of our State of Hawaii who claims he is the educational governor of the State of Hawaii.

"The example, in terms of wasteful spending, as I mentioned earlier and people laugh at me, but I mean it very seriously and so do the taxpayers of the State of Hawaii. There are over two thousand State passenger vehicles out there throughout the whole State. If two-thirds of those were eliminated, we could save three million dollars a year just on repair and maintenance after we have reimbursed mileage which is the more prudent way of doing business here in the State of Hawaii, especially when we are looking for tax dollars for basic services for our public.

"Mr. Speaker, many of my colleagues have expressed to me that they see many of these cars -- State vehicles -- in the shopping centers during and after working hours. Is this efficient use of our taxpayers' dollars? The answer is no. I challenge the Administration to eliminate the autos if the Administration is to restrict funding of the budget -- House Bill 2500, Conference Draft 1. And keep in mind, colleagues, it has traditionally been done by the Administration to restrict educational programs and other public programs of the State of Hawaii. I challenge the Governor to restrict his automobile allowances.

"In the future, in order to further eliminate wasteful administrative spending, especially during the 1995 legislative session, I would like to have direct access automatically to the Administration's accounting books through their computer system rather than having to request for financial information through public hearings which is secondary or comes to us very late in the stage. We need more efficiency here. We need more accountability of the Administration, in terms of their bookkeeping, and I am not talking specifically whether the Governor is going to be a Democrat or Republican. It goes for all Administration in the future. I want direct access to the computer books.

"In conclusion, I strongly ask for the present Administration to audit themselves before the new Administration takes office for the sake of accountability to Hawaii's taxpayers.

"Thank you."

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 49 ayes to 2 noes, with Representatives Amaral and Shon voting no.

The Chair directed the Clerk to note that H.B. No. 2500 had passed Final Reading at 12:01 o'clock p.m.

**Conf. Com. Rep. No. 140 on H.B. No. 2990, HD 2, SD 1, CD 1:**

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2990, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Amaral voting no.

The Chair directed the Clerk to note that H.B. No. 2990 had passed Final Reading at 12:02 o'clock p.m.

**Conf. Com. Rep. No. 139 on H.B. No. 2780, HD 2, SD 1, CD 1:**

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2780, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Amaral voting no.

The Chair directed the Clerk to note that H.B. No. 2780 had passed Final Reading at 12:03 o'clock p.m.

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

**H.B. No. 2553, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2553, HD 2, and H.B. No. 2553, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 2690, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2690, HD 1, and H.B. No. 2690, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LEASES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 2897, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2897, HD 2, and H.B. No. 2897, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3151, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3151, HD 1, and H.B. No. 3151, HD 1, 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.

**H.B. No. 3461, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3461, HD 1, and H.B. No. 3461, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF CORRECTIONAL MENTAL HEALTH EMPLOYEES FROM THE DEPARTMENT OF HEALTH TO DEPARTMENT OF PUBLIC SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3472, HD 1, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3472, HD 1, and H.B. No. 3472, HD 1, SD 2, 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. 2553, 2690, 2897, 3151, 3461 and 3472 had passed Final Reading at 12:04 o'clock p.m.

At 12:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:06 o'clock p.m.

**UNFINISHED BUSINESS****Conf. Com. Rep. No. 7 on S.B. No. 2605, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2605, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF AND REHABILITATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 8 on H.B. No. 1046, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1046, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 9 on H.B. No. 3198, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3198, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII INTERCOLLEGIATE ATHLETIC PROGRAMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 10 on H.B. No. 3447, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3447, HD 1, SD 1,

CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 11 on H.B. No. 2294, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2294, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 12 on H.B. No. 2197, HD 2, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2197, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose to speak in support of the bill, stating:

"I would like to especially thank the Chair of the Transportation Committee and the Vice Chair of the Transportation Committee.

"I believe that by moving this bill forward, we're going to begin to crack down on the no-fault insurance problem, and we will begin to prevent people from refusing to carry no-fault insurance policies. They did go through a great deal of trouble to make sure that this measure went through, and they were receptive to the concerns of the Police Department, of the shipping company, and of the insurance companies, and most of all, the consumers, and I think they deserve a great deal of credit.

"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. 2197, HD 2, SD 2, 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. 13 on H.B. No. 2909, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2909, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOING OUT OF BUSINESS SALES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 14 on H.B. No. 2641, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2641, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 15 on H.B. No. 2642, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2642, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 16 on H.B. No. 3255, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3255, HD 2, 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. 17 on H.B. No. 2491, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2491, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPENSING OF PRESCRIPTION DRUGS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 18 on H.B. No. 2640, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2640, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS WASTE BROKERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 19 on H.B. No. 3170, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3170, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 20 on H.B. No. 2913, HD 3, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2913, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 21 on H.B. No. 3491, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3491, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 22 on H.B. No. 2238, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2238, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Cachola and Kanoho voting no.

**Conf. Com. Rep. No. 23 on H.B. No. 3303, HD 1, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3303, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, imagine the frustration involved when one buys a used car only to have it break down repeatedly. I'm sure some of us have had that experience first-hand. One consumer testified that he did not even make it home from the dealership before the used car he had just purchased, died. It is very frustrating when we realize that our rights are quite limited in purchasing a vehicle 'as is.'

"This measure, Mr. Speaker, gives specific rights to used car buyers. For instance, it requires dealers to provide notice of any known material mechanical defects to prospective consumers. This will help to level the playing field for consumers by providing them with information necessary to make informed decisions for them.

"This bill also requires that consumers be provided with written warranties covering the essential parts of cars. The duration of the warranty depends on the mileage of the vehicle. If a vehicle under such a warranty is found to be defective during the warranty period, the defect must be repaired. If the defect is not corrected within a reasonable period of time, the vehicle must be replaced or the consumer's money be refunded.

"Mr. Speaker, as recently as this past Friday, during the strike, the regulated industries complaints enforcement officer, Sharon, manned the consumer resource center which handles consumer complaints intake. She estimated that one-fourth of the calls received were questions related to used cars purchased from dealers.

"Several other states, such as Connecticut, the District of Columbia, Massachusetts, Minnesota, and New York, have Used Car Lemon Laws.

"Under New York law, a dealer must certify that a used motor vehicle is in a condition that will run satisfactorily on their public highway. The New York Supreme Court's assessment of the public policy behind this law is equally applicable to the measure before us, and bears repeating. The New York Supreme Court stated: 'It is a matter of common knowledge that many persons buying new or used motor vehicles without having the time or facilities available to adequately check all of the equipment of the motor vehicles, while the dealer is generally in a position to do so.'

"This measure is primarily designed to protect the purchasers from being sold an improperly equipped or defective vehicle. However, it is also one which would greatly contribute to the safety of the motoring public by reducing the possibility of defective motor vehicles being sold for operation upon the highways.

"The measure before us is primarily a 'safety' bill, Mr. Speaker. Its passage may serve to reduce accidents and decrease the possibility of breakdowns on our already congested roads and highways. It is also a consumer protection bill; it helps to equalize the bargaining field for consumers and it will empower the consumer in an arena which, up until now, consumers often feel that they operate at a significant disadvantage.

"Mr. Speaker, I urge all my colleagues to vote yes on this measure.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3303, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USED MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 24 on H.B. No. 1590, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1590, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 25 on H.B. No. 2219, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2219, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 26 on H.B. No. 2220, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2220, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTODIAL INTERFERENCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 27 on H.B. No. 2725, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2725, 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.

**Conf. Com. Rep. No. 28 on H.B. No. 2975, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2975, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 29 on H.B. No. 2981, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2981, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SETTING OF BAIL," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 30 on H.B. No. 3133, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3133, 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," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 31 on H.B. No. 3137, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3137, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 32 on H.B. No. 3201, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3201, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 33 on H.B. No. 2461, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2461, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 34 on H.B. No. 2599, HD 1, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2599, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Herkes rose to speak in support of the bill, stating:

"Mr. Speaker, this bill is a major breakthrough to open the window of competition and allow the opportunity for small telecommunication companies to compete with the existing telecommunication provider for a higher level of service in some of our underserved rural areas.

"This is an important consumer bill that deals with the health, safety, and well-being of the people in our rural areas. I remember when I introduced this bill, Mr. Speaker, there were some people that said ... you don't really expect this to pass do you?"

"Well, I urge the members' support, and I want to thank the subject Committee Chairs of both the House and Senate for their strong support of this measure.

"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. 2599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 35 on H.B. No. 3209, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3209, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 36 on H.B. No. 2680, HD 1, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2680, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose to speak in support of the bill, stating:

"I wanted merely to point a matter out to my colleagues. This bill provides for a land exchange so the University of Hawaii-West Oahu campus can proceed.

"I'll ask you all to look at page 3, lines 5 through 10. There's a provision in the bill that states ... No overhead high-voltage electric transmission lines can be placed on this area of land designated for the University of Hawaii-West Oahu campus.

"I note with a great deal of concern, Mr. Speaker, that the other day we passed a measure which I certainly opposed because it would have made it much more difficult for communities to prevent the same high-voltage electric transmission lines from being placed near elementary schools, intermediate schools and high schools. We restrict the usage of the high-voltage lines for the University of Hawaii-West Oahu campus; we don't protect our elementary school, intermediate school or high school children in the same way.

"Thank you, Mr. Speaker."

Representative Amaral then rose to speak in support of the bill, stating:

"In particular to the inclusion of language with respect to overhead lines, the function of this body is to start to articulate the public policy regarding these lines. This is one brave step ... well, maybe not so brave. This is one step, and I hope for many more thereafter.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2680, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 37 on H.B. No. 2921, HD 1, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2921, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Very briefly, I would like to say that many of you who enjoy parades and watch the Pa'u riders and who go to the rodeos out at Waimanalo or on the other islands, or in some way participate in activities to do with horses, may not have been aware that the horse industry has been under threat for several years now and recently, about three years ago, a boulder was moved in front of a horse

trail in Waimanalo, and it finally mobilized the people who love horses into an organization called Hawaii Equestrian Trail Association, or HETA. They finally saw that their opportunities to ride horses in Hawaii were severely threatened and they began to look at ways that they can continue to uphold this rural lifestyle that is so prevalent, and now under threat in all of our islands. So this bill will allow them to continue their way of life.

"I am pleased that we have a bill that balances the rights of those who may be injured while involved in equine activities against the need to protect horse sponsors and professionals from civil liability.

"I thank the Chair of Water and Land Use, Dwight Takamine, and I thank the Chair of Judiciary, Terrance Tom, for their support of this measure.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2921, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUINE ACTIVITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 38 on H.B. No. 2322, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2322, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 39 on H.B. No. 3470, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3470, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 40 on H.B. No. 1712, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1712, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 41 on H.B. No. 3416, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3416, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 42 on H.B. No. 2449, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2449, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

TORT LIABILITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 43 on H.B. No. 1733, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1733, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 2605, and H.B. Nos. 1046, 3198, 3447, 2294, 2197, 2909, 2641, 2642, 3255, 2491, 2640, 3170, 2913, 3491, 2238, 3303, 1590, 2219, 2220, 2725, 2975, 2981, 3133, 3137, 3201, 2461, 2599, 3209, 2680, 2921, 2322, 3470, 1712, 3416, 2449 and 1733 had passed Final Reading at 12:17 o'clock p.m.

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:02 o'clock p.m.

**Conf. Com. Rep. No. 44 on H.B. No. 3290, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, Conf. Com. Rep. No. 44 and H.B. No. 3290, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE STATE ETHICS CODE," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 45 on H.B. No. 65, HD 1, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 65, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose to speak in favor of the bill, with reservations, stating:

"My reservations relate to the failure to have any eligibility requirements in this bill. Since it appears that we are going to acquire Queen Emma Gardens and use it for housing, I feel that there should have been an eligibility requirement in the bill. In other words, that a person would have to be low income or moderate income to be able to be in the units. It states in the bill that the existing tenants shall have first preference to occupy these units provided that the tenants shall meet the eligibility criteria established by the Housing Finance and Development Corporation.

"The difficulty is that the standard language for HFDC states: You have to be a United States citizen, at least eighteen years old, Hawaii resident, must reside in the unit rented, demonstrate an ability to pay the rent, and you can't own other land or property while renting. Unfortunately, there is nothing in the existing HFDC rules that will say, for that unit you must be income-eligible.

"So with that cautionary statement, Mr. Speaker, I will vote in favor of the measure with the understanding that HFDC will adopt criteria that will provide for income-eligibility so we will not be providing a free ride to people that should not have that free ride.

"Thank you."

Representative Alcon then rose and stated:

"Mr. Speaker, I am voting against this bill for the same reason that the previous speaker has stated. I don't see why we have to purchase a set of buildings that well-to-do workers are living in. It would have been much better for us, Mr. Speaker, if we had spent the money for education and also social services.

"I, therefore, vote against this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 65, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Alcon voting no.

**Conf. Com. Rep. No. 46 on H.B. No. 740, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 740, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 47 on H.B. No. 929, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 929, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Hiraki, Hirono and Takumi voting no.

**Conf. Com. Rep. No. 48 on H.B. No. 1088, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1088, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Final Reading by a vote of 43 ayes to 8 noes, with Representatives Amaral, Hagino, Hiraki, Hirono, Menor, Shon, Takumi and Tam voting no.

**Conf. Com. Rep. No. 49 on H.B. No. 3017, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3017, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 50 on H.B. No. 2985, HD 1, SD 1, CD 1:**

Representative Ihara moved that H.B. No. 2985, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Amaral rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, normally I wouldn't be doing this because the issue I want to talk about isn't actually before us. However, I feel compelled to because of the valiant effort that the House made.

"This bill relates to Section 709-906, which is the law that deals with abuse of household member, in which it says basically that it shall be unlawful for any person to physically abuse a family or household member. As you know, the Women's Caucus has worked at great length around issues of domestic violence. It's one that we hold close to our hearts.

"You also know, members and Mr. Speaker, that the issue that came up for all of us to take action on was the mandatory sentencing that created the backlog in the court. The House, through the leadership of the Judiciary Chair, I think, made a valiant attempt to try to deal with that backlog in the court.

"What we came up with was a two-tiered structure that codified Section 709-906, using Penal Code assault language, and that is intentionally knowing they are recklessly causing bodily injury. We also kept in the mandatory 48 hours sentence for that misdemeanor offense, then we created, which I thought was quite unique, a second degree offense which was a petty misdemeanor offense using harassment language, and that was basically offensive touching, annoy, alarm, frighten somebody, but not cause pain nor harm. We also dropped any mandatory sentence on this. This was a petty misdemeanor offense.

"We thought that this unique scheme would send a message to the courts to say, if people are going to request jury trials, then we will compel the courts to assess for lethality and fast track those cases that are most dangerous, most lethal, into the jury system. And those cases, in fact, where we have some bad habits and we don't know how to communicate other than shoving, pushing and intimidating, perhaps should be fast tracked into the counseling system, hence the petty misdemeanor structure.

"Unfortunately, the wisdom of the House did not carry over into the Senate but, of course, Mr. Speaker, we are quite used to that. And so the Senate members chose to make political decisions rather than taking leadership as we in the House have chosen, and that is not to put down the members of the House.

"I look forward in the next session perhaps, that for those members that return, that we will pick up the gauntlet once more, not be swayed by lesser members downstairs, and instead move forward in a brave, new way on this measure.

"Finally, Mr. Speaker, I want to commend the Judiciary Chair for his patience, tolerance and wisdom in dealing with this bill.

"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. 2985, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 51 on S.B. No. 3180, SD 1, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3180, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Herkes rose to speak in support of the bill, stating:

"Mr. Speaker, this bill has a trilogy of interest that walks a fine line between environmental concerns over the shipping of heavy fuel oil between the islands, consumer protection in pricing, and energy supply in the neighbor islands.

"The bill also asks the PUC to clarify the balance of these concerns and report back to this body at the next session with their recommendations.

"Hopefully, Mr. Speaker, some of the legislation that is being passed this year will encourage the use of alternative fuels, reduce the demand for electricity, and phase out the need to ship heavy fuel oil between the islands with its environmental risks.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3180, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 52 on S.B. No. 2515, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2515, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 53 on S.B. No. 2829, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2829, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 54 on S.B. No. 2630, SD 2, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2630, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 55 on S.B. No. 2180, SD 1, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2180, SD 1, HD 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. 56 on S.B. No. 2722, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2722, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

TIME SHARES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 57 on S.B. No. 2563, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2563, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 58 on S.B. No. 2182, SD 1, HD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2182, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose and stated:

"I am rising to speak in favor of Senate Bill 2182 and, Mr. Speaker, my comments will also go toward those lesser members on the floor below us.

"This bill would ultimately provide for consent of the Senate to the appointment of district court judges. Our Judiciary Committee made a valiant attempt to say that the House of Representatives is really closer to the people. We run every two years; we are more in contact with our individual districts. We felt, therefore, that it would be more appropriate for the House of Representatives to be the consenting body to the appointment of district court judges. Our Chairman of Judiciary made a valiant attempt and was informed by the Senate that this was almost heresy to say that the Senators would not be the ones to confirm district court judges.

"Well, just to let those members on the floor below us in that chamber know there is a precedent for allowing Houses to confirm the appointment of district court judges. For example, in Connecticut, department heads are appointed by the Governor with the advice and consent of either house of the General Assembly. The Governor submits each nomination for a department to either house of the General Assembly and that house shall confirm or reject the nomination.

"In California, when there is a vacancy in the Office of the Superintendent of Public Instruction, the Lieutenant Governor, or a vacancy in the Secretary of State, Controller, Treasurer, or Attorney General, or the State Board of Equalization, the Governor nominates a person to fill the vacancy. The nominee is confirmed by the majority of the members of the Senate and the Assembly.

"So it was not heresy, Mr. Speaker. It was just good common sense that the House of Representatives should be the confirming body. Unfortunately, we could not get the Senate to be as progressive as we were in our thinking, but I hope we can come back to that in the future.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and 2182, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR CONSENT OF THE SENATE TO THE APPOINTMENT OF DISTRICT COURT JUDGES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 59 on S.B. No. 2183, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2183, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JUDGES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 60 on S.B. No. 2663, SD 2, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2663, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 61 on S.B. No. 256, SD 2, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 256, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Shon rose to speak against the bill, stating:

"I had a conversation with a representative of the visitor industry recently and that individual said to me that their main concern was one particular ordinance at the City and County of Honolulu. I said to that individual ... you know, you could very well have supported a one-year moratorium. The City Council would probably be completely different by then. And it would have, I think, been a reasonable breathing space to revisit the issue, make the case to the City Council, a new Mayor -- whatever.

"However, the bill before us, Mr. Speaker, goes far, far beyond a reasonable breathing space. The bill before us, whether intended by all its supporters or not, does fit into a national campaign by the tobacco industry. The Interagency Council on Smoking and Health today released a copy of a memo by the tobacco industry which outlines their strategy to preempt local smoking bans with a law that would have the appearance of placing statewide control over tobacco use. Quotes from the memo are: 'The trick to doing this -- passing a law with preemption -- would be that such an act would have to have the appearance of a comprehensive scheme.' 'The chances of success depend upon the perception that the act was comprehensive.'

"Mr. Speaker, this bill does fit that strategy. This bill is overkill, and this bill does, in fact, violate the principles of home rule. It is very common for us to pass basic standards and to allow the counties to go beyond that if they choose. That's what the basic standard is at the state level. But to say to the citizens of a county and their elected representatives on the Council that they have no business dealing with this is really beyond my comprehension.

"This is not a bill which makes every restaurant the same. Any restaurant is free to go beyond this. Any restaurant could ban smoking if they wanted to.

"I point out that the desire for one comprehensive standard was generated by reaction to a bill and ordinance in only one county. The other counties do not appear poised on the brink of enacting strong smoking

legislation, and yet we have said to them ... you don't even have the right. We will preempt you. We have taken the entire field. You don't have a legitimate concern over the health and safety of your workers and patrons.

"Mr. Speaker, today I received a letter written by four members of the Honolulu City Council directed to President Mizuguchi and Speaker Souki and members. I quote: 'We, the undersigned members of the Honolulu City Council, strongly urge the members of the Hawaii State Senate and House of Representatives to vote down Senate Bill 256. Senate Bill 256 is an insidious effort to enact the so-called comprehensive tobacco bill which once again strips the counties of its home rule. It is clearly a malicious attempt by the tobacco lobby to suppress the legislative efforts of concerned citizens who have strived to safeguard the health and welfare of the smoker and non-smoker. To pass Senate Bill 256 will be a slap in the face to all counties and would be against the irrefutable medical evidence relative to the detrimental impact of tobacco smoke, a class A carcinogen. Please vote to preserve home rule and protect the lives of our citizens.'

"Mr. Speaker, I don't believe that their comments about home rule are out of line. For over ten years, even while I was a staff member, I can recall members of this House, particularly those on the neighbor islands, arguing year after year ... you must preserve the principle of home rule because, in particular, the relationship of the mayors and the counties to legislators on the neighbor islands is far more intimate than it is on Oahu. Home rule preserves the integrity of that cooperative involvement of the citizens in every level of their government.

"I think it is clear that this preemption will probably pass, but it will not pass because it is needed. It will not pass because it is a reasonable breathing space to reconsider a particular ordinance. That could have been done with a one-year moratorium. Even the Senate proposed two years -- a bit of a stretch. But four years?

"And look at the convoluted language! The language of the preemption is such as to discourage legislative action if we don't want preemption to be permanent. Is this the kind of legislation that we are proud to enact -- back door, around the side? Who really wants this bill in this form? I have spoken to many of my colleagues. Many will say ... well, you know, tourism and we have to be careful, but very few have said ... boy, this is the bill I would have written. Very few have said this is a reasonable backing off of an ordinance that some felt was too extreme. I personally don't feel it was too extreme because we are dealing with a carcinogen equivalent of asbestos, and we are dealing with waitresses and patrons and all sorts of folks who are exposed to secondhand smoke, and we now know -- we now know -- this is far more dangerous than we once thought it is.

"I urge all of you to think seriously about the relationship of the state to the counties. Even if on the smoking issue itself you are comfortable with what the bill does, are you comfortable with going home and saying to your constituents ... by the way, I don't think our City Council or our County Council has the right to protect your health?

"Thank you."

Representative Tom then rose to speak in strong support of the bill, stating:

"Mr. Speaker, since I last rose to speak before the House on this bill which establishes a statewide smoking in the workplace policies and gives the State an

opportunity to resolve the issue of smoking in restaurants, bars and night clubs, I heard critics use words like 'sinister', 'Trojan horse', 'preemption', 'preemption', 'preemption' -- everything -- to describe this measure. I wonder if they really know what's in this measure.

"I find it ironic that those who are now critics mounted one of the most intense lobbying campaigns ever seen in the Legislature, demanding that we pass statewide legislation controlling smoking in the workplace. I know of this lobbying pressure because the Judiciary Committee was the focus of their efforts. Now that we have listened to their arguments and are poised to adopt such legislation, they suddenly switched gears and tell us that smoking is not a statewide issue after all! Oh, no, we don't want the Legislature to decide this issue after all. In fact, we're willing to forget all about a statewide smoking in the workplace bill.

"What is the reason for this sudden change of heart? Have you asked me, Mr. Speaker?

"The real reason seems to be that these lobbyists don't want to see their issue before a legislative body. We tried to listen to both sides in the debate. These lobbyists don't want debate. They don't want to acknowledge the economic effects without the proposals, the proposals we have upon the State's number one industry -- tourism. And they don't want to sit down and work out a solution with anyone whose concerns differ from their own. These critics want to shut off discussion and instead use pure power politics to achieve their goals.

"I, for one, Mr. Speaker, am not going to forget about the people who support their families through jobs in the tourist industry. It is both naive and demonstratively wrong to believe that a ban on smoking in restaurants will have no effect on our economy and on the livelihoods of those of our constituents. Is it responsible for us who represent the people throughout the State -- not our counties -- but throughout the State to permit a handful of individuals and a City Council to create an atmosphere in this State which the average Japanese tourist will find hostile?

"Look at Los Angeles, Mr. Speaker. Only months after passing a ban on smoking in restaurants, they are reconsidering their action because of reports that the average restaurant is losing over eleven thousand dollars per month -- eleven thousand dollars per month in revenues! And Los Angeles restaurants are no way near as dependent upon the Japanese visitor or the foreign visitor as we are.

"The measure before us seeks debate, discussion, dialogue, solution. Opponents who broke or will brook no discussion ... pretty big word huh, Mr. Speaker? But there's a word in the dictionary -- they don't want any discussion. They want their dogma and their will upon everyone, regardless of the consequences.

"I fully support this bill because, in creating a task force composed of both business and health interests, it requires both sides of this issue to work out solutions themselves and to come back to us next year. If this is unacceptable to the critics, I've asked them to re-examine the meaning of representative government. We represent all of the people, not just county by county, but all of them, and the concerns of both sides of an issue must be represented and considered in any action we take. And I ask those critics to stop the power politics and stop trying to play one legislative body off against another. You can't have five separate jurisdictions in this State all moving in different directions over the same issue which I believe is a very important issue and has statewide consequences.

"Smoking and secondhand smoke are statewide concerns. And you know what, Mr. Speaker? You know what, I'm going to put my trust in this honorable body that it is capable of doing what is best for all of Hawaii, not just for one county. We must and can find solutions which protect our health without destroying our economy.

"This bill says nothing more than that. Let's bring all sides together, and let's look for solutions.

"Mr. Speaker, sometimes I think that we keep talking about preemption, so preemption and preemption. Let's get ego trips out of the way and realize that when you're dealing with smoking, now it isn't a county issue anymore -- it's a State issue. It's like guns, it's like same-sex marriages, it's like issues that affect all of us. I sure would have liked to see some of the House provisions in it like the tough ASHRE standards for restaurants, like the fifty percent starting now -- non-smoking and over. Sure, I would like to have seen those things but they're not in here, but we have a task force of health and business people. Let's not be blinded by this whole issue of preemption. Take our egos aside, take the bull by the horn, and let's face this issue as a Legislature for the entire State, and that's all I ask that we do.

"Mr. Speaker, I urge then, we have tried very much with compromise to craft the beginning of the law that will lead us into more substantial roads for this issue because it is definitely an issue we have to tackle as a State, and I am committed to doing that. I know you are. Let's all be committed to this and support this bill as the first big step.

"Thank you, Mr. Speaker."

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

"I am voting no on this bill; however, I do have some reluctant side listening to the debate by the two previous speakers, and I do understand that perhaps there may be a need for the State to take leadership in this area which actually we have done. Hopefully I will be wrong, but this may be the way to go. Hopefully I will be wrong in the area of smoking and health.

"By preempting the counties, the State will continue its grand tradition and high standards that it has achieved in areas such as education, affordable housing, mental health, and continue the grand tradition that we have led the way from the counties. We have stripped them of their rights in those areas and we really set high standards, so I look forward with great hopes that I will be wrong, that perhaps this is a good bill, and we will set a benchmark for all the counties to follow.

"Thank you."

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

"Mr. Speaker, my concern is that the bill is effectively going to muzzle us as a Legislature until July 1, 1998, because if we pass any bill relating to smoking before that date, it will mean that the preemption will continue, that the counties will be preempted. I don't think that's in our best interest, Mr. Speaker.

"For example, there was a measure that did not make it through this session but maybe would be a good one for the members to consider next session which would have banned the sale of cigarette materials in all health facilities. We are now going to be told we have to muzzle ourselves. Don't pass anything or the preemption will

continue in perpetuity. So, it's an effective way if the smoking lobby was behind this bill and wanted to muzzle us, they've been very effective.

"I will be voting no."

Representative Peters then rose and stated:

"Mr. Speaker, I want to rise and speak in support of this measure, and request that the words of Honorable Terrance Tom be incorporated as though they were my own with one possible amendment which has to do with grants-in-aid to the counties. I hope that that is subject to home rule as well."

"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. 256, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING," having been read throughout, passed Final Reading by a vote of 37 ayes to 14 noes, with Representatives Alcon, Arakaki, Bainum, Duldulao, Hagino, Hiraki, D. Ige, Nekoba, Pepper, Shon, Takumi, Tam, Tanimoto and Thielen voting no.

**Conf. Com. Rep. No. 62 on S.B. No. 495, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 495, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Amaral, Menor and Stegmaier voting no.

**Conf. Com. Rep. No. 63 on S.B. No. 2393, SD 1, HD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2393, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Tom rose to speak in strong support of the bill, stating:

"First of all, Mr. Speaker, before I start, I would just like to put a note on that I had the privilege of seeing you, Mr. Speaker, on CNN news, on national TV, over the weekend, and you look as handsome as you do in person. I would like to make that very clear before I start.

"I am pleased to report that due to your leadership, your foresight, Mr. Speaker, Senate Bill 2393 has emerged from Conference Committee and is placed before the House today in a form which is completely compatible with the House position on gun control. The Senate has agreed that the responsible approach to gun control does not lie in creating criminals of law-abiding citizens, neither does it lie in creating a black market in handguns. Instead, the Senate has followed the House lead and focused on safety, education, and keeping guns out of the hands of criminals as the key to reducing death and injury from firearms. Even those who have, in the past, criticized our approach now admit that the measures contained in this omnibus gun control package can be applauded by both sides in the debate as practical, workable solutions that will serve all of the people of Hawaii.

"We will become the first state in the nation to require training and education in the use, storage and consequences of handgun ownership before a purchase

can be made. We will impose absolute liability upon the owners of all firearms so that safe storage and handling of their weapons will become a vital concern of each gun owner. We have required registration of all rifles and shotguns when they are purchased or transferred. We have required those who sell rifles and shotguns to notify the police every time a transfer is made so we have tied in to the issue of strict liability. We have enacted a very tough forfeiture law for vehicles which are used to carry loaded firearms on a public highway. We have found a method to constitutionally remove weapons from the hands of those who threaten or injure their spouses at a time when emotions and dangers are at their peak. We have given the police the tools necessary to enforce their power to search for and confiscate these weapons. We have raised the age of gun ownership to ensure that only mature and responsible adults qualify for ownership. In short, Mr. Speaker, we have avoided the hysteria which sometimes surrounds this issue and addressed the problems in a way which all sides of the debate, including the hunter and the sports shooter, can support without hesitation.

"Mr. Speaker, the people of this State have clearly indicated their desire that we examine the issue of gun control and come up with a sensible, responsible and fair result which will make things better in this wonderful State. As a former prosecutor, I have always been committed to effective gun control. I am grateful for this opportunity to demonstrate that commitment and to respond to our constituents with a measure which overhauls our gun control laws in a way that addresses the concerns of all our citizens on this important public issue.

"As you know, Mr. Speaker, the United States Congress struggled today over the issue of banning assault weapons. We resolved that problem years ago in this great State. And with this bill, we have the chance to once again show the nation how to create and pass sensible gun control legislation.

"I ask my colleagues to demonstrate their commitment to responsible gun control by passing this measure unanimously. Your vote will send a message throughout the country -- throughout the country -- that there is a better way to deal with guns, and Hawaii continues to be the leader in finding and implementing real world solutions to the serious and important issues surrounding effective gun control policies.

"Thank you, Mr. Speaker."

Representative Thielen then rose to speak in support of the bill, stating:

"Mr. Speaker, when I spoke earlier on the floor about this measure, I was very concerned because the bill did not have any provision requiring field training. I am glad to see that the final version that we have worked out in the Conference Committee upon which I sat now has a minimum requirement of at least three hours of firing training at a firing range.

"I don't think that is unreasonable -- I don't think that is unreasonable at all, given the fact that a massage therapist in our State, Mr. Speaker, has to have 150 hours of academic work plus 420 hours of apprentice work. Barbers have to have 1500 hours; cosmetologists, 1800 hours of school work and 3600 hours of apprenticeship; a hairdresser, 1250 classroom hours plus 2500 hours of apprentice work; cosmetician, 550 classroom hours plus 1100 hours of apprentice work; and a manicurist, Mr. Speaker, a manicurist has to have 350 classroom hours and 700 hours of apprentice work. I don't think fingernail scissors are more lethal than

firearms, and I think that at least the three hours of firing range experience is a modest beginning -- a modest beginning.

"Thank you, Mr. Speaker."

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

"I just wanted to commend the Judiciary Chair and the Committee for their hard work on this particular bill -- the firearms bill. I wanted to point out that this is really the direction we should be going into.

"This bill requires education and accountability ... education requiring training before you can get a permit to own a gun, and also accountability, the extended liability, and you're also liable to lose your car in this bill. I hope this is the course we pursue in future provisions, and I commend them again.

"Thank you."

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

"I'm delighted that we are making progress each year, I think, in getting a handle on firearms. I have a confession to make. I was once a hunter and so I appreciate the enjoyment that people get from hunting, and I appreciate the danger that is involved and the necessity of education.

"I do want to respond to one aspect of many letters I received from folks who do oppose any handgun or any firearm legislation, and that is the oft-repeated statement that it is the criminals who we must control.

"Mr. Speaker, certainly, one who commits a crime with a firearm is a criminal, but before they commit that crime, they are often not a criminal. I think, of those individuals in history that have most touched my life or moved me, four of them were assassinated by non-criminals with handguns. They are Abraham Lincoln, who we know was shot by someone who was a prominent public figure and by no means a criminal before his act. They are Mohandas Gandhi, who was shot by a religious zealot who was not a criminal before the act. Robert F. Kennedy, who was shot by a misguided nationalist who was not a criminal before the act; and John Lennon.

"All of these folks were taken from the community by people who were not criminals before their violent act and I hope that in the years to come, we will come to recognize, more and more, that it is not just someone who has crossed that line of legality that we need to be concerned with, but within each one of us, there is that part that is potentially dangerous. Each one of us harbors that bit of insanity that may pick up a dangerous weapon. We hope that it is under control for all of us but we know by experience it is not.

"And I hope that in a hundred years, people will look back and not be able to say that non-criminals took the lives of an Abraham Lincoln, a Gandhi, a Kennedy, or a Lennon.

"Thank you."

Representative Herkes then rose to speak in support of the bill, stating:

"Mr. Speaker, Chairman Tom has done a major league high-wire act in these negotiations with the Senate. He has balanced the concerns, the legitimate concerns, of the

gun control coalition with the rights, the individual rights of our citizens to bear arms.

"Chairman Tom took five or six Senate gun control bills and melded them into one omnibus bill to give all of us a clearer view on how this bill would affect our communities and how each section of the bill relates to the bill as a whole, and I don't know how else we could have gauged the impact of the proposed legislation without Terrance Tom's foresight in this measure.

"The meaningful and important sections of the bill, Mr. Speaker, are House positions. The liability and training sections, the guts of the bill, came from House drafts -- Chairman Tom's thinking. The House did not and could not accept the Senate's position on their proposed permitting requirements, that although sounding well-intentioned, could well be used to intimidate and frustrate citizens, honest citizens, attempting to purchase firearms.

"Mr. Speaker, some say that this bill goes too far, others say that it does not go far enough. I think that we have struck a reasonable balance between the two positions.

"We all agree that we need strong laws to clamp down on drive-by shootings. No question about it. But it is important that these same laws that apply to drive-by shootings not hinder the rights of our rural citizens driving their vehicles to legitimate hunting grounds. And as we go through an economic restructuring brought about by the demise of 'King Sugar,' many in our rural communities turn to the land for sustenance -- hunting and fishing -- to put food on the table. We have to protect that right. Those are the right of self-protection.

"Mr. Speaker, in lower Puna, the issue is personal protection. There are an average of three police officers on duty at any one time in an area the size of Oahu -- three officers. The Dana Ireland killing and the kidnapping of Sequoia Vargas are forever etched in our memories. There are just not enough police officers to protect our people in some of these rural areas. Call 911, you say. Sure, if you have a phone and if you are not on a party line, and if the police and the paramedics can eventually find your house and, hopefully, you are still alive. We cannot deny the right of self-protection for the people in these rural areas, and this bill does not do that. It continues that right.

"Now let's be blunt, Mr. Speaker. The government does not have a good history of gun control in this State, and some of our memories are long.

"In 1942, after the bombing of Pearl Harbor, our government -- our government -- under martial law, ordered every private weapon in the Territory confiscated. They rendered the people of this Territory defenseless. And why did they do that? They were afraid we were going to be invaded so they took our guns away. We all know the reason -- they did not trust the AJAs. Of course, the subject of their loyalty is now a proud part of American military history through the record of the 442nd. And the AJAs, for the most part, were not the ones who owned the guns. The grandfather of one of our members worked on a remote ranch and used his rifle in his work. He did not turn in his rifle. He was investigated by the FBI and sent to jail. After the war, did these people get their guns back? For the most part, no. They 'disappeared.'

"Another issue, Mr. Speaker, is the registration of handguns and long guns is tantamount to developing a gun catalogue for crooks. Law enforcement agencies need to be put on the record that these lists must be kept confidential to protect gun owners from being targeted for

theft of their guns, or non-gun owners from being targeted for theft of their homes.

"Mr. Speaker, I am voting for this bill because of the leadership and the thoughtful crafting of most of the parts of the bill by Chairman Tom. It's a good bill. But I will not support any future efforts to disarm the single women, the single mothers and the elderly in my district and leave them at risk, nor will I support any initiatives to make it more difficult for the legitimate hunters putting food on the table.

"This bill provides a reasonable compromise for the different positions and concerns. It's a good bill. However, Mr. Speaker, I vote for this bill with a little bit of a heavy heart because it is a further deterioration of individual rights, and I participated in the deterioration of those rights, but it is a sign of our times.

"I congratulate Chairman Tom. I think it's a bill we can all abide by, live with, and I urge all members to vote for it.

"Thank you, Mr. Speaker."

Representative Beirne then rose and requested that Representative Herkes' remarks be entered into the Journal as her own, and the Chair "so ordered." (By reference only)

Representative Ward then rose to speak in support of the bill, with some reservations, stating:

"Mr. Speaker, Hawaii is as much of the rest of America as part of the Wild, Wild West. We have the most violent society of any civilized world, Third World, or other countries, and what perplexes me is those who would say that this bill doesn't go far enough. I ask the question ... do we need any police state? And I say, well, we've already got one and here's my dilemma, Mr. Speaker.

"Our prisons that forbid guns, weapons and contraband, everyday are allowing these things into their system. How can we have gun control if we have a prison system that's already a police state, and we can't even keep guns, drugs and contraband out of our prison system? Think about that. That's a conundrum in the direction that we're going, the slope that we are riding on right now. How can we do it when we got a police state and we still got guns and drugs? And yet, as our friend from the neighbor island said ... people who want to protect themselves may be denied this in the future.

"Thank you, Mr. Speaker."

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

"As the Vice Chairman of the House Judiciary Committee and also as one of the House conferees on this bill, I also wanted to echo the remarks of previous speakers commending Chairman Tom for all of his efforts on this bill. I know that it took a lot of stamina and fortitude on his part to be able to deal with the controversy that surrounded this bill and their using the imagery that this bill evokes to dodge the bullet that came its way. Nevertheless, it's because of his hard work and perseverance that we have before us a bill that, as Representative Herkes has indicated, strikes or attempts to strike an appropriate balance between, on the one hand the need or the rights of law-abiding citizens to own and possess firearms, and on the other hand, the need for more effective gun control measures to stem the level of firearms-related violence in our State.

"In support of this bill, let me just briefly say that this bill really is a very tough bill, to the extent that it strengthens a gun control law that we now have in our State that is already one of the strongest and toughest in the nation at this time. For example, under existing law, there is already a fourteen day waiting period relating to the issuance of firearm's permit. In addition to that, there is also a mandatory registration requirement with respect to pistols and revolvers which, as we know, are the most easily concealable and which are, therefore, the most likely to be used in the commission of crime.

"In addition to that, as Chairman Tom has mentioned, just two sessions ago, this legislative body adopted tougher gun control measures to regulate the sale and use of the so-called assault firearms. So, indeed, we do have an already tough law, notwithstanding the fact that this body is considering this particular measure today.

"The bill before us, Senate Bill 2393, SD 1, HD 1, CD 1, makes a tough bill even stronger. As Chairman Tom mentioned, this bill contains provisions which would require, for example, the mandatory registration of the future sales of all firearms and not simply pistols and revolvers. Also, by mandating the participation of individuals in firearm safety or instruction courses before that individual can obtain a permit, and in addition to that, this bill would also impose or enact a strict liability provision which it is hoped will encourage gun owners to exercise more reasonable care, caution and responsibility in the storage of their firearms. So this, in fact, is a tough bill, notwithstanding the comments that have been made by those of the media and the public to the contrary.

"Lastly, I would just like to point out the fact that in addition to enacting a tough bill, with respect to the criticisms that have been made about this bill, there are those who would argue that we should have gone further in enacting tougher gun control measures. To those individuals, I would say, as one of the House conferees, that this bill nonetheless represents a definite improvement in the strengthening of existing law.

"But in addition to that, for those who would argue that we should go further by enacting universal retroactive registration of all firearms, my response to that would be ... that position would ignore the practical administrative difficulties that law enforcement would encounter if such a provision were included in this bill. For example, the police officers union, SHOPO, which has long been on record as supporting tougher gun control measures, has also opposed the universal retroactive registration of firearms based on concerns of cost, as well as the availability of personnel, to undertake such a massive registration effort.

"The law of the State of Hawaii on gun control has been a model that has been followed by other states that enacted similar gun control measures and continues to be a model for the Federal government as they itself deliberates on the enactment of gun control.

"This bill makes that law even better and in that respect, I would also join all my other colleagues in supporting this bill today.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2393, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND DANGEROUS WEAPONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 64 on S.B. No. 3309, SD 2, HD 3, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3309, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 65 on S.B. No. 905, SD 1, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 905, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I have some reservations on this matter so I thought I would want to express them.

"I believe we need to protect our bond rating and give the Department of Transportation the leverage to negotiate very favorable leases for the State. But I would have been far more comfortable if there had been a public hearing process in accordance with Chapter 91 before the rates were set. Right now, in this bill, we are only offering window dressing. We'll have an informational meeting only, and I think that this is a bad step.

"Also, I think it would have been helpful to have a stronger legislative oversight as we saw in the earlier version from the Transportation Committee in the House. All that is left is an after-the-fact disapproval provision by the Legislature. I think this is hindsight rather than oversight.

"Finally, this bill may be a little too heavy handed, and I am concerned about retaliation from some of the larger national airlines.

"I am sincerely hoping my fears are unfounded, but will vote in favor of this bill in hopes that my fears are groundless.

"Thank you very much."

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

"My point, Mr. Speaker, is that this is not the time to stiff-arm the airline industry when they are flying over us or they are choosing not to land in Hawaii. We should not shut the airlines out of this negotiation process. As the previous speaker said, we are not holding public hearings, we are holding public information meetings. This means, this is the way it shall be and we shall distribute the information here. We don't really want to gather information for decision-making but, basically, we want to tell the airlines and the industry that this is the way we feel things should go.

"I realize there has been a long impasse in the negotiations with the airlines. Obviously, we got a break in that impasse. Mr. Speaker, this is a slam dunk on the airlines. We're saying ... our way or no way, and quite frankly, it gives the Director of Transportation the powers that otherwise, if we're in a Third World country and the first thing that we go for if we want to take over, we take over the airport, we take over the TV station, we take over the palace. In surrendering the control of the airport to the Department of Transportation, Mr. Speaker, I think we are jeopardizing the macro-economic policy of

this State that says ... tourism has to be protected in the airlines or an integral part of that.

"My fear is that this is a myopic view of trying to get the break-even perspective of the Department of Transportation to pay for the cement and the colossal construction project that they've created ten years ago and will create another ten years before it's finished. My fear is that if we let that policy out of our hands into the brick and water perspective, tourism by the size of the airport, will get out of control.

"Mr. Speaker, how many of us realize that that airport is being built now for fourteen million visitors? How many of us would even agree that we want to have Hawaii with fourteen million visitors? Right now, we've got seven million but that airport is now under construction to accommodate fourteen million visitors.

"This bill is giving more power to the Department of Transportation by saying ... these are the airline fees because these are the cement and the brick and water bills that we have to pay for, is saying that yes, we will get fourteen million visitors and neither you nor I, or this policymaking body, will have anything to say about that. Mr. Speaker, that is not good policy. That is Third World coup d'etat of taking over the airport. This bill gives it and we're going to regret it.

"Thank you."

Representative Oshiro then rose to speak in support of the bill, stating:

"Mr. Speaker, the importance of our airports in regards to our tourism industry and to the overall economy of our State is immense as we all know. In recognition of this, it is essential for us to ensure a revenue base that is adequate to meet the expenditures needed to provide airport facilities to amicably accommodate the mobility needs of our State.

"Our airport revenues, Mr. Speaker, are totally funded by fees assessed to airport users. A major contributor to our revenues comes from the user fees generated by the airlines. The previous long-term agreement, Mr. Speaker, between the State and our airlines expired several years ago -- two or three years ago. Negotiations between the State and the airlines subsequent to the expiration of this contract has not resulted, Mr. Speaker, in any desired long-term agreement.

"Should the continuing negotiations between the State and the airlines not result in an agreement, this bill, Mr. Speaker, provides authorization to enable the Director of Transportation to establish rates and charges necessary to meet the anticipated airport expenditures. This authorization, Mr. Speaker, includes a requirement that a public informational hearing be held prior to the establishment of these rates and charges. Also, Mr. Speaker, should these rates and charges established by the Director be in excess of the amount needed to meet airport expenditures, the proposed rates and charges will then be subject to legislative approval.

"While a previous draft to this measure, Mr. Speaker, which essentially came from our Transportation Committee, while a previous draft did include legislative approval for any and all rates and charges set by the Director, we were subsequently informed by our bond counsel that such a mandate may be in violation of covenants and agreements that were previously entered into between the State and the present bond holders. In recognition of this concern, Mr. Speaker, considerable effort was made to develop language to provide the desired legislative oversight to the Director's rate-making

authority while still satisfying bond covenants and agreements. The provisions, Mr. Speaker, contained in this measure strikes a delicate balance between these two very valid concerns.

"I certainly believe, Mr. Speaker, that this measure provides a fair and equitable procedure for the establishment of rates and charges which are, number one, adequate to ensure an efficient statewide airport system along with, number two, Mr. Speaker, a sufficient check and balance between the executive and legislative branches of government.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 905, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUES," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Amaral and Ward voting no.

**Conf. Com. Rep. No. 66 on S.B. No. 3161, SD 2, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3161, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 67 on S.B. No. 2615, SD 2, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2615, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM FOR CHILDREN," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 68 on S.B. No. 3254, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3254, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1994 SAMOAN FLAG DAY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 69 on S.B. No. 2728, SD 2, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2728, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 70 on S.B. No. 3307, SD 2, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3307, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 71 on S.B. No. 2249, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2249, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 72 on S.B. No. 2875, SD 1, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2875, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Stegmaier 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 Stegmaier's remarks are as follows:

"I just want to thank my colleagues for the passage of this bill, which appropriates funds for extended ambulance service in several communities. In my own community, twenty-four hour coverage will mean the difference between life and death for several people each year. The late night and early morning period is a particularly precarious time for the aged and the young, and we should definitely have this period of the day covered with ambulance service.

"On behalf of the people of Hawaii Kai, mahalo nui!"

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF AMBULANCE SERVICES ON OAHU," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 73 on S.B. No. 2172, SD 2, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2172, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"The purpose of this bill, Mr. Speaker, is to establish a Clean Hawaii Center within the Department of Business, Economic Development and Tourism to develop local recycling companies to turn our solid waste materials into something useful to us -- recycled products. Our companion House bill didn't pass out of the House because it called for a new source of funding, an additional surcharge added to the solid waste tipping fee. Understandably, Chairman Say and members of the House Finance Committee were resistant to this new fee. So the committees went back to the drawing board and they determined that the Clean Hawaii Center could be funded adequately out of present loan program moneys such as the Capital Loan Program, and the prospect of receiving funds from other funding sources such as the Small Business Administration and the Environmental

Protection Agency which are presently underutilized in Hawaii.

"After much deliberation among the conferees -- the Senate and the House conferees -- the result is an economic development bill without any fluff and several worthy facets. It utilizes already existing resources, both in terms of manpower and finances; it relies on intergovernmental cooperation among City, State and Federal government agencies; it sets specific realistic goals; and it has a deadline by which the work of the program will be done. The program terminates as of 1999, and we give the Center five years to prove its usefulness and fulfill its goals.

"Mr. Speaker, we have an excellent bill in Senate Bill 2172, and I want to thank Finance Chairman Say, Representative Duke Bainum, Senator Carol Fukunaga, and my Vice Chair, Representative Morihara, for the final version of 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. 2172, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 74 on S.B. No. 1628, SD 2, HD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 1628, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Stegmaier 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 Stegmaier's remarks are as follows:

"Mr. Speaker and members, this is another meritorious appropriations bill to clear out a waterway which is almost impassable. Mr. Speaker, the area to be cleared is at the mouth of the Hawaii Kai Marina, at the only access point to the marina from Maunaloa Bay. I want to thank my House colleagues and in addition, Senator Ikeda, for the leadership that she has shown in getting these funds appropriated."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1628, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DREDGING OF MAUNALUA BAY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 75 on S.B. No. 2378, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2378, HD 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. 76 on S.B. No. 576, HD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 576, HD 1, CD 1,

having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this is the bill I think it is. It does eliminate part of the provider tax which we enacted not too long ago. In part, that provider tax was constructed with a sense of ... well, it's kind of fair; we are taxing providers in hospitals as well as long-term care facilities. And you know, the history of our efforts in long-term care parallel those with respect to the Federal government.

"Several years ago, the Pepper Commission and others had long-term care as one of the primary, most important issues before it, and along came Universal Access, a worthy concept, but long-term care was put on the back burner.

"Not too long ago, I recall we went through a similar process here in Hawaii where we were playing around with different schemes of how we could get more resources to families to take care of their loved ones. This was before the Family Hope Program really was made into a mature form, but the progress for that was again put on the back burner with our SHIP Program. Universal Access was the worthy but more popular concept. And we have the Quest Program which, worthy as it is, has decided to defer long-term care as part of it, and so those seniors and their families who are in long-term care facilities are the only ones left with the provider tax.

"For that reason, I think we should reflect that in years future, as we impose taxes or take initiatives, it is our seniors who have had to wait a long time, and I hope in the future they may not have to wait any longer.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 576, HD 1, CD 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. 65, 740, 929, 1088, 3017, 2985, S.B. Nos. 3180, 2515, 2829, 2630, 2180, 2722, 2563, 2182, 2183, 2663, 256, 495, 2393, 3309, 905, 3161, 2615, 3254, 2728, 3307, 2249, 2875, 2172, 1628, 2378 and 576 had passed Final Reading at 3:08 o'clock p.m.

At 3:09 o'clock p.m., Representative Say asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:11 o'clock p.m.

**Conf. Com. Rep. No. 77 on S.B. No. 2366, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2366, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX," having been read throughout, passed Final Reading by a vote of 36 ayes to 5 noes, with Representatives Hagino, Hiraki, Shon, Takumi and Thielen voting no.

**Conf. Com. Rep. No. 78 on S.B. No. 3292, SD 1, HD 3, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3292, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT TAXI SERVICE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 79 on S.B. No. 2161, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2161, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Marumoto rose to speak in favor of the bill, with some reservations, stating:

"As a co-introducer of a GOP Caucus bill with a similar title, of course, I am very happy to vote for this measure which deals with a thorny problem of hazardous household waste.

"I heartily endorse a program to be established in the Department of Health to collect and dispose of these by-products of our civilization. I agree an appropriation is necessary to carry out this program.

"This measure would use the \$150,000 appropriated in this bill to (1) determine the scope of this program; and (2) divvy up state and county responsibilities. The appropriation would also be used to figure out 'a breakdown of budgetary requirements, including county participation' to carry out the intent of this measure.

"The GOP bill simply would have used the money to pay a private company competent to handle and dispose of such waste -- to do just that.

"In fact, the Department of Health has done this in the past. Unfortunately, the Department of Health dropped this important program last year. That is why legislators have had to introduce bills to reinstate this program and place it in the statute.

"Because of the Department of Health's inaction, there is no place to dispose of household hazardous waste. Legislators have fielded numerous phone calls from constituents. They asked: 'Where can I throw away pesticide -- I'm moving, what do I do with this insecticide?' 'Where do I get rid of a partial can of oil-based paint?'

"And we have had no answers for them.

"We all know a lot of this toxic stuff gets dumped down the sink, down storm drains, into the garbage, and into our land fills. This Administration has not provided for this revolting situation.

"We don't need money to think about the problem. We've got to use what little money we have to get rid of this problem. **Now.**

"Thank you very much."

Representative Thielen then rose to speak in strong support of the bill, stating:

"The bill takes a refreshingly proactive approach to saving our waters and our soils from contamination. Instead of reacting to polluted water, we are investing in our future by establishing a program that will increase participation in the proper disposal of household hazardous waste. These waste won't end up in our streams and in the ocean.

"I would also like to take the opportunity, Mr. Speaker, to thank the Kailua High School students who put together a project to survey the area and to find out whether or not there really was a need for such a collection program. The answer came out resoundingly loud and clear -- yes, we needed this program, and those students really have helped us get it established.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2161, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 80 on S.B. No. 3303, SD 1, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3303, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE POLLUTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 81 on S.B. No. 2141, SD 2, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2141, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 82 on S.B. No. 2261, SD 2, HD 3, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2261, SD 2, HD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Arakaki rose to speak in favor of the bill, with a reservation, stating:

"It does list on the Order of the Day -- OHA Board Salaries -- but, in fact, that was one provision that was deleted by the Senate from the bill. Basically, this was done at the very last minute and we had to either take it or leave it. However, because the bond authorization part of the bill was very important to the Office of Hawaiian Affairs, we did decide to accept that amendment.

"However, I did want to raise a concern because I believe that the State is obligated to provide general funds on a fifty percent matching basis to pay for the salaries of the OHA trustees, and I would like to insert that in as my comment into the Journal.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2261, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hagino voting no.

**Conf. Com. Rep. No. 83 on S.B. No. 2908, SD 1, HD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2908, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII QUALIFIED HEALTH CENTERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2366, 3292, 2161, 3303, 2141, 2261 and 2908 had passed Final Reading at 3:20 o'clock p.m.

At 3:21 o'clock p.m., Representative Ihara asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:22 o'clock p.m.

**Conf. Com. Rep. No. 84 on S.B. No. 2170, SD 2, HD 3, CD 1:**

Representative Ihara moved that Conf. Com. Rep. No. 84 on S.B. No. 2170, SD 2, HD 3, CD 1, be received and be placed on file, seconded by Representative Thielen and carried.

On motion by Representative Ihara, seconded by Representative Thielen and carried, S.B. No. 2170, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLED MATERIALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 2170 had passed Final Reading at 3:23 o'clock p.m.

At 3:24 o'clock p.m., Representative Ihara asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:25 o'clock p.m.

**Conf. Com. Rep. No. 85 on S.B. No. 2377, SD 2, HD 3, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2377, SD 2, HD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, we've been hearing all through the session how the State of Hawaii has been the first to pass legislation, whether it be for gun control or some of the other measures. Well, we now have the very distinct pleasure of being the last state in the union to pass a licensing bill for social workers. I was going to get up and just say ... it's about time ... but I did want to thank you, Mr. Speaker, and all the other members who have been very, very helpful in getting this bill passed.

"Thank you, Mr. Speaker."

Representative Shon then rose and requested that Representative Santiago's remarks be entered into 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. 2377, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 2377 had passed Final Reading at 3:27 o'clock p.m.

**Conf. Com. Rep. No. 86 on S.B. No. 1249, SD 1, HD 3, CD 1:**

Representative Duldulao moved that the report of the Committee be adopted and S.B. No. 1249, SD 1, HD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Pepper.

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

"Mr. Speaker, I would like to say 'thank you,' first of all, for your help and for your support on this particular issue that has been with us for a number of years. I also would like to say 'thank you' to my committee members, my Vice Chair, Representative Pepper, and all the Health Committee members, and all my colleagues who have supported this bill.

"This is not the bill that we would like the nurses to have. However, we are willing to compromise and move forward and work this out in an amicable way to both sides of the issue. And, Mr. Speaker, standing before you this afternoon, I am proud of the accomplishments of the nurses and I hope that the opponents of this bill will be able to understand why this bill is being moved forward.

"Today, Mr. Speaker, we will join the other 43 states in having an advanced nurses prescriptive authority.

"I still wouldn't believe, Mr. Speaker, if anyone would stand up and say that this bill is a bad bill, or anyone that will stand up and say that they have a reservation. I would respect what people would say on the floor this afternoon, but I hope that it will come directly from their hearts and not coming out from a big jolt of a blow from special interest people that would make them think otherwise that this is not the bill that Hawaii needs.

"Mr. Speaker, if we are to move forward and again compete as a 'Health State,' we need this kind of a reform and we've got to start somewhere. And so, I would ask my colleagues to please look at this issue with an open heart, with a clean conscience, and vote honestly. This is what we have been waiting for.

"Our brothers and sisters on the other islands have been longing to have this particular bill for us to help them out. For our residents in the Honolulu proper, we enjoy the luxury of choosing our health care professionals, but to them, it is a necessity and they don't have any choice.

"I beg all of my colleagues to please vote up for this bill. I think it's about time.

"Thank you very much, Mr. Speaker."

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

"I would first like to add my accolades and respect for the Chair of the Health Committee and all of those who worked so hard to bring this to us today.

"This bill, I believe, is a children's bill because I think more services will be directly delivered to children. It is a bill for the homeless. It is a bill for patients everywhere. It is a women's equity bill. It is a cost-containment bill, and it is a futuristic bill. We are now in the 20th century, finally.

"I think that this bill represents pride and respect and equality. It's been a long time coming. There are so many who have labored, deserving the recognition and the respect that this bill delivers. There have been so many who have been the glue of our health care system, and it is the dawning of a new age when all professionals can look to each other with respect and equality and collaboration. We're all in it together and that's what this bill says.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I wish that the bill we're going to vote on now was the bill that was before this body at first crossover. That bill was a true compromise bill, a bill that was crafted in the late hours of the Conference hearing that had the input of most of the members of the Consumer Protection Committee. That bill called for some safeguards for delivered process that unfortunately is missing in this bill.

"Where's the pilot project in this bill?"

"The compromise bill that we had before us called for a two or three year pilot project that would be monitored by the University of Hawaii, School of Nursing. So, we could come back in two or three years and prove or disprove, once and for all, all the claims that have been going back and forth between the doctors and the nurses ... yes or no, they can prescribe medicine without causing harm. We need a pilot project to assure the patients' safety.

"Where is the language that was in the previous measure that talked about the type of relationship between the physicians and the nurses?"

"My concern, Mr. Speaker, among many, is that this bill may result in making the rift between doctors and nurses even worse. I hope that the Board of Medical Examiners will come up with a formulary. But my concern is ... what happens after that? Say they do come up with a satisfactory formulary. We don't have the pilot project, we don't have the part about a written relationship between the doctors and the nurses. And what happens if the Board of Medical Examiners cannot come up with a formulary that they agree upon? The whole issue will be back in our laps.

"I think we had the opportunity with that compromise bill to really move a bill out that most everyone could agree with. There are some doctors, and I will be the first to admit, will never accept prescription privileges for nurses. I'm not one of them -- I voted for that bill the last time. I wanted to get up on this floor and vote for this bill this time but, unfortunately, I cannot because of my concerns that I have stated.

"I congratulate the nurses. They worked very hard, and I congratulate the Chair of the Health Committee. She certainly worked hard.

"But my concerns on this bill still remains. For that reason, I will vote no.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"Mr. Speaker, I am rising very reluctantly and really angrily to have to say I'm going to vote no on this bill.

"Mr. Speaker, this is a bill that will provide the ability for advanced practitioner nurses to prescribe limited drugs. We worked extremely hard under the guidance of the Health Committee and Vice Chair of the Health Committee, and we worked very hard to come up with a bill under our Consumer Protection Committee as well that really established safeguards that the nurses agreed to that some of, but certainly not all of the physicians agreed to, and we came out with a very well-crafted bill. It went down to the floor below us, and then ultimately into that midnight Conference Committee where there were valiant efforts on our side to retain the integrity of the measure that we had originally passed, and I give a great deal of credit to the House negotiating team to do everything that they could to save those provisions in the bill. We were ultimately told ... take it or leave it, by the Senate lead conferee, and what we have today is the measure before us that I reluctantly cannot support. I do support prescriptive authority for advanced practice registered nurses. I do support that, but I do support it with the safeguards that were built in with the original bill that we had.

"The other bill, House Bill 3212 that we will be passing probably on the next page, is going to create the new field in nursing that is mentioned in Senate Bill 1249 that is before us right now. It creates the field called APRN -- advanced practice registered nurse. To be recognized as an APRN, the person has to hold a master's degree in nursing. That's it, and pay certain fees.

"Now, in this bill before us, Senate Bill No. 1249, we are granting the APRNs prescriptive authority to prescribe drugs. The Board of Medical Examiners is tasked with developing the applicable formularies, or the drugs, and are supposed to submit an interim report on the establishment of the formularies by December 31, 1994. Although neither the bill nor the Conference Committee report specifies, it is presumed that the Board's interim report is intended to be submitted to us. We don't really know. It doesn't say.

"The Legislature properly found in our House version that there is a continual and growing need to address the health care needs of all residents in the State. Although the APRNs, with authority to prescribe drugs, clearly would provide a great benefit to the public, the Legislature's failure in this measure, this Conference draft, to provide the safeguards is a serious flaw. We are unable, through this measure, to provide sufficient protection for the public.

"The earlier versions, as we all may recall of Senate Bill 1249, required that prescriptive authority would be granted only if an advanced practice registered nurse completed sixty hours of advanced pharmacology education, forty hours of education on advanced pharmacotherapeutics relating to the scope of the APRN's nursing practice. Also, they were required to have one year of clinical experience as an APRN within the APRN's nursing specialty. A further protection would have established a prescriptive authority relationship between a physician and the nurse. The physician and nurse were required to be actively engaged in the same or related practice and affiliated with the same institution.

"None of these protections are in this measure. No education in pharmacology is required, no continuing education is required. No prescriptive relationship with the physician is required, no clinical experience is

required. A person is deemed an advanced practice registered nurse immediately upon completion of a master's degree. Immediately upon graduation, an APRN can individually hang up her or his own shingle and begin a nursing practice, and prescribe drugs.

"Although our statutes do provide for collaboration with other members of a health care team, under the statutes that relate to nursing, there is nothing in there that mandates that that be a physician. It's rather unclear in its parameters, so while the statutory provision does cover their scope of nursing, it does not mandate that there be a physician or a physician's institution affiliation.

"It is possible that the Board of Medical Examiners, composed of physicians, will designate that APRNs may prescribe limited drugs that will preclude the intended purpose of this law. The physicians may also fail to designate any formularies. That puts us in a head-on conflict, and it sets us back from where we want to go to let nurses, advanced practice registered nurses, have prescriptive authority.

"I don't see this bill as getting us there, Mr. Speaker. I see us as just merely going into a head-on conflict with those physicians who may be influential on the Board of Medical Examiners that are not going to want to let nurses go ahead with their prescriptive authority.

"Should the Board of Medical Examiners fail to designate formularies or designate insufficient formularies, such as you can prescribe two aspirins which would be ridiculous, then it is likely that next session the legislation will be enacted which would mandate the Department of Commerce and Consumer Affairs to establish a health professional formulary council, and all of us here will remember that measure that has gone through but not passed Final Reading, that would establish in the DCCA that formulary council. And then we would end up with an end result, Mr. Speaker, by passing this Senate Bill 1249 where we have advanced practitioner nurses who have the ability to prescribe drugs, we have the formulary council established that would declare which those drugs will be, but we don't have the other safeguards that we had worked so hard for, that the Health Committee and the CPC Committee had worked for, to put into the bill.

"I support our original bill. I stand firmly behind our original bill. I would do everything I can to see that we can, whether by rules or by future legislation, go back and put those protections in, and I would like that to be a message to the floor below us ... don't give us a midnight deadline and say, take it or leave it, because we, in this House, have worked carefully to establish nurse practitioners, and to do so with all of the safeguards that will protect our consumers, and the floor below us should stop giving us ultimatums.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, this bill, taken together with House Bill 3212, the Nurses Practice Act renewal which we will discuss later, provides an opportunity for improved access to health care.

"Mr. Speaker, I greatly value, as do most members of this chamber at least, input into the legislative process, and I would like to read just two of the communications I have received in support of this bill. The first comes from a physician:

"I have had the privilege of working with advanced practice nurses during my entire medical career. I am

confident that they have much to offer in Hawaii's health care system. What they can bring to the system will be enhanced by prescriptive authority.'

"The second communication, Mr. Speaker, was addressed to you and a copy sent to me. It comes from an association which represents 23 free-standing nursing homes, geriatric care facilities, and retirement residences. It reads in part:

'These bills represent an important step forward in the delivery of health care in Hawaii. We believe these measures to be especially important in delivering cost-effective, appropriate and safe care to the elderly and the chronically ill.'

"Mr. Speaker, today we take a step already taken by almost all other states and the District of Columbia; namely, establishing prescriptive authority for advanced practice registered nurses.

"This bill will allow a small group of highly trained nurses to prescribe from formularies determined to be appropriate to their specialty practices by the Board of Medical Examiners. Mr. Speaker, the caring, the competence, the professionalism of these nurses will be brought to bear to assist overworked physicians, where appropriate, in the delivery of quality health care. The collaborative nature of health care traditionally delivered by physicians and nurses working together will be again demonstrated as the Board of Medical Examiners sets the formularies, and the Board of Nursing sets the educational requirements under which advanced practice registered nurses will be granted, will use, and will retain prescriptive authority.

"Mr. Speaker, I am pleased and proud to be here today to urge the members of this House to support this measure, and with it to support accessible quality health care.

"Thank you, Mr. Speaker."

Representative Bunda then rose to speak in support of the bill, with reservations, stating:

"First of all, I'd like to commend Representative Pepper who did an excellent job filling in for Representative Duldulao as Chairperson during conference. Representative Duldulao, you were really well represented by Representative Pepper. It was as if you had never left.

"I would also like to applaud the efforts of the Senate, Mr. Speaker, in hammering out what is a very complex and emotional issue on just one page.

"I support all of the bill's contents, except that I have some reservations in giving the Department of Commerce and Consumer Affairs the exclusive authority to grant prescriptive rights to the advanced practice registered nurses (APRNs). I think those rights should be given and left to those who understand health care. I think the authority should be given to the Board of Medical Examiners and the Board of Nursing, jointly, or at a minimum, with the physicians. But not delegating the total authority to the Department of Commerce and Consumer Affairs.

"The bill is very short and very specific. First, it mandates that the Department of Commerce and Consumer Affairs shall grant prescriptive rights to nurses which I view as absolute power. What does this mean? There are no rules governing that power. We have no idea on how that would work. We have some definitions about nurse practitioners spelled out in another bill,

House Bill 3212, but we do not have a clue as to what the relationship is between doctor and nurse. Frankly, I'm in favor of such a relationship to protect the public.

"But be that as it may, envision that one or several people in the Department of Commerce and Consumer Affairs will have the power to determine who will be granted prescriptive authority. This power is without any parameters. This is not say, Mr. Speaker, that the Department of Commerce and Consumer Affairs does not have competent people to make such a determination, but shouldn't the specific criteria be spelled out in the bill? Mr. Speaker, the bill is too open-ended.

"Secondly, Mr. Speaker, having that kind of power involves the concern for liability. On the face of this one page bill, it seems that the nurses should not have a hard time obtaining their own liability or malpractice insurance. That's fair enough. But I think we should think this thing through.

"Let's say that the Board of Medical Examiners come up with the formulary, as the bill provides for, containing the kinds of medicines that are very common to you and I. While the majority of people probably can withstand the effects of these common medicines, there are some people who simply cannot. What I'm suggesting is that even the simplest of medicines can potentially cause great harm to some people.

"Mr. Speaker, it only takes one adverse reaction and somebody has to pay for it. The answer to that is the State will ultimately have to pay -- the State will ultimately have to pay. And can you think of what the cost of that will be because the State is the deepest pocket? That cost suddenly is magnified tremendously because of the State's involvement. Again, it is you and I who will be liable for that cost.

"I hope my reservations do not get in the way of what I think can be good for our people; therefore, I've got to say something good about the nurses because they are our front line people, and they care!

"When we talk about patient care, it's the nurse who usually understands. How many times have you visited some doctor whom you've spent two minutes with and then get charged three hundred dollars? Is that understanding? Is that caring or loving? Mr. Speaker, don't get me wrong -- there are doctors who are striving to lower health care costs for patients.

"And yes, they can diagnose and are always finding ways to cure diseases. And yes, they do save lives. But it's the nurses who, I think, are closest to the patients. They take the time and they spend many hours talking with patients, understanding their problems, and most of all, giving them hope. Many times, it is this kind of caring that cures. I trust that by giving them this authority to prescribe medicine that they do not lose that loving personal touch. That to me, Mr. Speaker, is what quality care is all about.

"Thank you, Mr. Speaker."

Representative Lee then rose to speak in support of the bill, stating:

"Once I had the experience of spending six weeks in the hospital and I got to know the nurses quite well. I have great confidence in them, and with all the experience I have acquired since that time and from what I've heard in other places, I am wholly in agreement with the bill and will vote wholeheartedly for it.

"Thank you."

Representative Stegmaier then rose and stated:

"Mr. Speaker, I reluctantly rise to speak against the bill.

"As someone whose younger sister was done a great disservice by being prescribed way too many drugs by physicians in mental health facilities over the years, I have a very strong bias against any expansion of prescriptive authority and in the past, my voting record has reflected that.

"This year, I did support a couple of earlier drafts that were created by Chairperson Duldulao who has done a great job at putting together versions of prescriptive authority bill that had the full support of the House.

"As others who have spoken in opposition have said, however, this particular draft looks very different from earlier drafts and rather than repeat the same concerns, I would like to conclude by saying that I think the Legislature appears, in this draft, to be washing its hands of the entire matter, putting it in the hands of the Department of Commerce and Consumer Affairs and the Board of Medical Examiners who appear to be reluctant to take it on.

"I don't believe this is the way the issue should be handled by the Legislature. We should have stuck to the earlier drafts that were written by Chairperson Duldulao, a good first start for prescriptive authority, instead of this Conference draft, the ramifications of which no one can predict.

"For these reasons, I cannot support this bill.

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

"Mr. Speaker, when I'm not here, I do spend time as a social worker in the health care setting, and I am surrounded by nurses who are of the most competent nature on a daily basis. I have no question in my mind the ability for those advanced practice nurses to be able to prescribe drugs.

"My concern or what I wanted to say is, I don't see this bill as the end all. I see this as the first step towards what I am hoping will evolve into something that more people can be supportive of. And as I say that, I am reminiscent of the previous bill that I just spoke on. I hope that we're not going to be the last state in the union again to recognize professionals and their abilities.

"Thank you, Mr. Speaker."

Representative Cachola then rose and requested a ruling on a possible conflict of interest, saying that his wife is Chairperson of the Board of Medical Examiners, and the Chair ruled "no conflict."

Representative Cachola continued:

"That being the case, Mr. Speaker, may I be allowed to say a few words in opposition to this bill -- reluctantly.

"This bill, when it first came as a proposal of the House, I supported it with reservations. My reservation lies on four items: that we should take care of quality care; public safety; cost-containment; and access. I am not going to tackle all that because my colleagues already have stated those, and I would like to request that the remarks of Representative Bainum, Representative Stegmaier, Representative Bunda and Representative Thielen be recorded in the Journal as my own.

"In addition, Mr. Speaker, my concern lies in the body which is the Board of Medical Examiners. It will politicize the Board of Medical Examiners. It might come a time when this formulary council will determine what kind of drugs is given to the nurses to prescribe and there's none, or it is so limited that the nurses might not like it at all.

"What will it do?

"It will create animosity, infighting, strained feelings between the doctors and nurses. To my mind, it will go down to each individual member of the group -- doctors and nurses -- and ultimately, it might affect the way you treat a patient. And to my mind, we should at least look at the patient's welfare.

"It is for this reason, Mr. Speaker, that if we pass this bill out, I will tell my wife to quit the Board of Medical Examiners because if in case the Board of Medical Examiners will say ... let's not give the nurses anything to prescribe or will come up with limited drugs to prescribe, I don't want anyone here to point at me and blame me for it.

"It is for that reason, Mr. Speaker, that I am voting against this bill.

"Thank you."

Representative Young then rose to speak in strong support of the bill, stating:

"Believe me, I don't think anyone expected that this bill would end up like this -- with one paragraph. This bill has been in the making for four years. There's been a roller coaster of drafts that have gone into this issue, enough probably to fell several large trees. There's been a roller coaster of emotions about this also. So it's been a long time in the making but as a previous speaker said, it's just a beginning, and it is something that, hopefully, can be amended to agree with those who disagree with some of the portions of it to come up with a better bill next year.

"But currently, as noted before, 46 states and the District of Columbia have authorized some form of prescriptive authority to advanced practice nurses. That speaks pretty well for a pilot project. Advanced practice nurses aren't low-priced doctors' substitutes. They are first and foremost, highly trained registered nurses, a profession with its own education and licensing requirements, regulatory oversight by Boards of Nursing in all fifty states, competency standards and continuing education requirements. I spent fifteen years in the field of special education, majority of them working with severely multiply-handicapped children, physically disabled children, and I have great respect for these nurses.

"All registered nurses, including advanced practice registered nurses, are required by statutes, through the Nurse Practice Act, to work in collaboration with physicians. And another bill is noted, House Bill 3212, renews Hawaii's statutes regarding advanced practice registered nurses.

"As noted, this bill authorizes the Board of Medical Examiners to create the formulary for advanced practice registered nurses for some form of prescriptive authority. The doctors will ensure that the quality of care is not diminished. Believe me, they will ensure that. And likewise, the nurses' main concern is the delivery of high quality, effective care for people, especially to chronically

underserved populations such as the elderly, the poor, and those in rural areas.

"I commend all those who worked on this bill over the past four years, and especially to the Chair of the Health Committee for her wonderful work, and for getting out of a hospital bed after having surgery less than a week ago, to appear on the floor of this House.

"I urge all of you to vote 'yes' on this bill.

"Thank you, Mr. Speaker."

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

"I've got to tell you that I have a lot more faith in some of the nurses than I do the doctors. I was delivered, as well as twelve of us in my family -- I remember eleven or twelve, by a nurse -- a midwife -- and that midwife was so highly respected that the doctors asked her for help many times and for her advice. I have worked for doctors that I would not want to have prescribe medicines for me, and I think it's well over a time that we recognized the fact that nurses have the most experience with the patients than the doctors do. They see them more, they take their histories. In the hospital, they work with them by the hour and the doctors see them by the minute.

"Therefore, I would like to suggest to you that I have no questions at all about nurses' prescriptive authority, and I have all the confidence in the world that they will do the very best job possible.

"Thank you very much."

Representative Thielen then rose and stated:

"Mr. Speaker, I just would like us all to recognize what the Senate did, and what the Chair of the Consumer Protection Committee did in that conference at 11:40, before our midnight deadline, is to create the dissension that you see among us today. We went in with a good bill, and with all due respect to the Chairperson of our Consumer Protection Committee, I don't give any credit to the Senate side. . .

The Chair interrupted and asked Representative Thielen to "please speak to the merits or demerits of the bill."

Representative Thielen continued:

"It's a demerit of the Senate's action and it's to the merits of what the House did.

"The House had a very, very fine measure. We've had more discussions on this than on any other measure on our agenda.

"Thank you, Mr. Speaker."

Representative Pepper then rose and stated:

"Mr. Speaker, this bill gives us the opportunity for a healing process to occur in the community.

"This bill gives the Board of Medical Examiners the opportunity to act responsibly, to come up with formularies which are appropriate to the advanced practice registered nurses.

"This bill gives the Board of Nurses the opportunity to designate appropriate educational requirements for those nurses who will be prescribing medication.

"I can only hope that we will have this kind of a healing process occur in the community and in this Legislature.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1249, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE SERVICES," having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Alcon, Bainum, Cachola, Stegmaier and Thielen voting no.

The Chair directed the Clerk to note that S.B. No. 1249 had passed Final Reading at 4:04 o'clock p.m.

At 4:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:24 o'clock p.m.

**Conf. Com. Rep. No. 87 on S.B. No. 2653, SD 1, HD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2653, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR TAX LAW," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 88 on S.B. No. 2262, SD 2, HD 3, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 2262, SD 2, HD 3, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Some of us in the native Hawaiian community were a little concerned about whether or not this bill would pass, so I could not allow this bill to move in front of my eyes without acknowledging that we have in fact extended the term of service for the independent representative of the native Hawaiian beneficiaries. We have also provided for a mechanism to work out conflict through voluntary arbitration rather than tying us too much in the courts.

"We also, in this bill, appropriated \$150,000 to pay for the independent representative.

"So I am grateful that the term of this individual continues and that the work continues for the class of beneficiaries that have a long road ahead of them towards acquiring their beneficiary rights.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2262, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 89 on S.B. No. 3045, SD 2, HD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and S.B. No. 3045, SD 2, HD 2,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative M. Ige rose to speak against the bill, stating:

"Mr. Speaker, this was a very challenging measure, trying to balance the large landowners, neighbor island farmers, Oahu farmers ... it really wasn't easy. But on Friday, at about 11:00 p.m., I believe we had crafted a measure that was sensitive, a measure that encouraged the agricultural diversification, a measure that I could recommend approval to you and my colleagues. But at 11:50 p.m., I signed the Committee Report without the bill attached. I did not give that Senate Bill my final review. On Sunday morning, I found language that I did not agree to in the measure. I found language that I did agree to remove remaining in the measure.

"Mr. Speaker, as Manager of this bill on behalf of this House, I accept full responsibility for the outcome of this measure, but with grave regret, I cannot recommend passage at this time. I am not going to debate the pros and cons of the problems or the inclusions of this bill, but let me just say ... we must not encourage what happened, that we need to do everything we can to get away from making decisions at the very last minute, and I ask you and my colleagues to look at this and do something about it next year.

"To all potential managers of Conference bills, please give serious consideration never to sign a Committee Report without the bill, always give yourself time for review, regardless of the many agreements that were made at the Conference table.

"Mr. Speaker, with grave regret, I will be voting against this measure.

"Thank you."

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

"It's been a tough issue for me and many of my colleagues. I voted for this bill earlier on because, you know, I felt we had included safeguards, certain intents and considerations for some of the small farmers, something that would take care of all the people involved in agriculture.

"Unfortunately, in looking at the final version, I believe many of the safeguards and considerations that would broadly help all people in agriculture are not there. In fact, my concern is that, reading this bill, I find it indifferent and insensitive to many of the needs of small farmers.

"We are embarking on a very powerful corporation -- the Agricultural Development Corporation. We are setting up the State to be in competition in agriculture and maybe in competition with all farmers. The State will no longer be supporting all of agriculture. It will be starting up specific business competitors. Most of this will take place without public input. There are provisions for approval by the Board of Agriculture but this corporation will develop plans without any requirements for public input, without public hearings. These plans will be made by one appointed board to be approved by another appointed board and there were even proposals for it to come back to the Legislature, but that was rejected. There are provisions for subsidiary corporations that will not have the benefit of even an appointed board that may be given all the power and the funds without any of the responsibilities for public discussion.

"And that's where the small farmer comes in, because what they are really asking for is a chance to input in a very powerful bill and a very powerful corporation, one that could make a great impact on their lives.

"This bill is not meant to help the sugar workers. The sugar worker has never come up when discussing this bill. What it's meant to take care of and address the concerns of are land -- lands of Oahu, Waiialua, and those are important issues.

"But it's more a question of control -- controlling land and water resources that this bill seeks to address. And in addressing this, it needs the ability to go out and address all the needs of the different institutions and communities and working communities, the farmer, as well as people.

"This bill also duplicates the responsibilities of the Department of Agriculture and the Governor's Agricultural Coordinating Council.

"What we need to do is to give this bill some more time and consideration, and I hope that it not move forward this year but be taken out and given an opportunity for all agricultural and other interested parties to input on it, and to allow the crafting of something that will join the community and not divide them.

"Thank you, Mr. Speaker."

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

"Mr. Speaker and members, when I first laid eyes on this bill in late January, I thought it was a great approach and my only regret at that time was that I had not come up with the idea and introduced this measure myself.

"For the same reasons that the various task forces have been created in the past for Kohala and Hamakua and others, we have also, through a resolution adopted in this 1994 legislative session, created a similar task force on Kauai to address the identical concerns contained in this bill. While some may have doubts about the effectiveness of some of the task forces in the past, the Kauai Task Force, as with ADC, will take a more proactive role in looking to the future to promote the continued viability of sugar to prevent or defer shutdowns of plantations, or to allow a less painful transition to other agricultural endeavors.

"The Agribusiness Development Corporation will have and must have the power and clout and needed resources at its call to accomplish its mission. Since the Kauai Task Force, by comparison, will not have the clout and power and resources at its disposal, it is reassuring and comforting to know that such needed assistance will be available to us in Kauai, and that the same kinds of assistance can also be obtained by others who wish to, or rather, who must diversify our economy and, more importantly, to keep our lands productive and our people meaningfully employed. As is true when much power and clout is concentrated, there is understandable concern that ADC's power and clout could be abused.

"Mr. Speaker and members, there are inherent controls in this bill; namely, the selection of the eight of the eleven board members by the Speaker of the House and the President of the Senate for appointment by the Governor, and I would dare say, although I am not a betting man, that the Speaker of the House will ensure that the board will consist of small farmers from Maui.

"Secondly, action will include an analysis of important agricultural products and the potential for increasing local

production to replace imported products in a manner that complements existing local producers and increases Hawaii's agricultural self-sufficiency. That's in the bill.

"And third, on page 13, lines 17 through 19, 'The corporation shall develop, promote, assist, and market export crops and other crops for local markets approved by the Board of Agriculture.'

"Mr. Speaker and members, I have every confidence that the power and resources which will be entrusted to the board of the Agribusiness Development Corporation will be appropriately and judiciously administered. However, if we should find that this trust is violated and ADC abuses its power and moves in a direction contrary to its stated mission, we will, and I will be at the forefront to amend or repeal this act. I do hope that it will not be necessary to amend or repeal this act because, properly administered, ADC is much needed and can provide the impetus that will enable Hawaii to become more self-sufficient and eliminate the importation of produce for our tables.

"Thank you very much."

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

"The bill before us is the culmination of several years of discussion by all sectors of industry, both private and public, to develop a strong advocate for agriculture. I am proud that we as a legislative body have taken the initiative to help in the transition rather than wait and in a panic do things on a piecemeal basis.

"I am proud that industry came forth with this strong proposal. With the opening of over 60,000 acres in the next few years, all entities, whether they be small farmers or landowners, realize that it cannot be business as usual. Agriculture is changing and we all need to be poised to meet that change. The Agribusiness Development Corporation is a tool to help make the change a positive one.

"There are those who see this as a bill that will create competition and put existing farmers out of business. In fact, the strongest feature of this bill is its marketing component. Farmers traditionally grow crops and then try to find a market for it. With the thousands of acres that soon will be available, we need to look at things from a whole different perspective. We need to find markets for our products and then grow crops to meet those markets. And we need to look at markets globally. We also need to look toward import substitution so that many crops that we currently buy from the mainland could be grown here and made available for our local people.

"Some say that this bill will only help Oahu or the Big Island. The impacts of the change that will take place will be statewide. And if you think about it, no county will be spared in this transition. There is no doubt that this is a complex measure. But it will be a positive step in the transition of the agricultural industry in Hawaii. As it has gone through the legislative process, it has also gone through many changes which we hope has made it a better bill. We need to look at this bill as not just for agriculture but one that will help the well-being of the total economy of our State.

"I urge my colleagues to support this measure.

"Thank you, Mr. Speaker."

Representative Pepper then rose and requested that his remarks, against the bill, be inserted into the Journal and

the Chair, noting that there were no objections, "so ordered."

Representative Pepper's remarks are as follows:

"I am opposed to the passage of this bill. It comes before us after a totally flawed process according to the Chair of the House side of the conferees.

"The people's business must be done in a fair, open and democratic manner. This bill's development does not meet those criteria. Therefore, without discussion of the merits of the bill, I vote 'no'."

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

"Mr. Speaker and members, many people say that the agricultural industry is in crisis at this time right now. I differ in that opinion and that I see a great amount of opportunity in agriculture. I think that this Legislature needs to take a proactive and innovative approach to the opportunities that are before us. We have a chance to go through a transition of the industry from a mono-crop (single crop), large corporate farming activities into a diversified agricultural opportunity throughout the State.

"Yes, there's a lot of sugar plantations slated for closing -- Hamakua, Mauna Kea Agribusiness, Hilo Coast Processing Company, Oahu Sugar, Kau Sugar and possibly Waialua Sugar in the near future -- and yes, that's a lot of land -- in excess of 75,000 acres. But in no way will ADC ever be able to utilize all of that acreage. I think it's important to understand that. During public testimony, it was said that ADC could be considered successful if it only used two thousand acres.

"I've heard the honorable representative from the Eighteenth District say many, many times that agriculture is the driving engine to the economy of the State, and we have an opportunity to ensure that that economy or that contribution from agriculture will continue.

"I've also heard the honorable representative from the Forty-Fifth District say how important it is that we keep open green space throughout our State, and how important it is to tourism. Well, he's correct also, and this will ensure that we have some continuation.

"I've also heard comments that this bill will take away water rights from the native Hawaiians. Well, I can assure you that that's not the case. As on page 11, ADC, and it reads 'shall not amend or modify rights and entitlements to water as provided by Article XI, Section 7, of the Constitution of the State of Hawaii. It shall not amend or modify the rights and entitlements of the Hawaiian Homes Commission Act of 1920,' and it goes on to further say that 'it shall not diminish or abridge the traditional and customary rights of native Hawaiians.'

"This is important to understand that in no way would this bill take away water rights. It further says that all usage, and I repeat, all usage of water shall be in accordance with Chapter 74c, the State Water Code.

"When you talk about the board makeup, this was an issue that we debated in Committee at length, and Mr. Speaker, I urge you, with your four votes, to please pick someone that is sensitive to the existing farmers. I was very disappointed when I read the Senate Committee Report that it had no reference to the issues that were brought up to the preservation and the sensitivity to existing farmers, but I believe that the bill is crafted so that those farmers will be protected and that will in no way damage them.

"The Agribusiness Development Corporation, in and of itself, is not going to create the competition that's going to hurt farmers. That competition is going to come from the existing lands that open up, and there will be a lot of lands available. ADC will help facilitate the transition of some of those lands into productive, diversified agricultural use.

"Mr. Speaker, when you choose your four members, I ask you to please be sensitive to that and make sure that there are small farmers.

"On the issue of public participation, I must tell you that under the language of the law, Title 8, Public Proceedings and Records, that the Agribusiness Development Corporation must adopt rules under Chapter 91, so there is a process for public input. It goes on to say further that 'the Corporation shall develop, promote and assist and market export crops and other crops for local markets, as approved by the Board of Agriculture.'

"I have a lot of confidence in the Board of Agriculture. Some of you may not. I came from that Board. I served four years there and a fellow colleague of yours is now a member from Maui on that Board, and I can assure you that he will be sensitive to small farmers. Further, the Corporation must submit an annual report to the Governor and to the Legislature, and that will give us an opportunity of oversight, as the representative from Kauai has mentioned.

"This bill was very hard for me to deal with because many of the farmers in my area opposed it. In fact, the honorable representative from the Tenth District who I share a lot of those farms with, is in opposition to the bill, but I believe that for the betterment of the agricultural industry for the State, that this bill should move forward and I urge all of you to look very considerably upon it.

"Thank you, Mr. Speaker."

Representative Morihara, in rebuttal, stated:

"I have grown up with farmers and I know they are a tough, independent bunch. They're not used to being told what to do; they're not used to participating in public processes. Growing up with them, I've also seen how hard a time they've had and how very little help they've had in developing agriculture. They're not also used to receiving help. There were times when I felt so sorry for my classmates in school because they couldn't even buy a pencil!

"The question is not if there will be competition. There will be competition. The question is ... if the State should be that competition. And if we, by public policy, say that we should be involved in that, then we should at least listen to the concerns of those people out there.

"In the end, I want to commend the Agriculture Committee and all my colleagues, including the Chairman and my colleague from the Eleventh District, because I know they've tried and done their very best for all of the farmers, for all of agriculture, and that is their intent. And in that we agree although we may not agree on the methods. I support what the ultimate goals are, and I hope that in this discussion that at least we've raised the concerns of agriculture on this floor.

"Thank you, Mr. Speaker."

Representative Beirne then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, when this piece of legislation came over from the Senate, I spoke out in full support of this piece of legislation. However, in meeting with my community and the Kahaluu Neighborhood Board, and I am sure the Koolauloa Neighborhood Board would probably vent the same concerns, and this was that this piece of legislation they felt did not include community input. My colleague from Maui assures me that under Title 8, Public Proceedings, Chapter 91, that in fact public input would be part of the process.

"I feel, Mr. Speaker, that overall, the State of Hawaii needs to look into long-term planning, whether it be agriculture, housing, and all those important issues, and those kinds of issues we need to look at for the betterment of Hawaii.

"My only concern, as stated, was that in the process, like my colleague from Maui, that the voices of the rural farmers may be heard, that they may be part of the process and not put on hold and wait until those in the Corporation might have full say.

"Mr. Speaker, as we move on this type of legislation, may I also say that water coming from my district, the Forty-Sixth District, there's many of my constituents who would like all of you to know, all my colleagues to know that islandwide and statewide, that water needs to be back in our ahupua'as out there. There's much water that has been taken out -- 38-million gallons of water are taken out on a daily basis. All we ask is that the water is not needed in the Ewa Plains because sugar will go down with Oahu Sugar Company closing, that they be very sensitive to the needs of water in the Windward area, that perhaps much of the water that will not be used will remain in the Forty-Sixth District. We know how important water is, and we know how important it needs to be utilized to fulfill the needs of housing in the Ewa Plains.

"As we look into lands opening up, Mr. Speaker, it is also our hope that the State of Hawaii might look into planning for reforestation of the Leeward areas and plant some trees out there so that they could put up some of the necessary forestry or forest cover so that waters might be able to stay in the Leeward area.

"We hope, Mr. Speaker, that through this piece of legislation, that the Agribusiness Development Corporation might be more sensitive to the needs of all those that are concerned.

"Mr. Speaker, lastly, in your appointment for those that will sit on this Corporation, Mr. Speaker, I, too, voice my concern that you will be very sensitive in your appointment on this particular Corporation, that it might include those rural farmers, not only from Maui but other areas.

"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. 3045, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 41 ayes to 10 noes, with Representatives Bainum, Herkes, Hiraki, M. Ige, Isbell, Morihara, Pepper, Peters, Shon and Tam voting no.

**Conf. Com. Rep. No. 111 on H.B. No. 1731, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1731, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 112 on H.B. No. 2746, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2746, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AN INDUSTRIAL ENTERPRISE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 113 on H.B. No. 2333, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2333, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hagino voting no.

**Conf. Com. Rep. No. 114 on H.B. No. 2344, HD 1, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2344, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Ward then rose and stated:

"Mr. Speaker, before I speak against this bill, I would like to say that we need more 'Profiles of Courage' like Julie Duldulao. Julie was a role model ... being wheeled in here, she was an example of strength and determination, having the will and the guts and the internal fortitude, if you will, Mr. Speaker. And why I am saying this is because that's what this bill needs to finally get out of the grips of the State government of Hawaii.

"What I am speaking to is the privatization of the Hawaii Revised Statutes which, Mr. Speaker, I have given three to four speeches on. But each of us are going to have to go back to our districts and when our constituents ask ... what have you done to lower the cost of government? ... Mr. Speaker, how are we going to answer this question by our constituents and be able to respond to it in honesty? By the fact that we have a million dollars of taxpayers' money that we are tying up to do something ourselves in-house which otherwise the private sector is willing, ready and able and, in fact, waiting for us to publish these law books, a million dollars of which otherwise we would not have to expend, how can we explain that we have lowered the cost of doing business of government by taking taxpayers' money and using it for our own publication?

"Mr. Speaker, since I've delivered this speech three times, I will ask that my remaining remarks be put into the Journal, if you agree."

The Chair "so ordered."

Further remarks of Representative Ward are hereby inserted:

"This is a bill to spend a million dollars to publish the laws of the State of Hawaii. This is a million dollars, of course, in the general fund we don't have this year and as

we've talked about re-inventing government in ways that we can be faster, better and quicker and more efficient, by passing this bill, we're missing an ideal opportunity to privatize.

"Hawaii is only one of seven states out of the whole nation that doesn't privatize the publishing of their statutes. Here's a million dollars we could save. We've already had a publisher locally who said, 'Look, I'll give the State seven thousand copies ... don't even worry about you getting one in your office and all the other government offices.' It's an opportunity that's such a golden one, Mr. Speaker.

"Mr. Speaker, this is a way we can save money. It's a way we can re-invent government, and it's a way I think we can all say that when we run out of money at the end of the session, here's a million dollars we could have put out in the private sector."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2344, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Tanimoto, Thielen and Ward voting no.

**Conf. Com. Rep. No. 115 on H.B. No. 3326, HD 2, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3326, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"It's a long time coming, and I would just like to note that among us we have an endangered species sitting right among us, one of the few remaining deputies in the Department of Health -- Fred Ho, would you please stand up.

"He is the deputy for community hospitals. This man is going to have to take the autonomy bill and work with it. We still have one or two or three left.

"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. 3326, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS DIVISION'S PILOT AUTONOMY PROJECT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 116 on H.B. No. 3451, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3451, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PUBLIC UTILITIES REGULATION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Hagino voting no.

**Conf. Com. Rep. No. 117 on H.B. No. 3160, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the

Committee was adopted and H.B. No. 3160, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2653, 2262, 3045, H.B. Nos. 1731, 2746, 2333, 2344, 3326, 3451 and 3160 had passed Final Reading at 4:55 o'clock p.m.

**Conf. Com. Rep. No. 118 on H.B. No. 3458, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, Conf. Com. Rep. No. 118 and H.B. No. 3458, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 119 on H.B. No. 3132, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3132, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NONPRESENTMENT OF WARRANTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 120 on H.B. No. 3212, HD 1, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3212, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this bill recognizes the necessity to continue the licensing of nurses through the Board of Nursing and provides for its continuation beyond December when it was scheduled to sunset.

"It also, for the first time, provides a definition of advanced practice nurses and sets forth the opportunity for the Board of Nursing, through rules of the Board, to include educational requirements as part of the definition of advanced practice nurses.

"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. 3212, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Alcon voting no.

**Conf. Com. Rep. No. 121 on H.B. No. 3333, HD 2, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3333, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Isbell rose to speak in strong support of the bill, stating:

"I am very pleased to say that this bill accomplishes almost all that we asked for. It requires the Panaewa

residents and the Department of Hawaiian Home Lands to continue negotiations, but it gives them the option to repair, replace or restore their homes which is really a great victory. It doesn't require anybody to do anything except that the Department of Hawaiian Home Lands is saying that 'you may' but the bill, to have it in the form of legislation, is basically acknowledging the fact that there is a problem at Panaewa which, in itself, is very important. It also requires the use of administrative funds and in the budget, I believe, there is a proviso which allows the transfer of moneys which will make it possible to use up the three million dollars for the purpose of the homes to be taken care of.

"I would just like to thank the leadership, thank the Finance Committee Chair, and the members of this body that have helped us and have worked with the Panaewa people, and a special 'thank you' to those Panaewa people who have become as one. They have really become a strong community, and I believe this is the first time I know of that any Hawaiian Homesteaders have come to the Legislature so well organized and have been able to express their needs and their problems and the issue and have done it in a very, very classy way that I think they should be very proud of, and I would like to commend them for that.

"Thank you very much, Mr. Speaker."

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

"As I spoke on this bill during the first crossover, Mr. Speaker, every once in a while we are called upon as legislators to make a difference, not to do things because it is expedient, but to do things because it is right; not to bow to power and influence, but to stand up for justice and to speak for those voices that have been ignored.

"Mr. Speaker, on more than one occasion, we were told -- Representative Isbell and I -- both subtly and directly, that the Legislature should not interfere with the legal process of their appeals made by the residents of Panaewa. We were told that our role was to come in after the settlements were made. We were told not to give the residents false hopes -- false hopes. To many residents of Panaewa, we were their only hope.

"Representative Isbell and I, along with Representative Okamura, Representative Beirne and Representative Tajiri, visited the Panaewa residential sites in January, and we also heard for over three hours compelling testimony from the residents. While the attention focused on the termites that have devastated their homes, their loss of hope and the eating away of their spirits was even more devastating. These people may live on homestead lots but they have invested a great deal of what they have to own their own homes. The land they live on may be considered an entitlement, a benefit of the Hawaiian Home Lands Act, but the homes they live in are bought with sweat and sacrifice, like most homeowners here in Hawaii, and they deserve no less.

"So did we give false hope by sharing their dismay and indignation that an injustice was being perpetrated upon them by contractors who seemed only interested in profit margins? Did we give false hopes by sharing the frustration with the Department of Hawaiian Home Lands who seemed more interested in covering their okoles in advocating for their beneficiaries?

"We tried our best, Mr. Speaker, in this bill to bring together the residents and the Department, together in the spirit of hooponopono, to find a solution to right a wrong, and to bring resolution that would not make them adversaries in court. So what we have in this bill may

not be a perfect solution but it does represent hope. It presents options and, best of all, it restores dignity and self-respect to the residents of Panaewa residential lots 3 and 4.

"I want to especially thank Representative Isbell, the Housing Chair, for her leadership, her sense of determination and her strong will to carry this thing through. She has inspired, not only the residents of Panaewa, but she has also inspired me.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, may this bill and the three million dollar mistake that it represents be forever remembered as how not to build a house and how not to treat the Hawaiian people. It should have never happened, it should never happen again -- it's those never again, Mr. Speaker, never again.

"Thank you."

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

"Mr. Speaker, again, I would like to acknowledge the Housing Chairperson, Virginia Isbell, on her sensitivity to the native Hawaiian people, and for her compassion, straightforwardness in getting a measure as such on paper, in Committee, and moving.

"This is probably what you would call a landmark kind of legislation. It will not only assist and help the native Hawaiians in the Panaewa area, but it will certainly help them be teachers and counselors to other native Hawaiians out there whenever they get into a home-buying process.

"Mr. Speaker, these kinds of measures that put aside all other kinds of concerns but get to the nitty-gritty of what we are in office for as public servants, listen to their needs and to see what we can do to help them, is always the unmeasurable kinds of legislations.

"Again, Mr. Speaker, I stand in full support and acknowledge and thank the Housing Committee and the Hawaiian Affairs Committee, and I also acknowledge Representative Dennis Arakaki.

"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. 3333, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PANAWEA RESIDENTIAL LOTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 122 on H.B. No. 2605, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2605, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Amaral voting no.

**Conf. Com. Rep. No. 123 on H.B. No. 2647, HD 2, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2647, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Bainum rose to speak in strong support of the bill, stating:

"Mr. Speaker, this is a bill that I think we can all be very proud of. With this bill, we will become one of the first states in the nation that has a statewide environmental education plan that includes not only the high schools and grade schools, but includes other aspects of our communities such as the hotel and the visitor industries. This is a measure that will help us avoid the duplication that we currently face often in environmental education programs.

When we started the summit process on this, Mr. Speaker, we found that there were two departments and two other agencies that were working on computer data base to try to get all the environmental education materials together. This bill will centralize that process and create a centralized data base, and this is indeed a good bill.

"But this bill and my remarks are to praise all the other summit bills that have appeared on the sheets here today, such as the hazardous waste brokers, and the air and water pollution control bills, the Clean Hawaii Center that I have so much to thank Representative Stegmaier for, the glass mass deposit bill, the non-utility generators energy bill, the DOH education fund -- they go on and on. You didn't hear a lot about these bills as these went through the session, either on the floor or in the media, and that was the whole purpose of the House and Senate Energy and Environmental Summit.

"I want to thank you, Mr. Speaker, for allowing that to happen and for allowing the House to take part. I really don't think you get as much credit as you deserve for some very positive changes around this House. I have been honored to serve here four years and when I look back at the first two versus the second two, we really have seen some real improvements with the quorum voting measures, and also with your support for alternative ways of bringing the public into this process, and that's what the Energy and Environmental Summit attempted to do, so thank you.

"Finally, when it comes to environmental issues and on other issues today, we have been pointing our fingers downward to another floor. I think when it comes to a few environmental shortcomings, we might want to point our fingers upstairs. I know we were unable to get the Department of Environment out this year, Mr. Speaker, but where was the support from the Administration for the Department of Environment in the days of plenty? But I think we can be proud of the product and also the process in which these many environmental bills have been formulated, and I appreciate your support and I urge your support on this measure.

"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. 2647, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 124 on H.B. No. 1609, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1609, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 125 on H.B. No. 1615, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1615, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 126 on H.B. No. 1618, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1618, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 127 on H.B. No. 3630, HD 3, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3630, HD 3, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker and colleagues, the Sovereignty Advisory Commission was established last year by the State Legislature in recognition of Hawaii's indigenous peoples' right to self-determination during the Hundredth Anniversary of the overthrow of the Hawaii government. With the hoopla and emotions that accompanied the centennial celebration behind them, the Sovereignty Advisory Commission took to the road on a long march, what we now know will be a long march, to the establishment of a sovereign nation for indigenous Hawaiians.

"A group of remarkable individuals was assembled and given the seemingly impossible task of allowing hundreds of native Hawaiians and part-Hawaiians, representing a total spectrum of lifestyles and perspectives, a chance to express their views. The responses ranged from outrage and frustration to passive acceptance and apathy. These commissioners showed great humility and understanding in the process. The divergent views and lack of understanding pointed to the need for more time and efforts to both educate and listen to the views of the Hawaiian people, including those of the silent majority. In their struggle for credibility, it was also apparent that if credibility were to be achieved, the Sovereignty Advisory Commission would need greater independence to determine the will of the Hawaiian people. With this measure, Mr. Speaker, and with your support, we have responded with the same kind of understanding and humility that the Commission has shown to their constituency.

"We have given them greater independence as the Hawaii Sovereignty Election Council and the ability to go forth to the Hawaiian community to kuka kuka on the

issues of Hawaiian sovereignty and the resources that will ask the important question on how the process should move forward to establish this new Hawaiian nation. We all need to keep in mind that the Federal government and Congress, and not our State government, will ultimately be called upon to recognize the nation or nations. But we shall do all that we can to empower the Sovereignty Election Council to develop a process which will make a good case for this new nation.

"Mr. Speaker, the sovereign nation of Hawaii shall someday rise like a Phoenix from the ashes of tragedy of a hundred years ago. And whether we realize it or not, Mr. Speaker, we are all a part of history unfolding before our eyes. One day we shall look back to this day and recognize the importance of giving the Hawaiian people our blessing to determine their own destiny.

"I would like to say 'Mahalo Nui Loa' to the members of the Hawaiian Affairs Committee, especially to my Vice Chair and the former Chair for their steadfast support on this bill, to the Judiciary Chair for his advice on legal issues pertaining to this bill, and also to the Finance Committee for the fiscal commitment to carry on the important duties and responsibilities that this measure asks for.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I am not opposed to self-determination and, in particular, am not opposed to the self-determination of the native people of Hawaii. I am, however, appalled by the conduct of our Advisory Commission. I am appalled that they come in here after one year of working with the budget of \$400,000 in which only half of it was used, appalled that they come in now for one fiscal year to ask for \$1.8-million which they received \$900,000 from us, the other \$900,000 from OHA. It appalls me that they would do that when they know, in fact, that Hawaiian programs go begging year after year, part of it evidenced by the Hawaiian Homes controversy we heard around Panaewa, part of it we know about through the need for physicians in Hawaiian health, Hawaiian language emersion, Hawaiian education -- we can go on and on and talk about it.

"As you know, there has always been a philosophical problem with me that people seeking self-determination need to come to the State to ask for it. To be self-determining means to go out and to form your own nation and not seek the permission of the State of Hawaii but simply to speak to the Federal government when your nation is formed. I have a difficult time each year trying to deal with this Sovereignty Advisory Commission and am heartily criticized by my kupuna for speaking against this. But try as I may to convince myself, I cannot and I do not believe that this is the proper path for independent nationhood. I do not believe that we are the proper quorum to confer this upon native Hawaiians, and I don't believe that this is good use of money for native Hawaiians. So, Mr. Speaker, I will vote no on this measure.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3630, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Amaral and Tam voting no.

**Conf. Com. Rep. No. 128 on H.B. No. 3135, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3135, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUVENILE JUSTICE INFORMATION SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 129 on H.B. No. 3506, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3506, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 130 on H.B. No. 1317, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1317, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURES IN REAL ESTATE TRANSACTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 131 on H.B. No. 2928, HD 1, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2928, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Alcon, Hagino, D. Ige, Morihara, Shon and Takumi voting no.

**Conf. Com. Rep. No. 132 on H.B. No. 759, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 759, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 133 on H.B. No. 1332, HD 2, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 1332, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This is a good bill, Mr. Speaker.

"Mr. Speaker, House Bill 1332 establishes a new level of care for the home care operators that have been doing it all this time but do not receive any payment for it. This bill will allow them to receive some remuneration for the type of work that they do.

"Besides, Mr. Speaker, this is a good bill because of the fact that I may be, one of these days, a beneficiary of

this bill. I don't have enough money to go to a nursing home or a high-class retirement home, so this is possibly the only alternative for me one of these days.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1332, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3132, 3212, 3333, 2605, 2647, 1609, 1615, 1618, 3630, 3135, 3506, 1317, 2928, 759 and 1332 had passed Final Reading at 5:18 o'clock p.m.

**Conf. Com. Rep. No. 134 on H.B. No. 3443, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, Conf. Com. Rep. No. 134 and H.B. No. 3443, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 135 on H.B. No. 2221, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2221, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 136 on H.B. No. 3323, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3323, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 137 on H.B. No. 2284, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2284, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, never before has our statutes required that we in government consider that government should satisfy its duty and responsibility to those government serves in the manner required in this bill. We talk about government efficiency and performance and the necessity of exploring alternatives that would allow government resources to be maximized. In this discussion, we always talk about cost-effectiveness. But up until now, we fail to ask a most important question that this bill requires be answered.

"In a first step to raising this important question, but limited only to new programs, this bill first requires every agency demonstrate that the program is an appropriate and proper function of State government. If it can pass this first test, then we go on to the cost-effective test in a

very specific approach that the agency demonstrate that the program can be implemented by the public sector as cost-effectively as the private sector.

"Mr. Speaker and fellow colleagues, I respectfully ask for your support on this bill.

"Thank you."

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

"Mr. Speaker, we often think of rightsizing and reinventing government but we don't do very much about it, but this bill has come along and it is setting us in that direction. It asks the Department of Budget and Finance, as the previous speaker has indicated, if something that is new and different can be better implemented in the private sector, let it so be done. I think that's revolutionary thinking for this government, Mr. Speaker. It's unheard of, Mr. Speaker. It's unprecedented, and we're at least starting to look at that possibility. The private sector just might be able to do something better than we in the beloved public sector. That means reflection, goal setting, and priorities have, in Budget and Finance, been institutionalized even though the previous speaker said it's a small beginning. Nonetheless, Mr. Speaker, it is a beginning.

"I commend Representative Yonamine who coached it through the process, but especially to the author who birthed it and who negotiated it rather astutely with the Senators in the lower floors -- Representative Suzuki. He did an excellent job and, Mr. Speaker, I note that he is a freshman. I note that this is landmark legislation. That is a sign and a symbol that greater things are coming from him and from this body. I believe that is true.

"Thank you."

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

"I, too, want to commend the author, Representative Suzuki, for this great bill. With the demise of the OSHA fund and the House workers' compensation reform bills, this is the last remnant of the Small Business Caucus' legislative package, Mr. Speaker, despite the best efforts of the House as exemplified by the strongly worded probusiness Majority package, Mr. Speaker.

"By the way, the workers' compensation issue still requires immediate attention. Hopefully, the Governor will get involved in putting together a task force similar to Oregon which resulted in significantly reduced workers' compensation premiums, and he can also sign into law this measure which encourages privatization for public service.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2284, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATIZATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 138 on H.B. No. 3300, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3300, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE,"

having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2221, 3323, 2284 and 3300 had passed Final Reading at 5:23 o'clock p.m.

**Conf. Com. Rep. No. 142 on H.B. No. 3144, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3144, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 143 on H.B. No. 2730, HD 1, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 2730, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this bill, House Bill No. 2730, HD 1, SD 2, CD 1, makes permanent and funds the Public Access Room as a year-round operation. In addition, House Bill 2730 funds gavel-to-gavel coverage of legislative proceedings on cable television for the 1995 session, like we have done and seen for the past two sessions.

"Mr. Speaker, this year the Public Access Room has been an overwhelming success and has come to be known as 'truly serving the public.' This is in the eyes of the public and when you can meet that in the eyes of the public, that really is an accomplishment, and I congratulate them for that accomplishment. They have served lay citizens, community activists, professional and citizen lobbyists, administration officials, even quite a number of legislators and others, through its high tech equipment, useful materials, and outstanding staff.

"I wish the staff were here so that we could personally acknowledge them. I take it they are watching on Olelo so through that, I want to acknowledge them. First, Electra Anderson, who is really so committed to the public access vision that she left her residence in Arizona, her husband, and her nine cats, and the nine cats are doing fine she says, but she'll be returning in a few weeks and not to return. We'll not be seeing her coordinate the Access Room, and really would like to acknowledge her for really being the one who gave birth to the Public Access Room vision, the one who nursed it as a volunteer, and the individual who, for the past two years, have brought it really to a peak where it stands today. Also, I'd like to acknowledge and thank Stacy Sugiura, Bill Smith, Anne Miyamoto and Jill Tokuda on behalf of the House and the Legislature, and I'm sure the public, for their dedication and hard work and service, all of which serves to improve our democracy and also our legislative process.

"Mr. Speaker, while House Bill 2730 did not commit to a permanent program to broadcast legislative proceedings, the bill does fund broadcasts for next year's session, and in 1995, this will be our third broadcast year, thanks to 'Olelo, the Corporation for Community Television, and I assume they are watching, too, so I thank them for their two-year grant for a pilot project which was last year and

this year. Moneys have come from the viewers. They are the subscribers of 'Olelo, actually of Oceanic Cable -- Oahu cable subscribers. And, Mr. Speaker, without your leadership and support, this bill would not be before us today. On behalf of all of the public access supporters, we thank you.

"Mr. Speaker, I am hopeful that this bill will lead to a second wave of public access reforms like the successful new programs that were started in 1990, and we hope to hear more about this.

"Thank you, Mr. Speaker."

Representative Kanohe then rose to speak in support of the bill, stating:

"Indeed, the Public Access Room has been a tremendous success and I just want to acknowledge, as has the previous speaker, our leadership, in particular Representative Ihara and you, Mr. Speaker, for having the foresight in creating and establishing, on a temporary basis, the Public Access Room.

"I was very surprised that when we conducted our first Conference Committee meeting of the House and Senate, that the room was absolutely packed by people who had been using the Public Access Room to indicate the kind of support and the desire that the public does have to ensure that the Public Access Room is continued, and I do want to thank you."

Representative Ward then rose to speak in support of the bill, stating:

"Mr. Speaker, your Minority would be amiss not to join in commending the passage of this bill, particularly the hard work and the sincere efforts of Representative Ihara. I know there were things that were thrown in his path that he was able to go through with. We've come a long way. I encourage, Mr. Speaker, the Majority, with your leadership, to go even farther in opening up the public process.

"But I commend you for how far we've gone. Someday, everything we do and say will be in the eyes of the public as 'Olelo is coming further and longer next year, but to say that we made a great beginning is to say 'thank you'."

Representative Young then rose to speak in strong support of the bill, stating:

"I think the House can be very proud of the openness that has been built into our structure, and it's really wonderful that we're establishing the Public Access Room. I, too, congratulate all of the members that I am sure are watching now down in the Public Access Room, and the people in the public who are there also who have also implemented quorum and roll call voting in the Committee hearings.

"We are the first generation of legislators, the Hawaii legislators anyway, to open up our hearings and sessions to the public through the cooperation and good work of 'Olelo and, of course, the hard work, as we know, of Representative Ihara and I am sure he, as someone who stays up till 4:00 o'clock every morning, has built the program from insomniacs in Hawaii, and a friend of the media noted that what we have really created is an 'Olelo factor that lengthens our meetings. Historically, I think we've been known to be long-winded even without the media and the public watching and now they'll know for sure.

"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. 2730, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 144 on H.B. No. 3513, HD 3, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3513, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OVERSIGHT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 145 on H.B. No. 3600, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3600, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 146 on H.B. No. 1241, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1241, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 147 on H.B. No. 3456, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3456, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EXEMPTIONS FOR THE COMMUNITY HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 148 on H.B. No. 3324, HD 2, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3324, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT AUTONOMY FOR HILO AND MAUI MEMORIAL HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 149 on H.B. No. 2515, HD 1, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2515, HD 1, 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. 150 on H.B. No. 3169, SD 2, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3169, SD 2, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 151 on H.B. No. 3179, HD 1, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3179, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Shon rose to speak against the bill, stating:

"Mr. Speaker, the reason why I'm speaking on this once again is that in our budget document, while through funding we eliminated three important administrative leadership posts for health, in this bill we take out the fourth. The deputy for environmental health has been eliminated. What a fine tribute!

"Mr. Speaker, I think that for all the efforts that have been made on behalf of the environment, to leave this session, to say to our public ... we are eliminating the highest position in the Administration whose responsibility is to protect the environment ... that, to me, is just unbelievable.

"I cannot support this bill, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3179, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Shon voting no.

**Conf. Com. Rep. No. 152 on H.B. No. 3458, HD 1, SD 2, CD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3458, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 153 on H.B. No. 3428, HD 2, SD 1, CD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3428, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 154 on H.B. No. 3607, HD 2, SD 2, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3607, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, while Hawaii is dependent on imported petroleum for one hundred percent of our transportation fuel needs, sugar plantations are closing and former sugar workers are looking for jobs.

"This bill would mandate the use of ten percent of ethanol-blended fuels for use in Hawaii's motor vehicles after 1996 only and only if it is competitively priced with gasoline after considerations of Federal and State tax credits.

"Mr. Speaker, in Hawaii, gasoline consumption is up to approximately four hundred million gallons per year. With a ten percent ethanol, ninety percent gasoline mixture, there is a market potential of forty million gallons a year. At production levels of 1,500 gallons of ethanol per acre per year, we would need 27,000 acres of Hawaii sugar lands. All of the lands coming out of sugar in the last ten years plus the additional acres forecasted for plantation closings total up to 190,000 acres. A full scale ethanol industry would create a potential for two thousand jobs, and would enable a smooth and efficient transition for displaced sugar workers.

"If all mid-grade and premium gasolines in Hawaii, which is approximately 170 million gallons per year, were blended with only ten percent ethanol, Hawaii would save \$9.2-million in Federal fuel taxes per year. This money could stay in Hawaii to enhance our economy.

"Mr. Speaker, ethanol is not something new. Its use is firmly established. There are over four million vehicles powered by ethanol worldwide, and eight billion gallons a year is currently being produced. In the United States, 1.3 billion gallons of ethanol are produced annually, while 44 states sell ethanol-mixed gasoline.

"Cities such as Denver have been using oxygenated fuel, such as ethanol blends, to clean up their air since 1988. The use of such fuels has been found to reduce tail pipe emission of carbon monoxide by about twenty-five percent.

"Every automobile manufacturer approves the use of up to ten percent ethanol blend for warranty purposes, and some recommend its use for environmental reasons.

"Additional benefits are the possible use of a significant amount of the material in our landfill waste facilities to produce ethanol, thereby reducing the flow of the material to our landfills and provide a low cost source of feed stock for ethanol production.

"Mr. Speaker, ethanol production involves substantial financial investment and a long-term commitment in order to attract growers to grow the feed stock and for the producers to build the plants. Assuming that the economics work out, there is still a need to have a market for the product produced.

"The passage of this bill would ensure ethanol producers a market for their product and give our citizens the assurance that the State is committed to reducing its dependence on imported fuels while helping to stave off the impact of unemployment on our economy. The enactment of this legislation, Mr. Speaker, will also encourage the productive use of our agricultural lands and help to diversify our economy.

"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. 3607, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 155 on H.B. No. 3676, HD 1, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3676, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Kawakami 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 Kawakami's remarks are as follows:

"Mr. Speaker, I would like to take this opportunity to offer a few remarks in support of H.B. 3676, HD 1, SD 1, CD 1, authorizing the Department of Budget and Finance to issue special purpose revenue bonds to assist the Queen's Health Systems in executing their strategic plans for the delivery of health services on all islands.

"Thus, this bill is a requisite part of Queen's future commitment to this State, as expressed in their mission statement as follows: 'The Queen's Medical Center is an Ohana committed to leadership in preserving, protecting, and perpetuating the health of all people of Hawaii, recognizing the special health needs of native Hawaiians. We shall accomplish this mission through education, research, and the provision of quality health care. Our service is extended in the spirit of Aloha, as guided by the vision and ideals of our founders.'

"Substantial changes are already taking place in the health care industry, with a reorganization of health systems in response to employer and insurer demands to achieve lower costs through vertical integration and capitation. Interesting developments in patient care for the near future are prevention, early diagnosis, ambulatory care and after-care recovery. For its part, Queen's is concentrating on preventive care and even holistic health practices based on native Hawaiian as well as other Pacific-Asian cultures. This is very good news and a welcome departure from the past practice of defending in-patient hospital beds and closely watching occupancy rates like a large hotel would.

"Mr. Speaker, thank you for allowing me to speak in support of H.B. 3676 and ask the support of my colleagues in passing this measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3676, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 156 on H.B. No. 3657, HD 2, SD 1, CD 1:**

Representative Ihara moved that the report of the Committee be adopted and H.B. No. 3657, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative D. Ige rose to speak in favor of the bill, stating:

"Mr. Speaker, last year we started our efforts to restructure and reform the public school system with an emphasis of putting children first. We were able to push a lot of things, and we were working through consensus because I felt it was important that we attack the easy issues first. We passed fiscal flexibility; we restructured the budget providing lump-sum allotments in broad categories; we passed an assessment and accountability system that ensured that we will know what's going on in the classroom. We tried to restructure the budget process

and create a tie between incentives and school innovations, and we have improved facilities, made a permanent commitment of ninety million dollars a year for our public school system.

"And the question became this year ... is there a need to do more?"

"In the last couple of weeks, there have been a lot of cry that the status quo needs time to respond. And let me be the first to say, in my hearings statewide, I am convinced that our public school system is made up of 16,600 or so full-time employees and people who are committed to our children and ensuring that they receive an education that will prepare them for the 21st century.

"I would also like to acknowledge that I am a graduate of the public school system, and I benefitted from tens of thousands of hours and the commitment of hundreds of professionals in my development. And I am certain that I am able to compete and win against any private school graduate in the State.

"But the question becomes ... is there a need to do more?"

"The bill, in various drafts, has been described as a power grab, and let me just tell you that this bill does nothing to further the power of the Legislature. There is not a single line in it that gives us any authority that we don't have today.

"There have been panicked messages about the bill being 'bad news' and destroying the public school system. I can assure you that the Conference draft that sits before us does nothing of that sort.

"What this bill does is it steers the public school system toward the 21st century and ensures our children's success in the next century. This bill strikes at the heart of the problems in the public school system today.

"The problem is simple. The reward structure is backward. The system pays off whether the mission is accomplished or not. For the system, practically nothing depends on whether the students learn. The kids can be taken for granted because it is adult matters that count. The essentials of public schools -- compulsory attendance, districting, a finance system where a large majority of funds are distributed equitably on a per-pupil basis -- all interact to create an arrangement in which we have assured the system its customers, its revenues, its jobs and its very existence, whether or not changes and improvements are made and whether or not students learn.

"When success is assured, changes are unnecessary and the system becomes inert. The organizations and the people in them are encouraged to put their own interests first. Why would any organization do the hard things that excellence requires -- take risks, upset comfortable routines, challenge powerful interests, put children first -- when nothing requires it or demands it?"

"I think this explains how good teachers and administrators describe change, and the effort to put students first as a risk. It explains why the best and brightest in the profession of teaching and administering schools are rewarded the farther away that they get from the child.

"Why are high standards not set for student and teacher performance? Why are schools' performance seldom measured and almost never compared? Why are rewards unrelated to performance? Why do senior teachers get to teach wherever they want instead of being assigned to the

schools most in need? Why is it that teacher education is the way it is? Why are large sums of money spent both in the public and private sector for training driven more by the teachers' own interests rather than by the needs of the enterprise or the students who are the schools? Why does leadership not intervene decisively when students are not learning? It is the way you would expect the system to behave when nothing depends on whether students learn or not.

"A quote from Albert Shanker who is the President of the American Federation of Teachers: 'I'm convinced that we in education are not going to do the hard things needed to change the schools unless we have to. Something has to be at stake. There is, in other fields: Your organization could fail. People in these fields dislike change too. But they have to do it. We in education don't. Because for us nothing is at stake. If our kids do brilliantly nothing good happens. And if we don't push we can count on remaining popular with our colleagues. We have got to deal with this question of consequences for adults. We do need something to happen that is truly revolutionary.'

"Most of the strategies that have been proposed and adopted since the publication of the 1983 **Nation at Risk** report accept the basic system-givens, and so accept the perverse structure of our reward system. This means that they cannot succeed. However earnestly people profess their intentions, however hard or long they plan to work systemically to institute change, it is beyond the capacity of the system to change it.

"Therefore, Mr. Speaker, why is it that we need to pass this bill?

"I am convinced that this bill is necessary to provide the changes needed to change the reward structure and still stay within the principles of public education. We do have the ability to change and we need to pass this measure in order to facilitate that. And exactly what does this bill do?

"It does a couple of things:

"First of all, it allows the people to make the choice about whether they prefer an appointed or an elected Board. It allows the people to make a choice if they prefer a system to be micro-managed by the Board of Education, or they prefer a system where the Board of Education is limited to policy. It allows the people to make a choice about whether they believe the Superintendent should be empowered as the Chief Executive Officer of the organization and entrusted with the ability to do the job that needs to be done.

"Mr. Speaker, this bill also provides for fiscal accountability. We have heard many, many statements about the system being top-heavy. We have had independent analysis saying that our system has one of the largest bureaucracies in the country.

"I would just like to note that the Department, in response to some of these criticisms, essentially explains it this way. According to one of these reports, Hawaii spends 37 cents of every new education dollar for teachers in the classroom. The Department says it was unclear how this figure was derived but if it is true, that puts the Department of Education's new spending for teachers as the third highest in the nation. Well, Mr. Speaker, I am not certain whether I'll be satisfied for every new dollar to education that we appropriate, that only 37 cents makes it into the classroom.

"Last session, we provided some increased autonomy and flexibility for the Department and tried to separate

instructional and school needs from administrative costs and asked them not to make inappropriate transfers. Now, I'm clear that the transfers were within the law, but I am not so clear that the transfers were within legislative intent. The Department has continually chosen to fund administrative costs above and before school costs.

"I would just like to note that probably many of you have been getting calls that the Department is cutting programs due to legislative mandate, and I can assure you that we have never mandated that any programs be cut. Your calls from the Honolulu district schools concerning middle schools being cut, or your calls concerning year-round schools being cut, or your calls concerning core programs being cut were really decisions that the Board and the Department had made and was not due to legislative action.

"So in this bill, we call for increased fiscal accountability. We require that the Department and the Board of Education submit a budget that clearly separates administrative from instructional costs. We provide a cap on administrative costs at 6.5 percent except as approved by the Legislature. We prohibit transfers from the administration into instructional or school-based services to assure that the Department and the Board of Education never again take from the needs of our children to put their administrative costs first. We have also put into place a financial accountability system that will allow us to track money and where it is actually spent rather than just where it is budgeted.

"Mr. Speaker, with your leadership, we have contracted with Dr. Bruce Cooper who is one of the reknown financial analysts for public schools throughout the country, and he is helping us develop a process that will allow us to track actual expenditures that the Department makes on administration, facilities and operations, teacher support and development, pupil support, instructional support, and classroom instruction. On a going forth basis, we will never again have to guess how much dollars actually reached the classrooms because we will know it with accuracy and efficiency.

"We are also putting into place a process that will assure that we know what is happening in the public schools and how efficient and productive the public school system is being.

"Mr. Speaker, another important element of this bill deals with student-centered schools. As we have gone statewide to take public testimony on ways to improve the public school system, one thing came across loud and clear -- SET ME FREE!

"The Department insists that school/community-based management is the answer to all of our problems in the public school system. They asked us to allow them time and that SCBM, as it is known, is the mechanism to restructure our public school system. But their program for SCBM is based on doing all of the work on overload. I don't know how many of you have actually talked to people, teachers, principals, and SCBM councils, but they are being asked to restructure their schools on top of all the other responsibilities that they need to deal with on a day-to-day basis. The system allows \$11,000 for training for SCBM councils in order for them to really respond. But I don't believe that fundamental restructuring of our public school system can occur on the basic funds that we currently have.

"I would also like to note, in my analysis of the school budget, that most SCBM councils, and the Legislature is appropriating \$5,500 per pupil, and the question becomes ... how much funds do the SCBM councils actually manage and control?"

At this point, the Chair interrupted and advised Representative D. Ige "you have gone beyond your ten minutes," whereupon Representative Hagino rose and yielded his ten minutes.

Representative D. Ige thanked the Chair and continued his remarks, saying:

"I have never gone beyond ten minutes before but due to the amount of time that I was sitting here waiting, I probably got carried away.

"Mr. Speaker, how much of the \$5,500 fund per pupil that the Legislature appropriates actually gets into the hands of SCBM councils, the instrument of change for the public school system? Mr. Speaker, I'm sad to report that it ends up being about \$55.

"For a school, on average of a thousand students, the Legislature appropriates \$5,500,000 to run and operate that school. SCBM council, at that site, will probably see a budget of \$55,000. Mr. Speaker, I argue that there is no way that a system can restructure itself on one percent of the budget.

"So what does the students and its schools do? It provides an opportunity for absolute school empowerment.

"We're providing for twenty-five schools to be free from the public school system, to develop a program that is student outcome and performance based, to establish a local school board limited to dealing with only school policies and setting goals and evaluations. We provide the schools the ultimate waiver, the waiver of all laws except those dealing with procurement, discrimination, sexual bias, health and safety, and those dealing with collective bargaining. We're asking the system to give these schools the per-pupil expenditure that we currently make and ask them to do the best that they can on behalf of our children. We also provide that they may purchase service from the Department as appropriate at cost, and provide for self-evaluations and evaluation after four years.

"Mr. Speaker, this is not an open-ended thing. They will have to prove, based on performance, that they are doing a good job on behalf of the students. We also provide, as part of this measure, performance standards, Mr. Speaker, as you noted in your Opening Day speech.

"The Federal government has really identified one key issue for achieving the next level of excellence for our public schools as developing, focused, critical, high standards for all of our public school students. And in this measure, we incorporate and establish an on-going, permanent process to ensure that high standards are maintained.

"We also have a mandate for restructuring. We provide that twenty percent of positions and their associated funds be transferred from the State and district bureaucracy to learning support centers by the schools to be implemented by August 31, 1995. Mr. Speaker, that assures that each and every one of our schools, and each and every one of our districts will get additional resources to work on things like SCBM and other functions that they have been struggling with for a number of years. We also provide that another twenty percent of positions and funds be transferred to learning support centers under the control of schools by August 31, 1996.

"If you take the Department's accounting that administrative costs of the system actually is about forty million dollars, that twenty percent represents eight million dollars more for each and every one of our public

schools. And it is important to remember that these learning support centers are driven and created by schools. Each and every school complex will decide what this learning support centers will look like. Individual schools may decide that they want their allocation of positions and money folded into their school budget. Others will decide to pool their resources on a complex basis, or multiple complex basis, so that there can be synergy of professionals working to help the schools restructure their curriculums and improve their system.

"We also, in this restructuring mandate, provide and ensure fiscal flexibility and make sure that it applies to schools. Last session, we gave fiscal flexibility to the system -- the Department. This session, we are making sure that that flexibility does roll down and enter into the schools.

"We also, as part of this measure, create an Education Restructuring Commission. A few weeks ago, President Clinton signed into law the Goals 2000 -- the Educate America Act -- to restructure the public school system for our country. As part of this measure, \$105-million in federal funds are available to help states develop a strategic plan for restructuring and school improvement. This Commission, as identified in this bill, will put us in line to assure that we get ready access to those federal funds.

"We have also given them additional responsibilities to really address a lot of the inter-agency issues that our Department has been struggling with. For example, what is the best organization and means to construct and maintain facilities; looking at the personnel issues and whether the Department should have full responsibility for all personnel issues, or whether it should share those responsibilities with the Department of Personnel Services, or whatever it is called now; whether school transportation should be provided by the Department itself or should be in consultation and working with the Department of Accounting and General Services; and other services that are currently provided by agencies outside of the Department's control.

"Finally, Mr. Speaker, we create a process for partnership schools, a close collaboration between the Department of Education and the University of Hawaii, to restructure our teacher education programs in the State. We will require more collaboration between the University and the Department because it is critical to reforming the way that we educate our teachers. We expect the synergy of resources and ideas.

"Now, what does all of these changes mean?

"I can assure you that this bill will change the public school system for the next ten years to come. I think the easiest way to really deliver the impact of all of the changes, Mr. Speaker, that we've made in the last two years is really to try and provide a vision of what I see the public school system looking like in the year 2000.

"You know, I expect to see a corporate culture that encourages innovation and entrepreneurship. I expect to see choices for our people with schools managed or adopted by different providers. I see partnerships with the Kamehameha Schools' Bishop Estate to provide improved quality in those areas with high percentages of Hawaiian and native Hawaiian students.

"I see innovators like the Edison Project who commit to dealing with and providing longer school days and longer school years within the given current funding levels of our public schools. I envision Tesseract Schools who have also committed to being able to deliver technology to classrooms, lower student/teacher ratios, and the best

business practices in the management of facilities and operations of the administrative aspect of our public schools, all for the same per-pupil expenditure that we are currently making. And I expect to see Empowered Schools, schools that have been cut free from the bureaucracy. . .

At this point, the Chair interrupted Representative D. Ige and noted, "Representative, you are going into the second ten," whereupon Representative Isbell rose and yielded her ten minutes.

Representative D. Ige thanked the Chair and continued his remarks, saying:

"I'm getting down to the closing punch line.

"I also see a system that is financially accountable, Mr. Speaker. No more will the Chair of the Finance Committee say ... I'm not certain where the money goes or whether we're making the right appropriation. I expect to see a system where we can say eighty percent of every new dollar is going into the classroom and be certain that it is happening. I expect to see learning support centers and partnership schools working in tandem in each and every one of our communities, funded by transfer of funds from the bureaucracy where the best teachers are working with the new up-and-coming teachers, for the best teachers are working to provide curriculum restructuring and instructional activities that mean a lot to the schools that they service.

"Mr. Speaker, I do believe that this vision for our public school system will become a direct result of our actions this year and last, and I do thank you for your leadership and support. This year, we took on all the controversial issues so certainly, there was a lot more discussion and confrontation, but it is clear to me that this measure is very much needed.

"I did want to thank my Vice Chair, Avery Chumbley, who has been by my side through all of the battles, and Chair Calvin Say and Terrance Tom for their commitment to ensuring that their portions of the measure are really put forth, and Representative Bertha Kawakami, Vice Chair of Finance, who has really helped me to understand the public school system a whole lot better than I ever hoped, and all of the Committee members who stood by my side as we tried to tackle the difficult issues. I did also want to thank my counterpart on the Senate side, Senator Mike McCartney, for without him, I don't think we ever would have attempted to take on many, many of these issues. And finally, I would like to thank our staff, Cara Watanabe from the Majority Staff Office, and Laurel Johnston from the Senate Majority Staff Office, who worked through hundreds and hundreds of redrafts of this measure, I can assure you, and their electronic files would serve proof.

"And, Mr. Speaker, there were some times when the passage of this measure was in doubt and a friend of mine asked ... why is it that you decided to take these issues on? And the issues really became very clear to me. I find inspiration in my daughters, Lauren and Amy, and in the eyes and hearts of Mike's sons, Bryson and Jarrin, and this bill is really for them.

"Thank you."

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

"First, I want you to know that I also rode the bus of the public education system. Also, I would like for you to know that all of us in the back row here, in this back bus,

are members of the Education Committee, and I think that all of us are on the bus for this one.

"Mr. Speaker, I'd like to commend publicly Chairman David Ige for all of his efforts. I think that none of us realize the amount of time and effort that he has personally put into this bill. We may have been in session for sixty days, but I can assure you that he's worked on this for hundreds of days and hundreds of nights, and hundreds and thousands of hours, and Representative D. Ige, on behalf of all the children of the State, we really appreciate all your efforts, and colleagues, all of us here have an opportunity to show a unanimous vote today in support of a piece of legislation that will truly create some meaningful reforms in our education system.

"If many of you read this morning's editorial in **The Advertiser**, I think you'll see some of the problems that we have currently in the system, and this bill will start to address those.

"In fact, in closing, Mr. Speaker, I would ask that the editorial be entered into the Journal as if they were my own words.

"Thank you."

The Chair, noting that there were no objections, "so ordered."

"The Advertiser editorial on education reads:

**"What a sorry education mess**

"This is school governance?

"School board should tell voters how they voted and why

"The system that 'governs' (and we use the word loosely) Hawaii public education hit bottom this weekend:

"Faced with public demands -- for change, the elected Board of Education picked the incumbent -- acting superintendent Herman Aizawa -- to be the next state superintendent.

"That doesn't automatically rule out 'change.' However, board members owe us an explanation of what, exactly, separated Aizawa's vision for change from those of the other four contenders. No such explanation has been given.

"Faced with a public demanding accountability, board members won't say who voted for whom as superintendent, except for leaked word that the tally was 7-6.

"These are elected officials, mind you; one of their main duties is to hire a superintendent. They owe it to you voters to say whom they voted for and why. They refused.

"Faced with a need for stable guidance at the top, the board picked Aizawa by a one-vote margin, 7-6, then gave him no long-term contract. 'We could fire him tomorrow,' Hartmann said Saturday in the most bizarre statement ever made at a press conference announcing a new hire.

"So, Aizawa has the job, but if he displeases even one of the seven board members who favor him, he could be gone. That's a formula for fence-straddling inaction and micro-management by individual board members.

"The State Legislature is so fed up by all of this that it is about to pass legislation to ask voters to switch to an

appointed school board and/or strip the board of all but broad policymaking power.

"Hartmann says the school board welcomes a public vote on the elected vs. appointed board issue because it will decide the question once and for all. She predicts an overwhelming vote for an elective board. Sadly, she's probably right, because many voters still cling to the fantasy that an elected board is automatically more accountable to the public.

"This weekend's strange development puts the lie to that.

"Anybody who claims to know who controls public education in Hawaii is hallucinating. The fact is, everybody's in charge -- a little bit. The Governor's Office, the Legislature, the school board, the State Budget Office, and oh yes, the superintendent to some extent. Because all are accountable, none of them is.

"Nobody knows this better than Department of Education veteran Aizawa. It's a mystery to us why he would want the job under such circumstances with a seven-vote majority of board members who won't even tell how they voted.

"What now?"

"The public ought to flood the Board of Education with mail, faxes and phone messages demanding that each member publicly explain his or her vote on the superintendency -- who they voted for and why. The list at the top of this column tells you how to put the pressure on.

"The board should come to its senses and give Aizawa the security of a long-term contract so he isn't looking over his shoulder every day.

"Voters in November should change the Constitution to create an appointive, advisory, policymaking school board. Authority for appointing the superintendent should be given to the Governor. That way, you'll know who picked him, and who to blame if he doesn't work out.

"No wonder Hawaii leads the nation in private school enrollment."

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

"Mr. Speaker, I want to ditto all what the two speakers ahead of me said regarding the omnibus education bill which I strongly support.

"I would like to mention two areas that are a little different in the sense that the two areas I would like to focus on is the role of the learning support center and the role of the Office of Instructional Services within the new restructuring format.

"First, I strongly support the idea of requiring school level support through the learning support centers because it is both innovative as well as necessary. I believe and fully encourage that the support centers promote creativity and flexibility in the schools and the complexes. The only point of concern I would like to stress is that schools and principals must ultimately maintain accountability for their students' academic performance. This should always remain a constant amid any structural changes implemented by this bill. If not, the pendulum may swing back and tighter controls will be imposed by the public demanding more accountability of academic prowess. I have seen that pendulum swing back twice in my career

in education in the area of fiscal accountability; first, in lump-sum budgeting; and second, in PPS budgeting. So I would caution that.

"Secondly, I would like to address the role of the Office of Instructional Services within this new framework with some caution. Although we aim to move personnel from the learning support centers from the Office of Instructional Services, we need to look carefully at what we downsize and how we downsize to the learning support centers to keep all schools attuned to educational trends in curriculum development, in the research efforts going on across the country, in monitoring compliance of federal mandates, and uppermost, providing quality education for all schools throughout the State. A core of instructional staffing in the Office of Instructional Services is needed to oversee these activities mentioned.

"And finally, Mr. Speaker, I would just like to say to Chairman D. Ige and Vice Chairman Chumbley ... you've done an excellent job in promoting this sound educational measure, and I hope the schools will run with it as this becomes law.

"Thank you very much for your efforts also, Mr. Speaker."

Representative Lee then rose to speak in strong support of the bill, stating:

"Let me say first that I wish to express my appreciation and gratitude to Chairman David Ige and to his counterpart in the Senate, Senator Mike McCartney. These two have been responsible for all of the great things we have done in reforming our educational system, beginning last year with lump-sum budgeting and flexibility.

"What is very important is the decentralization in this bill, and let me just illustrate.

"I am a great supporter of public education. All of my children went to public schools, not because I thought it was that great, but simply because I could not afford to send them to private schools, and I made sure that we participated actively in our schools in our community. And this will happen more and more in the future.

"The laws of economics are such that very few people in the future will be able to afford eight-, nine-, ten thousand dollars to send a child to a private school. The good students will remain and then we now must give those students the changes in the system that will enable them to learn and perform better, and that means this decentralization.

"The concept of student-centered schools is an excellent one. It builds on the SCBM.

"Let me say again the wonderful leadership at Maile Elementary School in which the school week was restructured into four official school days with the fifth additional school day being conducted by the community itself. In other words, in a very short period of time, the total instructional time was increased by twenty percent.

"Decentralization is very important. It is what Chairman D. Ige has said ... they want to have freedom -- freedom to do their own thing. And I support that thoroughly because it is with that freedom that education will improve in Hawaii.

"I have only one reservation, and that is in the choice of an appointed school board. I would prefer to have an elected board on a reform basis, on a single-member district basis, because if we give the people on the local

level an ownership in their schools, we should give all the people ownership in the entire system as well. But I will abide with the decisions to be made by the voters this fall as to whether they accept this change or not. If they don't, we should go to the single-member district electoral system.

"With that caveat, I strongly recommend that my colleagues vote unanimously in favor of this bill."

Representative Ward then rose to speak in strong support of the bill, stating:

"I realize nothing more can be said than what's already been said except I give testimony as a freshman.

"Four years I have waited for the time when we have a bill that had substance, meat and grit to it, not the wimpy bills that we've had for the last four years. Finally, we've got something ... not the cure-all and everything is now going to be magic. We've actually got some substantive change. We've got restructuring by the tail. We've got something that I think the Chair very astutely said -- we've got a system that's impossible to change itself. We got a handle on that. It's a terrific insight into where we're going.

"My doubts as such, as the previous speaker, I think it's going to be obvious the constitutional amendment is not going to say that we're going to get an appointed board. My surveys, Mr. Speaker, indicate eighty percent above say we want you elected because we can always get rid of you quicker if we don't have you appointed.

"The other thing I am pleased with this bill is that it has benchmarks and a vision. I said on my Opening Day Minority address, Mr. Speaker, we have to rekindle the vision of the destiny of the people of Hawaii. Part of our destiny in the Pacific is to have a very educated population. That is the engine of our future. There is so much at risk. Without this educational plan, being second to none, whether it's become rhetorical or otherwise, we've got to really excel.

"Lastly, I commend the Chair for the guts that it took to get us where we are today, but my colleagues, let us hang tough on this one. There may be a lawsuit, there may be jawboning. We may be tempted, as we have in the past four years, to wimp out, water it down, and say ... well, we didn't really mean it as this stringent.

"Mr. Speaker, we are well on our way. Again, thank you to the Chair and to the Senate that made this possible.

"Thank you, Mr. Speaker."

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

"I know that we've been here a long time today and that this is at the end of the agenda, but it probably is the most important bill that we are discussing today and, therefore, I ask the members indulgence for a couple of minutes while I add my thoughts.

"We all know that ultimately, even with these reforms, nothing will happen to improve our system unless parents and community members get involved in the education of their children and their neighbors' children. A baseball expression says, if you build it, they will come. Well, we built it now. This concept is now being applied to our schools. Let us hope and pray that the same kind of magical attraction of people to the ball field will also happen with our public schools.

"With this additional education reform bill in place, all that remains to be seen is whether the adults of our society show up to do what they know is necessary, in terms of giving of their love, their skills, and their wisdom to the young people of the State of Hawaii, to ensure a great future for them.

"Thank you."

Representative Shon then rose and stated:

"Mr. Speaker, briefly I also rise to speak in favor of this bill because there is one area that I believe very strongly must be mentioned. It is buried in the bill ... you may not find it easily. But I believe it is one of the pivotal issues that can move a school to accept many of these changes, and that is the length of the school day.

"Mr. Speaker, we know that idle teens are apt to get into a lot of trouble and we have said to them categorically -- it's 2:30, get off of campus. That is what our school system has said. I believe that is a basically destructive policy and that all our schools should be encouraged to find ways to create a very positive and enticing environment and a welcome environment all the way to the end of the day.

"Second, there has been an unfortunate debate pitting science and other core subjects against the arts. Presumably, this is intensified because there are just so many classroom hours available in our relatively short day. By stretching out the day for students, special teachers can be brought in to marinate the curricula with subjects that need not become a trade-off with traditional academic subjects.

"Third, the current model says all our students should sit still for academic subjects for about six hours a day and then have some interesting-things-to-do activities afterwards.

"Well, Mr. Speaker, we do not ask ourselves to do that. We know that teenagers, especially, are jumping out of their skins with energy, antsy -- whatever -- to expect them to sit and to absolve, to learn willingly and aggressively for a solid block of time, simply is not realistic. Everyone who has been in the classroom, who has been in the schools, know this simply does not square with human nature. We have got to do something about that situation.

"Fourth, I have spoken with many teachers who would love to come in later and stay later, come in early and leave a little bit earlier. We are not talking about a longer, more intense, burdensome day for teachers, but we are talking about a more productive, full day for every child in the public schools, and structurally, we have not confronted that ... 2:30, you're out of here.

"Fifth, many issues relating to school improvements, I believe, need a push to get them off of dead center. X number of classrooms, Y number of students can be spread out with only so many school hours, offering, if we have more hours, at least the possibility of smaller classes, even within our current budgets.

"The debate over the quality of activities and courses intensifies when one talks about filling more hours of the day. We want that to intensify. We don't want every single hour of the first six hours to be the same old routine. We want people to engage creatively and intensively into what it is that can make a full day for every student.

"I believe that if school days are aggressively pursued to be longer for each child, in a cooperative/collaborative

discussion with each school, that this is a healthy debate, that this is a debate every school should engage in, and I believe that if they do, many of these issues about quality, and many of these issues of problems that are brought into the school classrooms, are going to be resolved faster.

"For this reason, I encourage every school that looks at this bill to look at their school day from the eyes of the day and the life of a child. Two-thirty is too early.

"Thank you."

Representative Marumoto then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, I am excited about the prospects of the new promises this bill relating to education will bring to Hawaii. It is bold and innovative. It is exciting and action-packed. Let's hope the movie is as good as the book. Let's hope the educational system improvements will be as good as this bill.

"The constitutional amendments offered in this measure are welcome alternatives for the public. Voters will have many months to study the issues of governance, time to discuss and ask questions on the merits and demerits of the alternatives before voting for or against an elected Board of Education, or policy-making powers.

"The other issues must be decided now. By us. Right here.

"The bold moves advocated in this measure could only have been executed by young, energetic legislators. I don't think it could have been done by bureaucrats one step away from retirement. Since last year, I was impressed by the youthful vitality of the two Education Chairs and the Vice Chairs in the House and the Senate and was surprised by the spirit of openness and cooperation between them. This bill could not have been possible without this synergy.

"There are some excellent ideas in this measure, and I agree, it is time to stop studying these recommendations and start implementing them. But my middle-age sensibilities raise questions regarding sudden changes, transition problems, and logistical practicalities. I think all these issues will be dealt with, no doubt, given cool heads and a little time.

"But I would have been a little more comfortable if some of the steps, and definitions, and the procedures had been outlined in the bill with greater specificity and clarity. For instance, in creating regional administrative districts, I am wondering whether they are the same animal as the present district offices. Will the size, shape, location, and function of these district units change? How and when? Does the role of the District Superintendent change? From this bill I would say no, except when learning centers are phased in -- wherever that may be.

"The learning centers are to be controlled by school complexes, an admirable concept which conforms to the concept of decentralization and bottom-up control. But again, I wonder ... what will happen when one school's plans conflict with another, or when principals within a complex cannot decide how to deploy resources under their command.

"Since the learning centers will be phased in twenty percent the first year and twenty percent the second, there is time to adjust to this change. But there will be a dual system until all complexes are serviced by a learning center. So it might be a schizophrenic system for a while.

"I am told that many of the questions I have raised are answered in existing documents and reports such as Project Ke Au Hou, and that education officials will refer to these when in doubt. So perhaps I really have nothing to worry about, especially since the new system superintendent is not new to the system. However, I will continue to seek clarifications to my queries and hope that they are answered here so that they may clarify the legislative intent on this very important issue which is of interest to every public school parent and every public school student in the State.

"Thank you."

Representative Thielen 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 Thielen's remarks are as follows:

"Mr. Speaker, I, too, am in support of House Bill 3657, the Education Omnibus Bill. While the prognosis on the medical chart still reads sick, the condition for our schools and our public educational system appears stable and improving.

"Mr. Speaker, this bill is a landmark piece of legislation for many reasons. It will empower our schools over and above the Department of Education so that they may truly become centers of learning. It will restructure the Department of Education so that educators are sent back to the schools to engage in educating students. And it will provide an opportunity for innovative schools to try it on their own. The Student-Centered Schools initiative offers some much-needed hope to schools and communities interested in making education in Hawaii second to none. I wish these schools and communities the best of luck on this new frontier.

"The public and the parent/community/education advocates deserve the most credit. And while we have certainly come a long way with House Bill 3657, I still have some serious concerns about funding and the issue of educational governance. Educational reform is still everyone's business. Let us keep this momentum for positive change going.

"Thank you, Mr. Speaker."

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

"I wish to thank the conferees for embracing more future autonomy and decentralization to public schools at the grassroots level, in the principle of School/Community-Based Management. As the community representative in SCBM schools in my community, I have one word of caution to Hawaii's voters in voting for a constitutional amendment for an appointed Board of Education.

"Mr. Speaker and colleagues, I know that this question of an appointed Board of Education has to come to a rest although past polls are for an elected Board of Education. Keep in mind that an appointed Board of Education by the Governor will be a step backwards from School/Community-Based Management. Vote for an elected Board of Education.

"Thank you."

Representative Alcon 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 Alcon's remarks are as follows:

"This omnibus bill is a step in the right direction. Unless it is implemented, we will never know whether this bill is effective or not.

"Mr. Speaker, the Board of Education has picked a Superintendent. Although the vote was very close, I thought it was a very prudent choice, and I congratulate the Board for its wisdom.

"Unfortunately, Mr. Speaker, the Chair of the Board has made an unwise and assinine remark in the morning paper about the new superintendent. He has not even warmed up his chair and he is already TKO'd.

"Mr. Speaker, this bill and the new superintendent are compatible. Together, they will make education second to none. Therefore, Mr. Speaker, the Chair of the Education Committee and the members deserve an accolade from the Legislature and the general public.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3657, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3144, 2730, 3513, 3600, 1241, 3456, 3324, 2515, 3169, 3179, 3458, 3428, 3607, 3676 and 3657 had passed Final Reading at 6:21 o'clock p.m.

At 6:22 o'clock p.m., Representative Okamura asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:48 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 777 to 795) were read by the Clerk and were placed on file:

Sen. Com. No. 777, 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 May 2, 1994.

Sen. Com. No. 778, returning H.B. No. 3157, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED CARE," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 779, returning H.B. No. 3464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 780, returning H.B. No. 3716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CENTRAL COORDINATING AGENCIES," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 781, returning H.B. No. 3468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL PROGRAMS," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 782, returning H.B. No. 3332, entitled: "A BILL FOR AN ACT RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 783, returning H.B. No. 3463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PUBLIC SAFETY FUNCTIONS AND EMPLOYEES FROM THE DEPARTMENT OF DEFENSE TO THE DEPARTMENT OF PUBLIC SAFETY," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 784, returning H.B. No. 3147, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 785, returning H.B. No. 3152, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 786, returning H.B. No. 3140, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 787, returning H.B. No. 3055, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 788, returning H.B. No. 2622, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS DISPOSSESSED OR DISPLACED BY VOLCANIC ERUPTIONS," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 789, returning H.B. No. 2005, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 790, returning H.C.R. No. 156, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENTER INTO A REAL ESTATE TRANSACTION FOR A NEW ELEMENTARY SCHOOL IN KIHEI, MAUI," which was adopted by the Senate on May 2, 1994.

Sen. Com. No. 791, returning H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO PROMPTLY ENACT AND AGGRESSIVELY ENFORCE AN ORDINANCE REGULATING NON-PROFIT SIDEWALK VENDORS IN WAIKIKI," which was adopted by the Senate on April 29, 1994.

Sen. Com. No. 792, returning H.B. No. 3473, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," which passed Third Reading in the Senate on May 2, 1994.

Sen. Com. No. 793, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said concurrent resolutions were adopted by the Senate on May 2, 1994:

S.C.R. No. 35, HD 1, entitled: SENATE CONCURRENT RESOLUTION CONFIRMING THE USE OF THE HOMES REVOLVING FUND TO PROVIDE THE STATE'S EQUITY CONTRIBUTION FOR THE PAWAA PROJECT," which was adopted by the Senate on May 2, 1994.

S.C.R. No. 108, S.D. 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION PRESERVING THE REPUBLIC AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA," which was adopted by the Senate on May 2, 1994.

S.C.R. No. 184, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY OF THE JOBS PROGRAM AND MAKE RECOMMENDATIONS FOR ITS CONTINUANCE," which was adopted by the Senate on May 2, 1994.

S.C.R. No. 259, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE MANAGEMENT AUDIT OF THE JUDICIARY'S CIVIL SERVICE SYSTEM AND BUDGET OFFICE," which was adopted by the Senate on May 2, 1994.

S.C.R. No. 273, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO ENTER INTO A LEASE BACK/PURCHASE OPTION AGREEMENT FOR A NEW STATE OFFICE BUILDING IN KAPOLEI, OAHU," which was adopted by the Senate on May 2, 1994.

Sen. Com. No. 794, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate bills, and has agreed to the amendments and that said bills passed Final Reading on May 2, 1994:

S.B. No. 475, SD 2, HD 2, entitled: "RELATING TO THE EMPLOYEES RETIREMENT SYSTEM";

S.B. No. 556, SD 1, HD 1, entitled: "RELATING TO PROSTITUTION";

S.B. No. 2272, SD 1, HD 2, entitled: "MAKING AN APPROPRIATION FOR THE WAIKOLU WELL DEVELOPMENT PROJECT";

S.B. No. 2294, SD 2, HD 1, entitled: "RELATING TO THE JUDICIARY";

S.B. No. 2591, HD 1, entitled: "RELATING TO TAX CREDITS";

S.B. No. 2863, SD 1, HD 1, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

S.B. No. 3012, SD 2, HD 2, entitled: "RELATING TO KAHOLA'OLAWE";

S.B. No. 3075, SD 1, HD 3, entitled: "RELATING TO HEALTH CARE"; and

S.B. No. 3253, SD 1, HD 1, entitled: "MAKING AN APPROPRIATION FOR THE COMMISSION TO COMMEMORATE THE 200TH ANNIVERSARY OF THE ARRIVAL OF THE HISPANICS IN HAWAII".

Sen. Com. No. 795, informing the House that the following bills have passed Final Reading in the Senate on May 2, 1994:

S.B. No. 2162, SD 1, HD 2, entitled: "RELATING TO THE ENVIRONMENT";

S.B. No. 2648, SD 1, HD 2, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

S.B. No. 2605, SD 1, HD 1, CD 1, entitled: "RELATING TO DISASTER RELIEF AND REHABILITATION";

H.B. No. 1046, SD 1, CD 1, entitled: "RELATING TO TOURISM";

H.B. No. 3198, HD 1, SD 1, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII INTERCOLLEGIATE ATHLETIC PROGRAMS";

H.B. No. 3447, HD 1, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

H.B. No. 2294, SD 2, CD 1, entitled: "RELATING TO THE COUNTIES";

H.B. No. 2197, HD 2, SD 2, CD 1, entitled: "RELATING TO MOTOR VEHICLES";

H.B. No. 2909, HD 2, SD 1, CD 1, entitled: "RELATING TO GOING OUT OF BUSINESS SALES";

H.B. No. 2642, SD 1, CD 1, entitled: "RELATING TO WATER POLLUTION";

H.B. No. 3255, HD 2, SD 1, CD 1, entitled: "RELATING TO MOTOR VEHICLES";

H.B. No. 2491, HD 2, SD 1, CD 1, entitled: "RELATING TO THE DISPENSING OF PRESCRIPTION DRUGS";

H.B. No. 2640, HD 2, SD 1, CD 1, entitled: "RELATING TO HAZARDOUS WASTE BROKERS";

H.B. No. 3170, HD 2, SD 1, CD 1, entitled: "RELATING TO SMALL BOAT HARBORS";

H.B. No. 2913, HD 3, SD 1, CD 1, entitled: "RELATING TO HOUSING";

H.B. No. 2238, HD 1, SD 1, CD 1, entitled: "RELATING TO NATUROPATHY";

H.B. No. 1590, HD 1, SD 1, CD 1, entitled: "RELATING TO CIVIL SERVICE";

H.B. No. 2219, HD 1, SD 1, CD 1, entitled: "RELATING TO MISSING CHILDREN";

H.B. No. 2220, HD 1, SD 1, CD 1, entitled: "RELATING TO CUSTODIAL INTERFERENCE";

H.B. No. 2725, HD 1, SD 1, CD 1, entitled: "RELATING TO FORFEITURE";

H.B. No. 2975, HD 1, SD 1, CD 1, entitled: "RELATING TO ADULT PROBATION RECORDS";

H.B. No. 2981, HD 1, SD 1, CD 1, entitled: "RELATING TO THE SETTING OF BAIL";

H.B. No. 3201, SD 1, CD 1, entitled: "RELATING TO VOTER REGISTRATION";

- H.B. No. 2461, HD 1, SD 1, CD 1, entitled: "RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES";
- H.B. No. 2599, HD 1, SD 1, CD 1, entitled: "RELATING TO TELEPHONE SERVICE";
- H.B. No. 3209, HD 1, SD 1, CD 1, entitled: "RELATING TO DENTAL HYGIENISTS";
- H.B. No. 2921, HD 1, SD 1, CD 1, entitled: "RELATING TO EQUINE ACTIVITIES";
- H.B. No. 2322, HD 1, SD 1, CD 1, entitled: "RELATING TO ATTORNEYS' FEES";
- H.B. No. 3470, HD 1, SD 1, CD 1, entitled: "RELATING TO THE RELEASE OF PRETRIAL INMATES";
- H.B. No. 1712, HD 1, SD 1, CD 1, entitled: "RELATING TO ELECTRICIANS";
- H.B. No. 3416, SD 1, CD 1, entitled: "RELATING TO LIFE INSURANCE";
- H.B. No. 2449, HD 1, SD 1, CD 1, entitled: "RELATING TO TORT LIABILITY";
- H.B. No. 740, HD 1, SD 2, CD 1, entitled: "RELATING TO PUBLIC ACCOUNTANTS";
- H.B. No. 3017, SD 1, CD 1, entitled: "RELATING TO NO-FAULT INSURANCE";
- H.B. No. 2985, HD 1, SD 1, CD 1, entitled: "RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS";
- S.B. No. 3180, SD 1, HD 2, CD 1, entitled: "RELATING TO PUBLIC UTILITIES";
- S.B. No. 2829, SD 1, HD 1, CD 1, entitled: "RELATING TO ELECTIONS";
- S.B. No. 2630, SD 2, HD 1, CD 1, entitled: "RELATING TO CIVIL RIGHTS";
- S.B. No. 2180, SD 1, HD 2, CD 1, entitled: "RELATING TO UNDERGROUND STORAGE TANKS";
- S.B. No. 2722, SD 1, HD 1, CD 1, entitled: "RELATING TO TIME SHARES";
- S.B. No. 2182, SD 1, HD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR CONSENT OF THE SENATE TO THE APPOINTMENT OF DISTRICT COURT JUDGES";
- S.B. No. 2183, HD 1, CD 1, entitled: "RELATING TO DISTRICT COURT JUDGES";
- S.B. No. 2615, SD 2, HD 2, CD 1, entitled: "RELATING TO A COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM FOR CHILDREN";
- S.B. No. 2172, SD 2, HD 2, CD 1, entitled: "RELATING TO THE CLEAN HAWAII CENTER";
- S.B. No. 576, HD 1, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2366, HD 1, CD 1, entitled: "RELATING TO USE TAX";
- S.B. No. 3303, SD 1, HD 2, CD 1, entitled: "RELATING TO SOLID WASTE POLLUTION";
- S.B. No. 2261, SD 2, HD 3, CD 1, entitled: "RELATING TO HAWAIIAN AFFAIRS";
- S.B. No. 2908, SD 1, HD 2, CD 1, entitled: "RELATING TO HAWAII QUALIFIED HEALTH CENTERS";
- S.B. No. 2653, SD 1, HD 1, CD 1, entitled: "RELATING TO LIQUOR TAX LAW";
- H.B. No. 1731, SD 1, CD 1, entitled: "RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES";
- H.B. No. 2333, HD 2, SD 2, CD 1, entitled: "RELATING TO THE CONVENTION CENTER AUTHORITY";
- H.B. No. 3326, HD 2, SD 1, CD 1, entitled: "RELATING TO COMMUNITY HOSPITALS DIVISION'S PILOT AUTONOMY PROJECT";
- H.B. No. 3160, HD 2, SD 1, CD 1, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS";
- H.B. No. 3132, HD 1, SD 1, CD 1, entitled: "RELATING TO THE NONPRESENTMENT OF WARRANTS";
- H.B. No. 2605, HD 2, SD 2, CD 1, entitled: "RELATING TO LIQUOR";
- H.B. No. 1317, HD 2, SD 2, CD 1, entitled: "RELATING TO DISCLOSURES IN REAL ESTATE TRANSACTIONS";
- H.B. No. 2928, HD 1, SD 1, CD 1, entitled: "RELATING TO FIREWORKS";
- H.B. No. 3323, SD 2, CD 1, entitled: "RELATING TO RECOVERY OF PAYMENTS";
- H.B. No. 3144, SD 2, CD 1, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";
- H.B. No. 3456, HD 2, SD 2, CD 1, entitled: "RELATING TO FINANCIAL EXEMPTIONS FOR THE COMMUNITY HOSPITALS";
- H.B. No. 3324, HD 2, SD 2, CD 1, entitled: "RELATING TO PERMANENT AUTONOMY FOR HILO AND MAUI MEMORIAL HOSPITALS";
- H.B. No. 2515, HD 1, SD 2, CD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- H.B. No. 3169, SD 2, CD 1, entitled: "RELATING TO EMPLOYMENT SECURITY";
- H.B. No. 3458, HD 1, SD 2, CD 2, entitled: "RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS";
- H.B. No. 3428, HD 2, SD 1, CD 1, entitled: "RELATING TO THE INSURANCE CODE";

- H.B. No. 3133, HD 2, SD 1, CD 1, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";
- S.B. No. 905, SD 1, HD 2, CD 1, entitled: "RELATING TO THE AIRPORT REVENUES";
- S.B. No. 3307, SD 2, HD 1, CD 1, entitled: "RELATING TO GOVERNMENTAL ASSISTANCE";
- S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE PROVISION OF AMBULANCE SERVICES ON OAHU";
- S.B. No. 1628, SD 2, HD 1, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE DREDGING OF MAUNALUA BAY";
- S.B. No. 2378, HD 1, CD 1, entitled: "RELATING TO STATE BONDS";
- S.B. No. 3292, SD 1, HD 3, CD 1, entitled: "RELATING TO AIRPORT TAXI SERVICE";
- S.B. No. 2161, HD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES";
- S.B. No. 2377, SD 2, HD 3, CD 1, entitled: "RELATING TO SOCIAL WORKERS";
- S.B. No. 2262, SD 2, HD 3, CD 1, entitled: "RELATING TO HAWAIIAN AFFAIRS";
- H.B. No. 2746, HD 2, SD 2, CD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AN INDUSTRIAL ENTERPRISE";
- H.B. No. 2344, HD 1, SD 2, CD 1, entitled: "RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES";
- H.B. No. 3333, HD 2, SD 2, CD 1, entitled: "RELATING TO THE PANAWEA RESIDENTIAL LOTS";
- H.B. No. 2647, HD 2, SD 2, CD 1, entitled: "RELATING TO ENVIRONMENTAL EDUCATION";
- H.B. No. 1609, HD 1, SD 1, CD 1, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";
- H.B. No. 1615, HD 1, SD 1, CD 1, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";
- H.B. No. 1618, HD 1, SD 1, CD 1, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";
- H.B. No. 3630, HD 3, SD 2, CD 1, entitled: "RELATING TO HAWAIIAN SOVEREIGNTY";
- H.B. No. 3135, HD 1, SD 1, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE JUVENILE JUSTICE INFORMATION SYSTEM";
- H.B. No. 3506, HD 2, SD 2, CD 1, entitled: "RELATING TO PUBLIC SAFETY";
- H.B. No. 759, HD 2, SD 2, CD 1, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";
- H.B. No. 1332, HD 2, SD 2, CD 1, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";
- H.B. No. 2221, HD 2, SD 2, CD 1, entitled: "RELATING TO LAW ENFORCEMENT";
- H.B. No. 2780, HD 2, SD 1, CD 1, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";
- H.B. No. 2990, HD 2, SD 1, CD 1, entitled: "RELATING TO THE JUDICIARY";
- H.B. No. 2730, HD 1, SD 2, CD 1, entitled: "RELATING TO PUBLIC ACCESS";
- H.B. No. 3600, HD 1, SD 2, CD 1, entitled: "RELATING TO HOUSING";
- H.B. No. 1241, HD 2, SD 2, CD 1, entitled: "RELATING TO PUBLIC EMPLOYMENT";
- H.B. No. 2641, SD 1, CD 1, entitled: "RELATING TO AIR POLLUTION CONTROL";
- H.B. No. 3491, HD 2, SD 2, CD 1, entitled: "RELATING TO MOTOR VEHICLE SAFETY";
- H.B. No. 3303, HD 1, SD 2, CD 1, entitled: "RELATING TO USED MOTOR VEHICLES";
- H.B. No. 3137, SD 1, CD 1, entitled: "RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT";
- H.B. No. 2680, HD 1, SD 1, CD 1, entitled: "RELATING TO LAND EXCHANGE";
- H.B. No. 1733, HD 1, SD 1, CD 1, entitled: "RELATING TO THE RETURN OF MERCHANDISE";
- H.B. No. 3290, HD 1, SD 1, CD 1, entitled: "RELATING TO THE ENFORCEMENT OF THE STATE ETHICS CODE";
- H.B. No. 929, HD 1, SD 1, CD 1, entitled: "RELATING TO LIMITATION OF ACTIONS";
- H.B. No. 1088, HD 1, SD 1, CD 1, entitled: "RELATING TO TORT LIABILITY";
- S.B. No. 2515, HD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE APPOINTEES TO THE JUDICIAL SELECTION COMMISSION";
- S.B. No. 2563, HD 1, CD 1, entitled: "RELATING TO WAGES AND OTHER COMPENSATION";
- S.B. No. 2663, SD 2, HD 2, CD 1, entitled: "RELATING TO LIABILITY";
- S.B. No. 256, SD 2, HD 2, CD 1, entitled: "RELATING TO SMOKING";
- S.B. No. 495, SD 1, HD 1, CD 1, entitled: "RELATING TO SENTENCING";

S.B. No. 2393, SD 1, HD 1, CD 1, entitled: "RELATING TO FIREARMS AND DANGEROUS WEAPONS";

S.B. No. 3309, SD 2, HD 3, CD 1, entitled: "RELATING TO PUBLIC LANDS";

S.B. No. 3161, SD 2, HD 2, CD 1, entitled: "RELATING TO PUBLIC LANDS";

S.B. No. 2249, HD 1, CD 1, entitled: "RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS";

S.B. No. 2170, SD 2, HD 3, CD 1, entitled: "RELATING TO RECYCLED MATERIALS";

S.B. No. 1249, SD 1, HD 3, CD 1, entitled: "RELATING TO HEALTH CARE SERVICES";

H.B. No. 3212, HD 1, SD 1, CD 1, entitled: "RELATING TO NURSES";

H.B. No. 2284, SD 2, CD 1, entitled: "RELATING TO PRIVATIZATION";

H.B. No. 3300, HD 1, SD 2, CD 1, entitled: "RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE";

H.B. No. 3179, HD 1, SD 2, CD 1, entitled: "RELATING TO PUBLIC EMPLOYMENT";

H.B. No. 3607, HD 2, SD 2, CD 1, entitled: "RELATING TO GOVERNMENT ASSISTANCE";

H.B. No. 3657, HD 2, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

H.B. No. 65, HD 1, SD 2, CD 1, entitled: "RELATING TO HOUSING";

S.B. No. 3254, SD 1, HD 1, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE 1994 SAMOAN FLAG DAY";

S.B. No. 2728, SD 2, HD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT";

S.B. No. 2141, SD 2, HD 2, CD 1, entitled: "RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT";

S.B. No. 3045, SD 2, HD 2, CD 1, entitled: "RELATING TO AGRIBUSINESS DEVELOPMENT";

H.B. No. 3451, HD 2, SD 2, CD 1, entitled: "RELATING TO FUNDING FOR PUBLIC UTILITIES REGULATION";

H.B. No. 3513, HD 3, SD 2, CD 1, entitled: "RELATING TO OVERSIGHT";

H.B. No. 3676, HD 1, SD 1, CD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

#### H.B. No. 2071, HD 1, SD 2:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2071, HD 1, and H.B. No. 2071, HD 1, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ADD-ON, NON-PROFIT, LONG-TERM HEALTH CARE FACILITY TO POHAI NANI CARE CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

#### H.B. No. 2945, HD 2, SD 1:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2945, HD 2, and H.B. No. 2945, 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.

The Chair directed the Clerk to note that H.B. Nos. 2071 and 2945 had passed Final Reading at 6:50 o'clock p.m.

#### SUSPENSION OF RULES

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

#### RECONSIDERATION OF ACTION TAKEN

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House reconsidered its action taken on April 15, 1994, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2027, HD 1 (SD 2); 2965, HD 1 (SD 2); 3327, HD 3 (SD 2); 3426, HD 1 (SD 1); 3427 (SD 1); 3430, HD 2 (SD 2); 3431 (SD 1); 3443, HD 1 (SD 2); 3446, HD 2 (SD 2); 3466, HD 2 (SD 1); and 3520, HD 1 (SD 1).

#### FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

#### H.B. No. 2027, HD 1, SD 2:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2027, HD 1, and H.B. No. 2027, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN ENVIRONMENTAL HEALTH PROGRAM ENHANCEMENT AND EDUCATION FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

#### H.B. No. 2965, HD 1, SD 2:

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2965, HD 1, and H.B. No. 2965, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW COMMISSION ON THE STATE WATER CODE,"

having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3327, HD 3, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3327, HD 3, and H.B. No. 3327, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF AN AGENCY FOR COMMUNITY HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3426, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3426, HD 1, and H.B. No. 3426, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3427, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3427, and H.B. No. 3427, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3430, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3430, HD 2, and H.B. No. 3430, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REGULATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3431, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3431, and H.B. No. 3431, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSUMER ADVOCACY," having been read throughout, passed Final Reading by a vote of 51 ayes.

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

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3443, HD 1, and H.B. No. 3443, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3446, HD 2, SD 2:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3446, HD 2, and H.B. No. 3446, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSISTENCE FISHING," having been read throughout, passed Final Reading by a vote of 51 ayes.

**H.B. No. 3466, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3466, HD 2, and H.B. No. 3466, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Marumoto and Thielen voting no.

**H.B. No. 3520, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3520, HD 1, and H.B. No. 3520, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 2027, 2965, 3327, 3426, 3427, 3430, 3431, 3443, 3446, 3466 and 3520 had passed Final Reading at 6:53 o'clock p.m.

The following concurrent resolutions were taken from the Clerk's desk and the following actions taken:

**H.C.R. No. 5, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 5, and H.C.R. No. 5, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PRESIDENT CLINTON ACCELERATE PLANS FOR THE RETURN OF LANDS UTILIZED BY THE U.S. MILITARY IN OKINAWA TO THE GOVERNMENT AND PEOPLE OF OKINAWA PREFECTURE, JAPAN," was Finally adopted.

**H.C.R. No. 21, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen 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 CREATING A FRAMEWORK FOR AN OPTIMAL EARLY CHILDHOOD EDUCATION AND CARE SYSTEM FOR HAWAII," was Finally adopted.

**H.C.R. No. 164, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen 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 THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSTRUCT A HALE KUPUNA IN KAHANA VALLEY AND TO ESTABLISH RULES AND A PLAN WITH KAHANA VALLEY RESIDENTS REGARDING THEIR PARTICIPATION IN AHUPUA'A O KAHANA," was Finally adopted.

**H.C.R. No. 174, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 174, HD 1, and H.C.R. No. 174, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL

RESOURCES TO ACQUIRE THROUGH LAND EXCHANGE, LANDS IN PAHOA, HAWAII, FOR COMMUNITY USES," was Finally adopted.

**H.C.R. No. 196, HD 2, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 196, HD 2, and H.C.R. No. 196, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HUI 'IMI TASK FORCE TO CONVENE A CONFERENCE OF EARLY CHILDHOOD EDUCATION AND CHILD CARE AGENCIES AND OTHER ORGANIZATIONS AND AGENCIES THAT SERVE NATIVE HAWAIIANS AND HAWAIIANS," was Finally adopted.

**H.C.R. No. 246, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 246, and H.C.R. No. 246, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF THE HAWAII OCEAN MARINE RESOURCES MANAGEMENT PLAN (PLAN), AND THAT THE RELEVANT AGENCIES EXPEDITE THE IMPLEMENTATION OF THE PLAN," was Finally adopted.

**H.C.R. No. 293, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 293, HD 1, and H.C.R. No. 293, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR GIVE PRIORITY TO THE OFFICE OF SPACE INDUSTRY IN ITS ONGOING AUDIT OF CONTRACT MANAGEMENT OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," was Finally adopted.

**H.C.R. No. 335, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 335, HD 1, and H.C.R. No. 335, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE 'HALEIWA BYPASS' IN HONOR OF THE LATE REPRESENTATIVE JOSEPH P. LEONG," was Finally adopted.

**H.C.R. No. 399, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 399, HD 1, and H.C.R. No. 399, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII REVIEW AND REPORT ON THE PROGRESS AND IMPLEMENTATION OF THE RECOMMENDATIONS CONCERNING THE PROMOTION AND PRESERVATION OF HAWAIIAN CULTURE AND LANGUAGE THROUGH THE DEVELOPMENT OF HAWAIIAN STUDIES, PROGRAMS, AND COURSES AS OUTLINED IN THE UNIVERSITY'S MASTER PLAN OF 1991 AND THE KA'U REPORT OF 1986," was Finally adopted.

**H.C.R. No. 410, HD 1, SD 1:**

On motion by Representative Ihara, seconded by Representative Thielen and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 410, HD 1, and H.C.R. No. 410, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FORMULATION OF THE REGIONAL MASTER PLAN FOR CENTRAL O'AHU AND THE NORTH SHORE AND RECOMMENDING THAT THE PLAN BE UTILIZED FOR CENTRAL O'AHU AND NORTH SHORE PLANNING PURPOSES," was Finally adopted.

**INTRODUCTION OF RESOLUTIONS**

The following resolutions (H.R. Nos. 425 and 426) were read by the Clerk and were disposed of as follows:

H.R. No. 425, AUTHORIZING THE SPEAKER OF THE HOUSE TO DESIGNATE WHICH OF THE EMPLOYEES AND OFFICERS OF THE HOUSE SHALL BE GIVEN ADDITIONAL EMPLOYMENT TO MEET THE WORK AFTER THE SESSION AND IS FURTHER AUTHORIZED TO DETERMINE THE PERIOD OF EMPLOYMENT FOR EACH, was jointly offered by Representatives Souki, Young, Okamura, Ward and Thielen.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 425 was adopted.

H.R. No. 426, AUTHORIZING THE SPEAKER OF THE HOUSE TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 60TH DAY, was jointly offered by Representatives Souki, Young, Okamura, Ward and Thielen.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 426 was adopted.

**ANNOUNCEMENTS**

The Chair, at this time, stated:

"I would like to give the opportunity to an old friend to say a few words to us as he is leaving. Harvey?"

Representative Tajiri rose and stated:

"Thank you, Mr. Speaker.

"Floor speeches and long farewells are outside of my comfort zone ... I think all of you know that, at least about long floor speeches, so I'll keep it short.

"You know, Mr. Speaker and fellow colleagues, when I entered elective office, when I campaigned for it, I made two basic promises to my constituency, and one was that I would try my best, and the second promise that I made was that I will make no other promises, and I've tried to hold to that. To myself, I made two other promises and that is, I will not necessarily make decisions on looking good, but doing good. And the other promise I made to myself was that when the time comes that I cannot give a hundred percent to the office that I hold and to my constituency, that I will voluntarily leave office. The decision on my part to retire after ten years comes. . . you know, it wasn't an easy decision for me to make, and I've discussed it with a number of you, even two years back. But I don't leave with a heavy heart and I'll tell you why.

"We have an excellent leadership ... Mr. Speaker, you and the rest of the leadership have provided this House with good leadership. We've worked well together, we've put differences aside, and I see a lot of good measures coming out of this House and I expect more to come in the next few years.

"More than that, however, the reason why I feel confident in leaving is the caliber of representatives that we have, and I am not saying this to make you all look good because I am leaving. But I have shared with some of you my observations in the membership of this House and I really feel confident. In a short time, I'll be a member of the public but I can truly say that we have some very, very good people here -- all of you. I know we've had our differences as I've been here ten years, but I know that was not on the part of intentions. The intentions were all good ... it's just a matter of perception. I guess that is what the process is all about.

"I only hope that the public can realize the kind of quality that we have in this House, on this floor, and the kind of help that we have on the part of the staff -- putting in the long hours. To the extent possible, I tried to share this with the Hilo media that we have good people representing you, good people working for you in the Legislature, and so I feel very, very confident.

"In the ten years that I have been here, the one good thing I feel great about and which passed without people really recognizing that moment was, I believe, on February 2nd, for the first time, I believe, in the State House of Representatives, we had a female standing at the podium, and all three females in front. I think that's got to be an occasion to recognize. However, I just sat here eating up the moment, and I'm saying -- hey, we've come a long way, baby!

"We've passed out some very monumental decisions here, especially this session, and I've got to commend all of you. As I go, I'd like to just say to all of you -- the staff, my fellow colleagues -- thank you for all of your support throughout the years, and especially in these last few days, for all of your encouraging words of support, these leis and your coming by and giving me the encouragement, and I am glad I won the last argument because a number of you had tried to impress me on staying, but I got the last say.

"But all I can say to all of you ... thank you very much for your friendship and your support, and Godspeed.

"Thank you."

In response, Representative Tajiri received a standing ovation from the members of the House and audience.

Representative Ward then rose and stated:

"The Minority will miss the wise counsel of Representative Tajiri. We wish him well, we wish him the best.

"Mr. Speaker, we shall also miss you, even though it's in the interim. We thank you for the leadership. Before we know it, we'll be back, but we appreciate your leadership. We enjoyed working with you. I know Patrick Henry will live longer in his place because of you.

"To our colleagues across the aisle, we've enjoyed the 1994 session. Thank you all for your cooperation.

"We look forward to the Governor sitting upstairs and to see what happens in the 'fun' year of 1995.

"Aloha."

Representative Tam then rose and stated:

"Mr. Speaker and fellow colleagues, I wish to thank all of you for the past twelve years -- I've been with you twelve years now. It's been wonderful although we had many arguments and disagreements. I remember Representative Henry Peters first having a discussion with me in terms of open government. It was very educational for me. I appreciated that he permitted the open government to go through ... you're a man of great honor, and I thank you.

"For many of you others, although you probably wondered why Rod is a quiet person, I've got to apologize for that because I'm not one to really socialize. As my wife says, I move around too fast for her, and that's why I can't gain any weight. But I want to say I appreciated working with all of you although there were many differences, as I said.

"I am leaving here, looking towards the future with the blessing of my wife, my closest partner, to run for the Senate, and I just wanted to make the statement of appreciation working with all of you.

"Thank you."

Representative Hirono then rose and stated:

"As a member of the House for fourteen years, I wanted to also add my thanks to all of you. I'm so sorry I have a cold, otherwise I could stand here and extol the virtues of all of you individually I'm sure, for the next fifteen minutes at least, but having been a member here for fourteen years, I am not returning to the legislative arena because I will be going on to other pastures, not greener pastures -- other pastures.

"I would like to thank each of you for the experience of being a legislator. It is an experience that very few people can have, and I have been honored by the opportunity to work with all of you.

"In standing and saying my good-bye, I would also like to note the colleagues who have left with very little fanfare, who have left the legislative arena, colleagues such as Wayne Metcalf, Herb Honda, Yoshito Takamine, Mark Andrews. They have left with little fanfare because the unique thing about legislators, I think, is that the work we have done here is the sole reward and we go on to other things, secure in the knowledge that while we were here, we did our best.

"I know that our paths will cross and when they do, be kind, and I look forward to years of relationships that were built in this arena.

Thank you very much."

Representative Apo then rose and stated:

"Mr. Speaker, I was trying all day to avoid succumbing to the 'Olelo factor, but I guess I am compelled to say something. I hadn't intended on saying any kind of farewell because next year, I fully intend to don a coat and tie and go to sessions, just going to be doing it on a different floor.

I do intend to run for the Senate and, of course, I also intend to fulfill the four-and-a-half months that I have left as a State representative for the 44th District. So I don't feel like I'm leaving anything yet. At the point in which I do separate from the House, I do intend to talk to each one of the members and offer them my thanks for their support.

"But I just want to say, Mr. Speaker, that, as you know, I've always held this institution in very high regard. I continue to do so, and I appreciate the leadership that you provided over the last two years. I think we're in very good shape, and we just have to move forward.

"Thank you."

Representative Bunda then rose and stated:

"Mr. Speaker, my neighbor and partner in crime, my Vice Chair, has informed me that this is her last year -- short two year stay. She has become my friend. I worked closely with her. She has kept our committee together by getting votes, getting the quorum. As you know, at night it's hard to get a quorum and she's out there trying her best to get a quorum. She has chaired the committee for me.

"I know she's a little nervous, Mr. Speaker, but she's a wonderful gal. She will not be returning as she had indicated to me. She will be with her son in Kauai, and I would like to say my personal alohas, my best wishes and mahalos for a job well done."

Representative Young then rose and stated:

"Mr. Speaker, of course, we haven't done everything we wanted to do but still we have to remember that government simply cannot do it all. I would like to note that it's very clear that Representative D. Ige and his committee has set a very high standard for getting the business of the Legislature done, and I would also like to acknowledge the role of the family -- all of our families who we don't see very often during the legislative session. I think we are reminded that Representative D. Ige, Representative Takamine, during the years here, have had children. I know Trevor for Representative Takamine, and Lauren and Amy for Representative D. Ige. I know there were many times they've been here and they wanted to see them, as many of have too -- our spouses, our friends, our family. We haven't been able to see them as much as we wanted to. But for those with the little children, Representative Takamine and Representative D. Ige, I am grateful that when they go home, they are daily reminded and inspired to see the future through the eyes of their children. I think we have to be very thankful for that.

"Mr. Speaker, having built over this biennium a strong foundation for action, we leave today with an obligation to continue that process, and I urge all of us here, as well as the public that has chosen us to represent them, to recognize our obligations and to move forward positively and constructively to fulfill it.

"I thank all of our colleagues here. I thank the public, all the lobbyists and administration people, and all our session staff I see here gathered around us. I thank the media for being with us, too, and all our families, and I thank you, Mr. Speaker, for the honor of serving in the House of Representatives.

"Thank you."

Representative Ishii-Morikami then rose and stated:

"I wasn't planning to say anything today because I really have not informed my constituents of my plans. But as we are on 'Olelo and it has been known to many of you here, I have decided, after just one term, to not come back. My family needs me at home on a full-time basis.

"If anything that I have gained from the two years is the friendship that I had with all of you and, please, whoever comes to represent the Twelfth District, I would appreciate the kindness and the support that you gave me. Please help that person out also because all of you have made my two years a most memorable one, and I take with me the friendship that all of you have given me, and the support you have given me as a freshman. I really appreciate it. And thank you, Mr. Speaker and leadership, for making me feel like a part of the team.

"Thank you, Mr. Speaker."

The Chair then stated:

"Before we adjourn, I would just like to say a few remarks. As the Chair, I have a few privileges and one is possibly to have the last word.

"I would like to point out that we are going to adjourn on schedule and this is the second year in a row. Last year we had to come back, but this year, hopefully, we won't, and I would like to thank the members of the House for your dedication and hard work in making this session productive for all of the people of the State of Hawaii.

"As we move forward, we will be criticized. That has already begun. We can't make everybody happy. But that's not our job. We're here to lay the foundation for progress, and if you look at the record, that is exactly what we have done.

"We have taken new and bold steps to decentralize our education system with our able Chair so that more resources will be going to the classrooms. We have the toughest gun control laws in the United States. Again, thanks to the Chair and his able committee. We have taken major steps toward reducing the size and cost of government, and thanks to the Chair and his committee. We have provided for just and fair contracts for public employees.

"Above all, we have been prudent and responsible with the taxpayers' money. Our budget preserves important and essential services without imposing any new across-the-board burdens on taxpayers.

"After all, when I said 'no new taxes that would interfere with our economic recovery,' we meant it, and I meant it ... read my lips, there's no new taxes across-the-board. The fiscal restraint we have shown will help keep our economy on course as it continues to gain strength in the coming months.

"We have done our job this session. We have provided the legislative tools to improve our schools, streamline government, reduce violent crime, and strengthen our economy. I thank the members of this House for your efforts in achieving these goals, and for giving me the honor of serving as your Speaker. It's a unique honor. I look forward to greeting you again as we convene the 18th legislative session next January, and I expect all of you here, and with that -- Godspeed.

"For those of you who are leaving the House and running for higher office, or some will question what is higher office and you're going downstairs, I wish you all good luck, and for our good friend back there who is running with the Democratic team for Lieutenant Governor -- good luck to you, and good luck to all of you.

"I'm sorry I missed something that is a very important item, and he has been my good friend for the eight years that I have been in office, and this is the Governor of the

State of Hawaii. To my good friend, John Waihee ... you will be leaving -- we will miss you. I appreciate all the help that you have provided to the State of Hawaii, to all the improvements that you have made, to the collaboration that you have worked with the State Legislature. We appreciate your good work, and Godspeed with your future. Governor Waihee, you have come a long way from 1978 when we served in the Con-Con."

#### **ADJOURNMENT**

Representative Okamura moved that the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, adjourn Sine Die in honor of Representative Harvey Tajiri and Representative Paula Ishii-Morikami, seconded by Representative Ward and carried.

At 7:18 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, adjourned Sine Die.

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

Gov. Msg. No. 168 informing the House that on May 3, 1994, he signed the following bill into law:

House Bill No. 2 as Act 50, entitled: "RELATING TO THE UNIVERSITY OF HAWAII".

Gov. Msg. No. 169 informing the House that on May 6, 1994, he signed the following bills into law:

Senate Bill No. 2434 as Act 51, entitled: "RELATING TO PUBLIC SAFETY"; and

Senate Bill No. 3010 as Act 52, entitled: "MAKING SUPPLEMENTARY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1994 FOR HILO AND MAUI MEMORIAL HOSPITALS".

Gov. Msg. No. 170 informing the House that on May 6, 1994, he signed the following bills into law:

House Bill No. 1649 as Act 53, entitled: "RELATING TO SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION";

House Bill No. 2177 as Act 54, entitled: "RELATING TO FISHING";

House Bill No. 2274 as Act 55, entitled: "RELATING TO TOURISM";

House Bill No. 3180 as Act 56, entitled: "RELATING TO THE DEPARTMENT OF PERSONNEL SERVICES";

House Bill No. 3329 as Act 57, entitled: "RELATING TO HAWAII STATE LIBRARY FOUNDATION CONCESSIONS AT PUBLIC LIBRARY FACILITIES";

Senate Bill No. 2041 as Act 58, entitled: "RELATING TO ADMISSION TO PSYCHIATRIC FACILITY"; and

Senate Bill No. 2923 as Act 59, entitled: "RELATING TO AVIATION FUEL SET-ASIDE FOR EMERGENCY AND ESSENTIAL SERVICES".

Gov. Msg. No. 171 informing the House that on May 23, 1994, he signed the following bills into law:

House Bill No. 3160 as Act 60, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS";

House Bill No. 3133 as Act 61, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR"; and

Senate Bill No. 905 as Act 62, entitled: "RELATING TO THE AIRPORT REVENUES".

Gov. Msg. No. 172 informing the House that on June 2, 1994, he signed the following bills into law:

House Bill No. 1241 as Act 63, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 1609 as Act 64, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1615 as Act 65, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS"; and

House Bill No. 1618 as Act 66, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS".

Gov. Msg. No. 173 returning House Bill No. 2822, without his approval and with his statement of objections relating to the measure, as follows:

**"EXECUTIVE CHAMBERS  
HONOLULU**

June 9, 1994

**STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2822**

Honorable Members  
Seventeenth 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. 2822, entitled, 'A Bill for an Act Relating to Insurance Taxation.'

House Bill No. 2822 provides that title insurers pay insurance premium tax only on the amount the insurer actually receives pursuant to its contract with an underwritten title company. This bill is substantially the same as Senate Bill No. 2753, which also passed during the Regular Session of 1994. Since I intend to approve Senate Bill No. 2753, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 2822 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2822, entitled, 'A Bill for an Act Relating to Insurance Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2822 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. 2822 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 9th day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 174 informing the House that on June 7, 1994, he signed the following bills into law:

House Bill No. 1046 as Act 67, entitled: "RELATING TO TOURISM";

House Bill No. 1731 as Act 68, entitled: "RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSEES";

House Bill No. 2075 as Act 69, entitled: "RELATING TO GOVERNMENT-OWNED HAWAIIAN FISH PONDS";

House Bill No. 2186 as Act 70, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2238 as Act 71, entitled: "RELATING TO NATUROPATHY";

House Bill No. 2285 as Act 72, entitled: "RELATING TO NUMBER PLATES";

House Bill No. 2309 as Act 73, entitled: "RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY";

House Bill No. 2322 as Act 74, entitled: "RELATING TO ATTORNEYS' FEES";

House Bill No. 2333 as Act 75, entitled: "RELATING TO THE CONVENTION CENTER AUTHORITY";

House Bill No. 2344 as Act 76, entitled: "RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES";

House Bill No. 2460 as Act 77, entitled: "RELATING TO CONDOMINIUM MANAGEMENT";

House Bill No. 2461 as Act 78, entitled: "RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES";

House Bill No. 2490 as Act 79, entitled: "RELATING TO OUT-OF-STATE PRESCRIPTIONS";

House Bill No. 2599 as Act 80, entitled: "RELATING TO TELEPHONE SERVICES";

House Bill No. 2622 as Act 81, entitled: "RELATING TO PERSONS DISPOSSESSED OR DISPLACED BY VOLCANIC ERUPTIONS";

Senate Bill No. 2098 as Act 82, entitled: "RELATING TO ACT 364, SESSION LAWS OF HAWAII 1993";

Senate Bill No. 2366 as Act 83, entitled: "RELATING TO USE TAX";

Senate Bill No. 2563 as Act 84, entitled: "RELATING TO WAGES AND OTHER COMPENSATION";

Senate Bill No. 2591 as Act 85, entitled: "RELATING TO TAX CREDITS";

Senate Bill No. 2605 as Act 86, entitled: "RELATING TO DISASTER RELIEF AND REHABILITATION";

Senate Bill No. 2623 as Act 87, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 2630 as Act 88, entitled: "RELATING TO CIVIL RIGHTS";

Senate Bill No. 2653 as Act 89, entitled: "RELATING TO LIQUOR TAX LAW";

Senate Bill No. 2663 as Act 90, entitled: "RELATING TO LIABILITY";

Senate Bill No. 2722 as Act 91, entitled: "RELATING TO TIME SHARES";

Senate Bill No. 2752 as Act 92, entitled: "RELATING TO THE LABOR RELATIONS APPEALS BOARD";

Senate Bill No. 2781 as Act 93, entitled: "RELATING TO EXEMPTION OF ADDITIONAL LAW CLERKS FROM CIVIL SERVICES";

Senate Bill No. 2787 as Act 94, entitled: "RELATING TO HIGHWAY SAFETY"; and

Senate Bill No. 2829 as Act 95, entitled: "RELATING TO ELECTIONS".

Gov. Msg. No. 175 informing the House that on June 8, 1994, he signed the following bills into law:

House Bill No. 2631 as Act 96, entitled: "RELATING TO ENERGY";

House Bill No. 2882 as Act 97, entitled: "RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII";

House Bill No. 2909 as Act 98, entitled: "RELATING TO GOING OUT OF BUSINESS SALES";

House Bill No. 2925 as Act 99, entitled: "RELATING TO PREPAID HEALTH CARE";

House Bill No. 2944 as Act 100, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

House Bill No. 2965 as Act 101, entitled: "RELATING TO THE REVIEW COMMISSION ON THE STATE WATER CODE";

House Bill No. 2975 as Act 102, entitled: "RELATING TO ADULT PROBATION RECORDS";

House Bill No. 2989 as Act 103, entitled: "RELATING TO THE JUDICIAL CIRCUITS";

House Bill No. 3090 as Act 104, entitled: "RELATING TO CIGARETTE AND TOBACCO TAX";

House Bill No. 3137 as Act 105, entitled: "RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT";

House Bill No. 3147 as Act 106, entitled: "RELATING TO HOUSING";

House Bill No. 3149 as Act 107, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";

House Bill No. 3151 as Act 108, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 3152 as Act 109, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 3157 as Act 110, entitled: "RELATING TO COMMUNITY-BASED CARE";

House Bill No. 3165 as Act 111, entitled: "RELATING TO HEALTH INSURANCE BENEFITS";

House Bill No. 3169 as Act 112, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 3170 as Act 113, entitled: "RELATING TO SMALL BOAT HARBORS";

House Bill No. 3176 as Act 114, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 3190 as Act 115, entitled: "RELATING TO THE PUBLIC DISCLOSURE OF WRITTEN OPINIONS BY THE DEPARTMENT OF TAXATION";

House Bill No. 3191 as Act 116, entitled: "RELATING TO THE GENERAL EXCISE TAXATION OF EMPLOYEE BENEFIT PLANS";

House Bill No. 3195 as Act 117, entitled: "RELATING TO COMMERCIAL HARBORS";

House Bill No. 3199 as Act 118, entitled: "RELATING TO OUTDOOR ADVERTISING";

House Bill No. 3201 as Act 119, entitled: "RELATING TO VOTER REGISTRATION";

House Bill No. 3255 as Act 120, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 3302 as Act 121, entitled: "RELATING TO OPEN MEETINGS";

House Bill No. 3306 as Act 122, entitled: "RELATING TO LICENSING OF PRIVATE DETECTIVES AND GUARDS";

House Bill No. 3307 as Act 123, entitled: "RELATING TO REQUIREMENTS FOR OPTOMETRY LICENSE";

House Bill No. 3309 as Act 124, entitled: "RELATING TO THE LICENSING REQUIREMENT FOR A PHOTOGRAPH";

House Bill No. 3310 as Act 125, entitled: "RELATING TO PSYCHOLOGISTS";

House Bill No. 3321 as Act 126, entitled: "RELATING TO THE DEPARTMENT OF HUMAN SERVICES";

House Bill No. 3416 as Act 127, entitled: "RELATING TO LIFE INSURANCE";

House Bill No. 3428 as Act 128, entitled: "RELATING TO THE INSURANCE CODE";

House Bill No. 3433 as Act 129, entitled: "APPROVING THE ADVISORY OPINIONS OF THE HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS REVIEW PANEL";

House Bill No. 3443 as Act 130, entitled: "RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND";

House Bill No. 3468 as Act 131, entitled: "RELATING TO CORRECTIONAL PROGRAMS";

House Bill No. 3484 as Act 132, entitled: "RELATING TO THE CONTRACTORS";

House Bill No. 3585 as Act 133, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";

House Bill No. 3742 as Act 134, entitled: "RELATING TO THE HAWAII YOUNG SCHOLARS PROGRAM";

Senate Bill No. 2834 as Act 135, entitled: "RELATING TO THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)";

Senate Bill No. 2921 as Act 136, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 2924 as Act 137, entitled: "RELATING TO THE ALOHA TOWER FUND";

Senate Bill No. 2925 as Act 138, entitled: "RELATING TO COUNTY CONTRIBUTIONS TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2949 as Act 139, entitled: "RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION";

Senate Bill No. 2954 as Act 140, entitled: "RELATING TO THE LAND FIRE PROTECTION LAW";

Senate Bill No. 2964 as Act 141, entitled: "RELATING TO THE GENERAL EXCISE TAX ON MANUFACTURING AND PRODUCING";

Senate Bill No. 2965 as Act 142, entitled: "RELATING TO STATE GENERATION-SKIPPING TRANSFER LAW";

Senate Bill No. 3024 as Act 143, entitled: "RELATING TO DEFENSE OF HEALTH CARE PROVIDERS UNDER CONTRACT TO THE DEPARTMENT OF PUBLIC SAFETY";

Senate Bill No. 3044 as Act 144, entitled: "RELATING TO MILK";

Senate Bill No. 3075 as Act 145, entitled: "RELATING TO HEALTH CARE"; and

Senate Bill No. 3322 as Act 146, entitled: "RELATING TO HAWAII AIR CARRIERS".

Gov. Msg. No. 176 informing the House that on June 9, 1994, he signed the following bills into law:

House Bill No. 2005 as Act 147, entitled: "RELATING TO THE RENTAL HOUSING TRUST FUND";

House Bill No. 2945 as Act 148, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC";

House Bill No. 3140 as Act 149, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 3144 as Act 150, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES FROM

COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";

House Bill No. 3198 as Act 151, entitled: "RELATING TO THE UNIVERSITY OF HAWAII INTERCOLLEGIATE ATHLETIC PROGRAMS";

House Bill No. 3333 as Act 152, entitled: "RELATING TO THE PANAWEA RESIDENTIAL LOTS";

House Bill No. 3461 as Act 153, entitled: "RELATING TO THE TRANSFER OF CORRECTIONAL MENTAL HEALTH EMPLOYEES FROM THE DEPARTMENT OF HEALTH TO DEPARTMENT OF PUBLIC SAFETY";

House Bill No. 3463 as Act 154, entitled: "RELATING TO THE TRANSFER OF PUBLIC SAFETY FUNCTIONS AND EMPLOYEES FROM THE DEPARTMENT OF DEFENSE TO THE DEPARTMENT OF PUBLIC SAFETY";

House Bill No. 3465 as Act 155, entitled: "RELATING TO THE CORRECTIONS POPULATION";

House Bill No. 3466 as Act 156, entitled: "RELATING TO THE HAWAII PAROLING AUTHORITY";

House Bill No. 3473 as Act 157, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES";

House Bill No. 3676 as Act 158, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 2272 as Act 159, entitled: "MAKING AN APPROPRIATION FOR THE WAIKOLU WELL DEVELOPMENT PROJECT";

Senate Bill No. 2753 as Act 160, entitled: "RELATING TO INSURANCE";

Senate Bill No. 3012 as Act 161, entitled: "RELATING TO KAHO'OLAWA";

Senate Bill No. 3161 as Act 162, entitled: "RELATING TO PUBLIC LANDS"; and

Senate Bill No. 3292 as Act 163, entitled: "RELATING TO AIRPORT TAXI SERVICE".

Gov. Msg. No. 177 transmitting copies of the following: Report to the Seventeenth Legislature, 1994 on Section 48 of Act 289 of 1993 SLH.

Gov. Msg. No. 178 informing the House that on June 21, 1994, he signed the following bills into law:

House Bill No. 929 as Act 164, entitled: "RELATING TO LIMITATION OF ACTIONS";

House Bill No. 1332 as Act 165, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";

House Bill No. 1590 as Act 166, entitled: "RELATING TO CIVIL SERVICE";

House Bill No. 1627 as Act 167, entitled: "RELATING TO STATE GOVERNMENT PAYMENTS";

House Bill No. 1999 as Act 168, entitled: "RELATING TO BUILDING CODES";

House Bill No. 2027 as Act 169, entitled: "RELATING TO THE ESTABLISHMENT OF AN

ENVIRONMENTAL HEALTH PROGRAM ENHANCEMENT AND EDUCATION FUND";

House Bill No. 2197 as Act 170, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2294 as Act 171, entitled: "RELATING TO THE COUNTIES";

House Bill No. 2491 as Act 172, entitled: "RELATING TO THE DISPENSING OF PRESCRIPTION DRUGS";

House Bill No. 2553 as Act 173, entitled: "RELATING TO HEALTH";

House Bill No. 2605 as Act 174, entitled: "RELATING TO LIQUOR";

House Bill No. 2623 as Act 175, entitled: "RELATING TO PUBLIC LAND LEASES";

House Bill No. 2635 as Act 176, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";

House Bill No. 2680 as Act 177, entitled: "RELATING TO LAND EXCHANGE";

House Bill No. 2725 as Act 178, entitled: "RELATING TO FORFEITURE";

House Bill No. 2897 as Act 179, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY";

House Bill No. 2928 as Act 180, entitled: "RELATING TO FIREWORKS";

House Bill No. 2981 as Act 181, entitled: "RELATING TO THE SETTING OF BAIL";

House Bill No. 2985 as Act 182 entitled: "RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS";

House Bill No. 3209 as Act 183 entitled: "RELATING TO DENTAL HYGIENISTS";

House Bill No. 3210 as Act 184 entitled: "RELATING TO NURSING HOME ADMINISTRATORS";

House Bill No. 3211 as Act 185 entitled: "RELATING TO NURSE AIDES";

House Bill No. 3300 as Act 186 entitled: "RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE";

House Bill No. 3323 as Act 187 entitled: "RELATING TO RECOVERY OF PAYMENTS";

House Bill No. 3326 as Act 188 entitled: "RELATING TO COMMUNITY HOSPITALS DIVISION'S PILOT AUTONOMY PROJECT";

House Bill No. 3332 as Act 189 entitled: "RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION";

House Bill No. 3426 as Act 190 entitled: "RELATING TO ACCREDITATION IN INSURANCE REGULATION";

House Bill No. 3431 as Act 191 entitled: "RELATING TO THE DIVISION OF CONSUMER ADVOCACY";

House Bill No. 3456 as Act 192, entitled: "RELATING TO FINANCIAL EXEMPTIONS FOR THE COMMUNITY HOSPITALS";

House Bill No. 3458 as Act 193, entitled: "RELATING TO PROCUREMENT BY THE COMMUNITY HOSPITALS";

House Bill No. 3464 as Act 194, entitled: "RELATING TO CORRECTIONAL INDUSTRIES";

House Bill No. 3470 as Act 195, entitled: "RELATING TO THE RELEASE OF PRETRIAL INMATES";

House Bill No. 3472 as Act 196, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 3491 as Act 197, entitled: "RELATING TO MOTOR VEHICLE SAFETY";

House Bill No. 3506 as Act 198, entitled: "RELATING TO PUBLIC SAFETY";

House Bill No. 3607 as Act 199, entitled: "RELATING TO GOVERNMENT ASSISTANCE";

House Bill No. 3630 as Act 200, entitled: "RELATING TO HAWAIIAN SOVEREIGNTY";

Senate Bill No. 2170 as Act 201, entitled: "RELATING TO RECYCLED MATERIALS";

Senate Bill No. 2172 as Act 202, entitled: "RELATING TO THE CLEAN HAWAII CENTER";

Senate Bill No. 2180 as Act 203, entitled: "RELATING TO UNDERGROUND STORAGE TANKS";

Senate Bill No. 2393 as Act 204, entitled: "RELATING TO FIREARMS AND DANGEROUS WEAPONS";

Senate Bill No. 2863 as Act 205, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

Senate Bill No. 2880 as Act 206, entitled: "RELATING TO THE LAND COURT";

Senate Bill No. 2956 as Act 207, entitled: "RELATING TO TREE FARMS";

Senate Bill No. 3015 as Act 208, entitled: "RELATING TO THE TRANSFER OF INMATES";

Senate Bill No. 3180 as Act 209, entitled: "RELATING TO PUBLIC UTILITIES";

Senate Bill No. 3303 as Act 210, entitled: "RELATING TO SOLID WASTE POLLUTION"; and

Senate Bill No. 3309 as Act 211, entitled: "RELATING TO PUBLIC LANDS".

Gov. Msg. No. 179 returning House Bill No. 1733, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 21, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1733

Honorable Members  
Seventeenth 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. 1733, entitled, 'A Bill for an Act Relating to the Return of Merchandise.'

The purpose of House Bill No. 1733 is to strengthen laws pertaining to the return of goods. Specifically, the bill replaces the current law with a new section that sets forth a set of definitions and procedures intended to resolve many of the ambiguities in the current law by (1) requiring merchants to post conspicuous signs notifying consumers of the merchant's refund and exchange policy; (2) requiring merchants who fail to post such a sign to accept the return of merchandise from customers and make refunds upon the return of merchandise; (3) establishing conditions by which refunds are to be provided to consumers and conditions by which the merchant is not required to provide a refund, credit, or exchange; (4) authorizing merchants a deduction for the expense of restocking the returned goods when calculating the full amount of payment to be refunded; and (5) subjecting any merchant in violation of the section to a fine of \$1,000 for each violation, to be collected in a civil action brought by the Attorney General or the Director of the Office of Consumer Protection.

The removal of the current provision that violations of the refund and exchange law constitute unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce under section 480-2, Hawaii Revised Statutes, does not strengthen the current law and in fact creates significant questions concerning consumers' rights to pursue a private action for violation of the law.

Additionally, this bill reduces significantly the potential penalty for violations, severely curtails the enforcement options contained in the current law, and imposes unreasonable and costly enforcement burdens on the State.

For the foregoing reasons, I am returning House Bill No. 1733 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1733, entitled, 'A Bill for an Act Relating to the Return of Merchandise,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1733 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. 1733 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 21st day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 180 returning House Bill No. 2647, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 21, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2647

Honorable Members  
Seventeenth 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. 2647, entitled, 'A Bill for an Act Relating to Environmental Education.'

The purpose of House Bill No. 2647 is to establish within the Department of Land and Natural Resources an Environmental Education Clearinghouse that will consist of a computerized reference data base of environmental education services, programs, and curriculum accessible to the public by electronic and printed formats and a reference library composed of environmental education documents. The bill will also establish a temporary Environmental Education Council, consisting of up to eighteen members, which will hire a coordinator to coordinate resources and personnel required in the development of the clearinghouse, but whose appointment will not extend beyond June 30, 1995.

For the purposes of this bill, including but not limited to the hiring of necessary staff, the bill appropriates only \$25,000. The appropriated funds are grossly inadequate to achieve the purposes of the bill, and only a scaled-down version of a small part of the actions specified by the bill could possibly be achieved with the appropriated funding.

For the foregoing reason, I am returning House Bill No. 2647 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2647, entitled, 'A Bill for an Act Relating to Environmental Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2647 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. 2647 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 21st day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 181 transmitting Senate Bill No. 2020, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 21, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2020

Honorable Members  
Seventeenth 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. 2020, entitled, 'A Bill for an Act Relating to Land Use.'

The purposes of Senate Bill No. 2020 are to (1) establish and designate the boundaries of two Special University of Hawaii Development Zones ('Zones') in Kapolei Village in Ewa, Oahu, and in West Hawaii on the island of Hawaii, (2) provide the Board of Regents of the University of Hawaii ('Board') with the exclusive authority and responsibility to develop, plan, construct, operate, and maintain higher educational facilities in the Zones, and (3) authorize the Board to contract with any person for the construction, operation, and maintenance of facilities for its athletic programs in the Zones.

The bill fails to indicate the boundaries or the specific acreage that should be set aside for each of the two Zones. Section 2 of the bill attempts to establish the Kapolei development zone without a specific reference to the exact location and land area by only stating that the 'zone consist[ed] of a contiguous area of not less than [ ] hundred acres of land located adjacent to the Diamond Head side of Kapolei Village in Ewa, Oahu.' Furthermore, Section 3 of the bill attempts to establish the West Hawaii development zone without a specific reference to the exact location and land area by only stating that the 'zone consist[ed] of a contiguous area of not less than [ ] acres of land located on the island of Hawaii.'

The legislative committee reports do not indicate the specific acreage that should be set aside for each

development zone. Since neither the bill nor its legislative history contains a specific description of the boundaries for each development zone or the amount of acres that should be set aside for each development zone, this bill cannot achieve its purposes.

For the foregoing reasons, I am returning Senate Bill No. 2020 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2020, entitled, 'A Bill for an Act Relating to Land Use,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2020 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. 2020 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 21st day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 182 transmitting Senate Bill No. 2249, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 21, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2249

Honorable Members  
Seventeenth 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. 2249, entitled, 'A Bill for an Act Relating to the Controls to Be Exercised in the Execution of the Budget and Other Program Appropriations.'

The purpose of Senate Bill No. 2249 is to modify the budget allotment system by incorporating fiscal and

personnel controls on an aggregate basis regarding budget estimates and allotment changes. Senate Bill No. 2249 enables each state department to determine its program priorities in meeting increases or, in particular, reductions, in program allocations.

According to the legislative committee reports on this bill, the committees believed that this bill would give departments greater flexibility in accomplishing their budgeted objectives and would insure greater accountability in the expenditure of state funds. While I am not sure that this bill would provide greater flexibility and accountability, I do believe that existing law, namely, part II of chapter 37, Hawaii Revised Statutes, provides the means for addressing the issues of flexibility in program priorities and accountability by individual departments. The provisions of part II of chapter 37 give departments latitude in allotting moneys according to their internal priorities, subject to the determination that those prioritizations are consistent with legislative direction and statewide priority considerations, and are within the limitations of available revenues. Accordingly, I believe this measure is not needed.

For the foregoing reasons, I am returning Senate Bill No. 2249 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2249, entitled, 'A Bill for an Act Relating to the Controls to Be Exercised in the Execution of the Budget and Other Program Appropriations,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2249 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. 2249 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 21st day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 183 transmitting Senate Bill No. 2648, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 21, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2648

Honorable Members  
Seventeenth 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. 2648, entitled, 'A Bill for an Act Relating to the University of Hawaii.'

The purpose of this bill is to authorize the expenditure of funds from the University of Hawaii Student Activities Revolving Fund for use by chartered student organizations to employ, or retain by contract, attorneys to defend the chartered student organizations in any litigation, to render legal advice, or to draft legal documents.

Senate Bill No. 2648 will amend section 103-3, Hawaii Revised Statutes, and section 103D-209(b) of the new State Procurement Code adopted by section 2 of Act 8, Special Session Laws of Hawaii 1993. These sections allow the listed government entities to expend public funds for legal services. The amendments to section 103-3 and the State Procurement Code do not achieve the purpose of the bill, which is to authorize expenditure of public funds to employ attorneys for the chartered student organizations. These amendments authorize chartered student organizations to expend public funds for the employment of attorneys to represent the State of Hawaii or a state department, not private organizations such as the student organizations.

In addition, Senate Bill No. 2648 could open the door to the State Treasury to pay for damages caused by private nongovernmental organizations. Based upon a review of statutes and documents, the State Attorney General declined to represent a chartered student organization (Board of Publications) in one instance because it was determined to be an independent unincorporated association and not a public governmental entity and, in another instance, also determined that another chartered student organization (Associated Students of the University of Hawaii) is similarly not a public governmental entity. However, in a legislative committee report, one of the committees expressed its belief that 'chartered student organizations at the University are legitimate public entities, and are entitled to use public monies to defend themselves against possible lawsuits.' Because the state government, including the University of Hawaii, does not presently control or supervise the student organizations, this exposure to liability is of grave concern. The foregoing statement in the legislative committee report together with the inclusion of chartered student organizations in the list of governmental entities in section 103-3 and section 103D-209(b) could lead to a judicial determination that the legislature intended to treat chartered student organizations as public governmental entities, and open the door to the State Treasury to pay for damages caused by those organizations.

For the foregoing reasons, I am returning Senate Bill No. 2648 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2648, entitled, 'A Bill for an Act Relating to the University of Hawaii,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2648 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. 2648 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 21st day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 184 returning House Bill No. 740, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 740

Honorable Members  
Seventeenth 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. 740, entitled, 'A Bill for an Act Relating to Public Accountants.'

The purpose of this bill is to limit the circumstances under which a civil tort action based on simple negligence may be maintained against a person engaged in the practice of public accountancy.

This bill creates a new section in chapter 663, Hawaii Revised Statutes, which limits the liability of public accountants for simple negligence exclusively to (1) the issuer or requestor of the public accountant's work product and (2) any person (a) specifically identified to the public accountant, (b) to whom the public accountant knew that the financial statements and other information would be made available and relied upon, and (c) to whom the public accountant acknowledged in writing an understanding that the person would rely upon the financial statements and other information. Thus, these are the only persons to whom a public accountant owes a duty for his or her professional services.

This bill raises significant concerns since other innocent consumers or third parties who have access to and normally rely upon the financial statements, audits, and other information prepared by public accountants are precluded from bringing an action for simple negligence. Accordingly, the partial immunization from third party liability may reduce the reliability of the financial documents prepared by the public accountant and ultimately protect the public accountant at the consumer's expense.

For the foregoing reasons, I am returning House Bill No. 740 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 740, entitled, 'A Bill for an Act Relating to Public Accountants,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 740 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. 740 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 185 returning House Bill No. 3106, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 3106

Honorable Members  
Seventeenth 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. 3106, entitled, 'A Bill for an Act Relating to Mount Olomana.'

The purpose of House Bill No. 3106 is to allow a land exchange to acquire private lands which partially make up the Mount Olomana state landmark, provided the exchange does not 'reduce the combined land holdings of the ceded land trust.' Because there is existing statutory authority to effectuate the exchange, and because it is anticipated that the purpose of the bill can be accomplished without a land exchange, the bill is not necessary.

For the foregoing reason, I am returning House Bill No. 3106 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3106, entitled, 'A Bill for an Act Relating to Mount Olomana,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3106 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. 3106 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 186 returning House Bill No. 3324, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 3324

Honorable Members  
Seventeenth 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. 3324, entitled, 'A Bill for an

Act Relating to Permanent Autonomy for Hilo and Maui Memorial Hospitals.'

The purpose of this bill is to make permanent the provisions of the pilot autonomy project, Act 211, Session Laws of Hawaii 1993, for the autonomous operation of Maui Memorial Hospital and Hilo Medical Center by exempting those facilities from the requirements of advertised bidding sections of the new procurement law, chapter 103D, Hawaii Revised Statutes, and other related statutes until June 30, 1996. The bill requires the two facilities to adopt policies and procedures to ensure that acquisitions conform to the spirit of the competitive bidding process, however.

Furthermore, this bill will amend section 36-30, Hawaii Revised Statutes, to exempt the special funds of Maui Memorial Hospital and Hilo Medical Center from the requirement that special funds must pay their pro rata share of the administrative expenses incurred by the Department of Health for the operations supported by the fund concerned. Other state agencies are generally required to grant waivers upon request by the Department of Health on matters affecting Maui Memorial Hospital and Hilo Medical Center.

While I fully support the autonomy concept as it relates to the state public health facilities, I cannot approve this bill.

First, the bill is not needed. It was introduced as part of a package drafted by the Department of Health. House Bill No. 3324 was included as a 'safety net' for the two largest facilities in the event the Legislature failed to pass House Bill No. 3327, which creates a task force to prepare a plan for a future agency of community hospitals, and House Bill No. 3458, which amends chapter 103D to provide that the deputy director of health for the Division of Community Hospitals is the chief procurement officer for all the public health facilities and the division office. House Bill No. 3327 and House Bill No. 3458, both of which were passed by the Legislature, are better vehicles for achieving the goal of improved management of the public health facilities than this bill, which exempts only two of the thirteen facilities from chapter 103D and requires that acquisitions be accomplished in the spirit of the new procurement code.

Second, the provision allowing the division to permanently seek waivers from other agencies is inconsistent with the entire legislative package. Under Act 211, Session Laws of Hawaii 1993, section 4, which sunsets on June 30, 1996, the community hospitals already have the power to request the waivers. With the enactment of House Bill No. 3327, a permanent waiver provision is not needed.

Finally, House Bill No. 3300 will repeal sections 103-41 through 103-48, Hawaii Revised Statutes, rendering the portion of the bill exempting the community hospitals from those provisions moot.

For the foregoing reasons, I am returning House Bill No. 3324 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3324, entitled, 'A Bill for an Act Relating to Permanent Autonomy for Hilo and Maui Memorial Hospitals,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3324 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. 3324 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 22nd day of June, 1994.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 187 informing the House that on June 22, 1994, he signed the following bills into law:

House Bill No. 759 as Act 212, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 1088 as Act 213, entitled: "RELATING TO TORT LIABILITY";

House Bill No. 1317 as Act 214, entitled: "RELATING TO DISCLOSURES IN REAL ESTATE TRANSACTIONS";

House Bill No. 1712 as Act 215, entitled: "RELATING TO ELECTRICIANS";

House Bill No. 2071 as Act 216, entitled: "MAKING AN APPROPRIATION FOR AN ADD-ON, NON-PROFIT, LONG-TERM HEALTH CARE FACILITY TO POHAI NANI CARE CENTER";

House Bill No. 2312 as Act 217, entitled: "RELATING TO MARRIAGE";

House Bill No. 2690 as Act 218, entitled: "RELATING TO AGRICULTURAL LEASES";

House Bill No. 2746 as Act 219, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AN INDUSTRIAL ENTERPRISE";

House Bill No. 3017 as Act 220, entitled: "RELATING TO NO-FAULT INSURANCE";

House Bill No. 3132 as Act 221, entitled: "RELATING TO NONPRESENTMENT OF WARRANTS";

House Bill No. 3135 as Act 222, entitled: "MAKING AN APPROPRIATION FOR THE JUVENILE JUSTICE INFORMATION SYSTEM";

House Bill No. 3179 as Act 223, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 3303 as Act 224, entitled: "RELATING TO USED MOTOR VEHICLES";

House Bill No. 3427 as Act 225, entitled: "RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE";

House Bill No. 3451 as Act 226, entitled: "RELATING TO FUNDING FOR PUBLIC UTILITIES REGULATION";

House Bill No. 3520 as Act 227, entitled: "RELATING TO INTOXICATING LIQUOR";

House Bill No. 3600 as Act 228, entitled: "RELATING TO HOUSING";

Senate Bill No. 495 as Act 229, entitled: "RELATING TO SENTENCING";

Senate Bill No. 576 as Act 230, entitled: "RELATING TO TAXATION";

Senate Bill No. 1628 as Act 231, entitled: "MAKING AN APPROPRIATION FOR THE DREDGING OF MAUNALUA BAY";

Senate Bill No. 2141 as Act 232, entitled: "RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT";

Senate Bill No. 2161 as Act 233, entitled: "MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES";

Senate Bill No. 2162 as Act 234, entitled: "RELATING TO THE ENVIRONMENT";

Senate Bill No. 2728 as Act 235, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT";

Senate Bill No. 2837 as Act 236, entitled: "RELATING TO SCHOOLS";

Senate Bill No. 2875 as Act 237, entitled: "MAKING AN APPROPRIATION FOR THE PROVISION OF AMBULANCE SERVICES ON OAHU";

Senate Bill No. 2908 as Act 238, entitled: "RELATING TO HAWAII QUALIFIED HEALTH CENTERS";

Senate Bill No. 2979 as Act 239, entitled: "RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII AT MANOA LABORATORY SCHOOL SUMMER PROGRAMS REVOLVING FUND";

Senate Bill No. 3254 as Act 240, entitled: "MAKING AN APPROPRIATION FOR THE 1994 SAMOAN FLAG DAY"; and

Senate Bill No. 3307 as Act 241, entitled: "RELATING TO GOVERNMENTAL ASSISTANCE".

Gov. Msg. No. 188 returning House Bill No. 3430, without his approval and with his statement of objections relating to the measure. as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 3430

Honorable Members  
Seventeenth 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. 3430, entitled, 'A Bill for an Act Relating to Insurance Regulation.'

The purpose of this bill is to provide for regulation of health maintenance organizations by the Insurance Commissioner and to add, to the laws regulating mutual benefit societies, the requirement that the Commissioner approve specific schedules of premium rates or methodologies for determining premium rates. However, because the bill does not provide funding for the rate regulation of mutual benefit societies, its purpose cannot be accomplished. Absent the necessary funding, it will be impossible for the Insurance Division to effectuate the purpose of this bill.

For the foregoing reason, I am returning House Bill No. 3430 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 3430, entitled, 'A Bill for an Act Relating to Insurance Regulation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 3430 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. 3430 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 189 transmitting Senate Bill No. 256, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 256

Honorable Members  
Seventeenth 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. 256, entitled, 'A Bill for an Act Relating to Smoking.'

The purpose of this bill is to amend chapter 328K, Hawaii Revised Statutes, to (1) prohibit the distribution of tobacco product samples on public streets and sidewalks, in public parks, and within 500 feet of schools and other facilities used primarily by persons under 18 years of age; (2) prohibit the distribution of tobacco promotional materials within 500 feet of schools and other facilities used primarily by persons under 18 years of age; (3) amend the definition of the term 'restaurant' so that restaurants with a seating capacity of 40 people or less (instead of the current figure of 50 people or less) need not provide nonsmoking areas; (4) require restaurants to set aside at least 35 percent of their dining areas for nonsmokers until July 1, 1995, and 50 percent thereafter; (5) nullify any county regulation of the 'the sale, use, distribution or promotion of cigarettes or other tobacco products' adopted after January 1, 1994; (6) redefine the term 'employer' so that the provisions of chapter 328K that regulate smoking in the workplace will apply to private employers of two or more people as well as to government agencies and to entities that receive state funds under chapter 42D, Hawaii Revised Statutes; (7) make clear that the chapter's workplace smoking regulations do not apply to the dining or public areas of restaurants, bars, or nightclubs, or to banquet rooms or convention facilities used for private functions; and (8) establish a temporary task force within the Department of Business, Economic Development, and Tourism (DBEDT) to 'develop legislative proposals to address the economic and environmental impacts of regulating smoking in restaurants, cabarets and bars throughout the state.'

Portions of the bill would address the need to protect the public against the hazards of smoking and of environmental tobacco smoke. However, other parts of the bill would have the opposite effect, and for this reason I cannot approve it.

First, under the existing law restaurants are allowed to provide nonsmoking areas based on their patrons' desires. This bill's requirement that restaurants set aside certain percentages of their seating areas for nonsmoking patrons would require enforcement by the Department of Health. With over 2,000 restaurants across the state, this is beyond the ability of the department's current staffing, so the provision is, practically speaking, unenforceable.

Second, the bill's preemption provision would limit the counties' ability to protect public health within their respective jurisdictions. Current law allows the counties to establish smoking regulations that are stricter than those of the State, an arrangement that has created appropriate protections in the counties. This arrangement has, for the most part, worked well. Still, I feel strongly that there is a place for statewide uniform standards. Had this bill contained statewide indoor air quality standards and the resources to monitor and enforce those

standards, instead of focusing only on tobacco-related issues, I would have signed it.

Third, the establishment and chairing of the temporary task force under the auspices of the DBEDT will place increased emphasis on economic rather than public health issues. The bill stipulates that the purpose of the task force is to develop legislative proposals to address the economic and environmental impacts of regulating smoking in restaurants, cabarets, and bars throughout the state, but this provision does not include consideration of public health issues. Moreover, the bill does not appropriate any funds to support this effort.

For the foregoing reasons, I am returning Senate 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 256, entitled, 'A Bill for an Act Relating to Smoking,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 256 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. 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 190 transmitting Senate Bill No. 556, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 556

Honorable Members  
Seventeenth 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. 556, entitled, 'A Bill for an Act Relating to Prostitution.'

The purpose of Senate Bill No. 556 is to preserve the health, welfare, and safety of residents and visitors in Waikiki by making street solicitation of prostitution in Waikiki a separate criminal offense with a mandatory six-month minimum term of imprisonment.

Although I agree that prostitution is a serious problem which represents a threat to the health, welfare, and safety of the public, that threat is present wherever prostitution occurs. This problem must be addressed by a law of general application which does not simply target specified geographical areas. A law such as that proposed by this bill will only drive prostitution into the neighborhoods adjacent to Waikiki, namely, Kapahulu, McCully, Ala Moana, and the area surrounding the Hawaii Convention Center. Such a result is unacceptable to me.

Moreover, no appropriation of funds was made to implement this bill. The six-month mandatory minimum term of imprisonment that must be imposed for conviction of street solicitation of prostitution in Waikiki will create a right to a jury trial when no such right exists for convictions of similar crimes under existing law. The creation of another criminal offense that will entitle the accused person to demand a jury trial will add to the existing backlog of court cases awaiting jury trials at a time when fiscal constraints prevent the Judiciary from resolving the problem of the existing backlog.

In addition, according to the Department of Public Safety, the prison system is already overcrowded and additional facilities would be required to accommodate the violators of this proposed law. The Department estimates that, for approximately 40 convicted prostitutes, \$1.5 million annually would be required to accommodate and implement the six-month imprisonment provision for violators of the proposed law. Due to budgetary restrictions, the Department's projections for fiscal year 1994-1995 already show a budget deficit of \$600,000 without the enactment of this bill. Without an appropriation of additional funds, this bill will only contribute to the overcrowding of the existing correctional facilities at a time when the correctional facilities are already subject to a court-ordered consent decree that specifies maximum bed space capacities for the correctional facilities.

For the foregoing reasons, I am returning Senate Bill No. 556 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 556, entitled, 'A Bill for an Act Relating to Prostitution,' passed by the

Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 556 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. 556 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 22nd day of June, 1994.

/s/ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 191 transmitting Senate Bill No. 2198, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2198

Honorable Members  
Seventeenth 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. 2198, entitled, 'A Bill for an Act Relating Creditors' Rights.'

The purpose of Senate Bill No. 2198 is to render ineffective all judgments obtained by Hawaii's sister states against delinquent taxpayers for failure to pay state income taxes on retirement income. The bill will accomplish this by preventing the attachment or execution of real or personal property in Hawaii pursuant to the other states' valid judgments.

This bill is before me for approval because there is a belief by some in our community that taxpayers in Hawaii who receive pension proceeds from out-of-state are taxed twice on those proceeds -- once by Hawaii and once by the state where the pension payments originate. If this were true, I would sign this bill. However, there is in fact no double taxation. The State of Hawaii, as well as other states, gives a tax credit to residents paying income taxes in other states. Since double taxation of the same income is not, in fact, occurring, there is no valid reason for Hawaii taxpayers not to pay lawfully imposed taxes or to prevent the execution of valid judgments for taxes lawfully imposed by other states.

Moreover, this bill, by requiring the State of Hawaii to dishonor the valid judgments of other states, appears to violate the Full Faith and Credit Clause of Section 1 of Article IV of the United States Constitution. The bill also conflicts directly with the tax comity provision in section 231-26, Hawaii Revised Statutes, which mandates that 'the courts of the State shall recognize and enforce the liability for taxes lawfully imposed by the laws of any State which extends a like comity, whether by statute or case law, in respect of the liability for taxes lawfully

imposed by the laws of this State.' This bill, if enacted, may impair the ability of Hawaii to enforce its tax laws out-of-state by diminishing the comity Hawaii currently enjoys with other states.

For the foregoing reasons, I am returning Senate Bill No. 2198 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2198, entitled, 'A Bill for an Act Relating to Creditors' Rights,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2198 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. 2198 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 192 transmitting Senate Bill No. 2262 without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2262

Honorable Members  
Seventeenth 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. 2262, entitled, 'A Bill for an Act Relating to Hawaiian Affairs.'

The purposes of Senate Bill No. 2262 are to provide for continued service of a court-appointed independent representative of the beneficiaries of the Department of Hawaiian Home Lands, and to appropriate funds for that purpose; to confirm the continued commitment of the

State to resolution of claims against the State and the federal government with respect to the Hawaiian Home Lands trust pursuant to the Governor's action plan as approved by the Legislature in Senate Concurrent Resolution No. 185, Regular Session of 1991, and as provided in Act 352, Session Laws of Hawaii 1993, to appropriate funds for that purpose; and to provide 'access to the courts for prompt resolution of legal disputes that may arise between the independent representative and members of the task force in considering steps to be taken in resolving such claims.'

As I have recognized on many occasions, native Hawaiian beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended, have waited many years for the trust corpus originally conveyed pursuant to the Act to be restored to its full potential. It was with this central fact in mind that I submitted to the Legislature an ambitious action plan, which was approved by the Legislature in Senate Concurrent Resolution No. 185, Regular Session of 1991, for the resolution of claims against the State pertaining to the Hawaiian Home Lands trust. In 1992, after more than a year of diligent effort, the task force convened pursuant to that action plan -- without an independent representative -- was able to recommend, and I was able to present, payment of more than \$9.72 million to the Department of Hawaiian Home Lands. Since then, the Circuit Court for the First Circuit, State of Hawaii, has held that the task force process had operated lawfully. Nonetheless, the Legislature enacted Act 352, Session Laws of Hawaii 1993, authorizing the expenditure of funds for an independent representative of the beneficiaries of the Hawaiian Homes Commission Act. By a court-approved agreement, legal challenges to the task force process were dropped when I signed Act 352 into law. Under the court-approved agreement, Act 352 provides the sole basis for the independent representative's authority and compensation.

Unfortunately, Act 352 has not achieved its purpose of resolving claims against the State concerning the Hawaiian Home Lands trust. In fact, since Act 352 was passed, no funds have been paid to the Department of Hawaiian Home Lands to resolve any claims. Instead, legal proceedings concerning the independent representative's powers and authority have become protracted, and threaten to delay the process of compensating the home lands trust for years into the future, and beyond.

Senate Bill No. 2262 exacerbates the problems of delay, without corresponding benefits. In particular, the bill provides for even more protracted legal proceedings that are supposedly aimed at assisting the task force process, but which, in the end, will likely only add significantly to the delay of payments to the trust. As our state courts have reaffirmed on several occasions, the chairman and members of the Hawaiian Homes Commission owe a fiduciary duty to their trust beneficiaries, and I have seen nothing to indicate that the chairman of the Commission, who sits upon the task force relating to resolution of trust claims, nor the Commission members, in their approval of payments and related matters, in any way have breached their trust responsibilities. In lieu of the officials charged by Congress with the essential fiduciary duty to the trust beneficiaries, Senate Bill No. 2262 vests not only the independent representative, but arbitrators and the state courts, with significant new responsibilities, all of which will take years to discharge, and which will frustrate the purpose of the action plan submitted to the Legislature, and approved by it, pursuant to Act 395, Session Laws of Hawaii 1988.

I especially regret that the Legislature decided to add these new provisions to the bill, and that the independent representative was not able to move more quickly to

resolve the important issues blocking payment of additional funds to the Department of Hawaiian Home Lands. Justice delayed is justice denied, and Senate Bill No. 2262 only threatens more delay, without significant gains to the beneficiaries of the Hawaiian Homes Commission Act.

The independent representative's authority will terminate on December 1, 1994, pursuant to section 5 of Act 352, Session Laws of Hawaii 1993. In the time that remains until then, I expect the task force which I convened to work diligently on the outstanding claims. It is my sincere hope that the next Legislature may look favorably upon the expected report and recommendations of the task force.

For the foregoing reasons, I am returning Senate Bill No. 2262 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2262, entitled, 'A Bill for an Act Relating to Hawaiian Affairs,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2262 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. 2262 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii"

Gov. Msg. No. 193 transmitting Senate Bill No. 3253, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 22, 1994

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 3253

Honorable Members  
Seventeenth 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. 3253, entitled, 'A Bill for an Act Making an Appropriation for the Commission to Commemorate the 200th Anniversary of the Arrival of the Hispanics in Hawaii.'

The purpose of Senate Bill No. 3253 is to ensure that funds in the budget of the State Foundation on Culture and the Arts are expended for the 1994 bicentennial anniversary celebration of the arrival of Hispanics in Hawaii. The bill will amend the General Appropriations Act of 1993, Act 289, Session Laws of Hawaii 1993, to add a proviso designating \$1 of the funds appropriated for fiscal year 1994-1995 to the State Foundation on Culture and the Arts to be expended for the celebration.

I believe that the bicentennial anniversary of the arrival of Hispanics in Hawaii is certainly an event that should be celebrated. The \$1 designated for the celebration is obviously inadequate, but it is my understanding that the Legislature included in operating funds for the Office of the Governor in the Supplemental Appropriations Act of 1994 the sum of \$10,000 to fund the celebration. Enactment of this bill could prevent the use of those available funds, because the specific dollar amount specified in this bill would properly be interpreted to be the maximum amount intended by the Legislature to be expended for the celebration, overriding the funding in the Supplemental Appropriations Act.

For the foregoing reason, I am returning Senate Bill No. 3253 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 or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 3253, entitled, 'A Bill for an Act Making an Appropriation for the Commission to Commemorate the 200th Anniversary of the Arrival of the Hispanics in Hawaii,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 3253 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. 3253 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 22nd day of June, 1994.

\s\ John Waihee

JOHN WAIHEE  
Governor of Hawaii

Gov. Msg. No. 194 informing the House that on June 29, 1994, he signed the following bills into law:

Senate Bill No. 2615 as Act 242, entitled: "RELATING TO A COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEM FOR CHILDREN";

House Bill No. 2949 as Act 243, entitled: "RELATING TO CHILDREN";

House Bill No. 2219 as Act 244, entitled: "RELATING TO MISSING CHILDREN";

House Bill No. 2220 as Act 245, entitled: "RELATING TO CUSTODIAL INTERFERENCE";

House Bill No. 2221 as Act 246, entitled: "RELATING TO LAW ENFORCEMENT";

House Bill No. 2190 as Act 247, entitled: "RELATING TO ATTORNEYS' FEES";

Senate Bill No. 2288 as Act 248, entitled: "RELATING TO THE LANDLORD-TENANT CODE";

House Bill No. 2921 as Act 249, entitled: "RELATING TO EQUINE ACTIVITIES";

House Bill No. 2449 as Act 250, entitled: "RELATING TO TORT LIABILITY";

Senate Bill No. 2377 as Act 251, entitled: "RELATING TO SOCIAL WORKERS";

House Bill No. 2500 as Act 252, entitled: "RELATING TO THE STATE BUDGET";

House Bill No. 2780 as Act 253, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET"; and

House Bill No. 2990 as Act 254, entitled: "RELATING TO THE JUDICIARY".

Gov. Msg. No. 195 informing the House that he signed the following bills into law on the dates indicated:

June 29, 1994

House Bill No. 3055 as Act 255, entitled: "RELATING TO TUITION WAIVERS FOR VETERANS".

June 30, 1994

Senate Bill No. 2378 as Act 256, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 2889 as Act 257, entitled: "RELATING TO THE STATE MILITARY FORCES";

House Bill No. 65 as Act 258, entitled: "RELATING TO HOUSING";

House Bill No. 2730 as Act 259, entitled: "RELATING TO PUBLIC ACCESS";

House Bill No. 3716 as Act 260, entitled: "RELATING TO CENTRAL COORDINATING AGENCIES";

House Bill No. 2912 as Act 261, entitled: "RELATING TO HOUSING";

House Bill No. 2913 as Act 262, entitled: "RELATING TO HOUSING";

House Bill No. 2284 as Act 263, entitled: "RELATING TO PRIVATIZATION"; and

Senate Bill No. 3045 as Act 264, entitled: "RELATING TO AGRIBUSINESS DEVELOPMENT";

Gov. Msg. No. 196 informing the House that on July 1, 1994, he signed the following bills into law:

House Bill No. 3164 as Act 265, entitled: "RELATING TO HEALTH CARE WORKERS";

House Bill No. 3327 as Act 266, entitled: "RELATING TO ESTABLISHMENT OF AN AGENCY FOR COMMUNITY HOSPITALS";

House Bill No. 2640 as Act 267, entitled: "RELATING TO HAZARDOUS WASTE BROKERS";

House Bill No. 2641 as Act 268, entitled: "RELATING TO AIR POLLUTION CONTROL";

House Bill No. 2642 as Act 269, entitled: "RELATING TO WATER POLLUTION";

House Bill No. 3445 as Act 270, entitled: "RELATING TO THE CONSERVATION DISTRICT"; and

House Bill No. 3446 as Act 271, entitled: "RELATING TO SUBSISTENCE FISHING".

Gov. Msg. No. 197 informing the House that on July 5, 1994, he signed the following bills into law:

House Bill No. 3657 as Act 272, entitled: "RELATING TO EDUCATION";

Senate Bill No. 2402 as Act 273, entitled: "RELATING TO THE CREATION OF MORE PARKING SPACES";

House Bill No. 2235 as Act 274, entitled: "RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX OF SALES AND GROSS PROCEEDS OF SALES";

Senate Bill No. 475 as Act 275, entitled: "RELATING TO THE EMPLOYEES RETIREMENT SYSTEM";

House Bill No. 2515 as Act 276, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 3212 as Act 277, entitled: "RELATING TO NURSES"; and

Senate Bill No. 1249 as Act 278, entitled: "RELATING TO HEALTH CARE SERVICES".

Gov. Msg. No. 198 informing the House that on July 7, 1994, he signed the following bills into law:

House Bill No. 3513 as Act 279, entitled: "RELATING TO OVERSIGHT";

House Bill No. 2692 as Act 280, entitled: "RELATING TO EDUCATION";

House Bill No. 3447 as Act 281, entitled: "RELATING TO EDUCATION";

Senate Bill No. 2183 as Act 282, entitled: "RELATING TO DISTRICT COURT JUDGES"; and

Senate Bill No. 2261 as Act 283, entitled: "RELATING TO HAWAIIAN AFFAIRS".

Gov. Msg. No. 199 transmitting copies of the **Year VI Annual Report on Early Intervention Services**.

Gov. Msg. No. 200 transmitting copies of the report which provides required information on State positions assigned to salary ranges SC-1, SC-2 and SC-3, in compliance with Section 77-13(d), HRS.

Gov. Msg. No. 201 transmitting copies of the **Report to the Seventeenth Legislature, 1994 on Act 211, SLH 1993, Requesting an Interim Status Report from the Director of Health on the Autonomy Pilot Project**.

Gov. Msg. No. 202 transmitting copies of the State Employee Ownership and Participation Advisory Committee's Annual Report, pursuant to Section 213E-12, Hawaii Revised Statutes.

Gov. Msg. No. 203 transmitting copies of the report on the actions of the Department of Personnel Services in the classification of positions affected by Act 8, Special Session of 1993.

Gov. Msg. No. 204 transmitting copies of the 1993 Annual Report of the Convention Center Authority (CCA), pursuant to Act 07 of the Seventeenth State Legislature, Special Session of 1993.

Gov. Msg. No. 205 transmitting copies of the 1993 Annual Report, prepared by the Hawaii Housing Authority, pursuant to Chapter 356, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 206 transmitting copies of the following: **Report to the Seventeenth Legislature, 1994 on Health Care Reform in Hawai'i**.

Gov. Msg. No. 207 transmitting copies of the following: **Report to the Seventeenth Legislature, 1994 on House Concurrent Resolution No. 314, HD 2, SD 1**.

Gov. Msg. No. 208 transmitting copies of the 1993 State Certified Arbitration Program (SCAP) Report.

Gov. Msg. No. 209 transmitting copies of the 1993 Annual Report prepared by the Office of Youth Services, pursuant to Section 352D-6(11), Hawaii Revised Statutes, and Section 4 of Act 151, SLH 1991.

Gov. Msg. No. 210 transmitting copies of a report prepared by the Department of Business, Economic Development and Tourism (DBEDT) 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 DBEDT administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented.

Section 211E, HRS, does not require an annual report, however, DBEDT 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.

Gov. Msg. No. 211 transmitting copies of "**Uniform Protocol Procedures**" prepared by the Office of International Relations, pursuant to Act 101, SLH 1992.

Gov. Msg. No. 212 transmitting copies of the "**Tourism Marketing Council 1993 Annual Report**", prepared by the Department of Business, Economic Development and Tourism, describing the Council's activities during the past year, and is intended to meet the requirements of Chapter 201-94, HRS.

Gov. Msg. No. 213 transmitting copies of the 1993 Annual Report prepared by the Department of Business, Economic Development and Tourism, pursuant to Chapter 210D, HRS.

Gov. Msg. No. 214 transmitting copies of a report prepared by the Department of Business, Economic Development and Tourism on Act 170, pertaining specifically to Section 3, requesting a report on the development and adoption of an action plan for administering the Molokai Loan Program.

Gov. Msg. No. 215 transmitting copies of the **1993 Annual Report on the Environmental Council**.

Gov. Msg. No. 216 transmitting copies of the 1993 Annual Report prepared by the Department of Labor and Industrial Relations, pursuant to Section 371-1, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 217 transmitting copies of the 1992-1993 Annual Report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 218 transmitting copies of the fiscal year 1989-90 and fiscal year 1990-91 Annual Reports prepared by the Public Utilities Commission pursuant to Section 93-12, HRS.

Gov. Msg. No. 219 transmitting copies of the Department of Taxation's annual financial reports of contract carriers by water (cruise ships), pursuant to Section 239-11, HRS.

Gov. Msg. No. 220 transmitting copies of the 1992-93 Department of Land and Natural Resources Annual Report, pursuant to Section 353, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 221, dated September 16, 1994, informing the House of the appointment of Duke Sturgeon to fill the vacancy in the State of House of Representatives, 21st District, created by the resignation of Duke Bainum. In accordance with Section 17-4, Hawaii Revised Statutes, Mr. Sturgeon's appointment is effective immediately and his term will expire on General Election Day 1994.

(The oath of office was administered by the Honorable Ronald Moon, Chief Justice of the Supreme Court of the State of Hawaii, in accordance with the provisions of the Constitution of the State of Hawaii, to Duke Sturgeon on September 26, 1994.)

**MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

Misc. Com. No. 1 from Tatsuki Shiramizu, Secretary of the Board of Regents, University of Hawaii, acknowledging receipt of House Concurrent Resolution No. 131, HD 1.

Misc. Com. No. 2 from Kensaku Hogen, Consul General of Japan, acknowledging receipt of a copy of House Concurrent Resolution concerning future plans for U.S. military base land in Okinawa.

Misc. Com. No. 3 from Solita M. Aguirre, Consul General of the Philippines, acknowledging receipt of a copy of House Concurrent Resolution No. 201, HD 1, requesting Hawaii's congressional delegation to propose and support legislation assisting Amerasian children of United States servicemembers in the Philippines.

Misc. Com. No. 4 from the Honorable Jack Brooks, Chairman, Committee on the Judiciary, United States House of Representatives, acknowledging receipt of a copy of House Concurrent Resolution No. 24.

Misc. Com. No. 5 from Tatsuki Shiramizu, Secretary of the Board of Regents, University of Hawaii, acknowledging receipt of House Resolutions Nos. 26, HD 2 and 356, HD 1, and House Concurrent Resolution No. 399, HD 1, SD 1.

Misc. Com. No. 6 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of House Concurrent Resolution No. 48 pertaining to granting veterans benefits to Filipino-American veterans and those who served in the U.S. Armed Forces or joined the Philippine Scouts before October 6, 1945.

Misc. Com. No. 7 from Joan H. Colbert, Coordinator for Intergovernmental Affairs, Bureau of Public Affairs, United States Department of State, acknowledging receipt of a copy of House Concurrent Resolution 452, relating to the proposed schedules of air service by Japan Air Lines (JAL) between Sendai, Japan, and Honolulu.

Misc. Com. No. 8 from the Honorable Masahide Ota, Governor, Okinawa Prefecture, acknowledging receipt of a copy of House Concurrent Resolution No. 5, SD 1.

Misc. Com. No. 9 from Rafe Pomerance, Deputy Assistance Secretary, Environment and Development, United States Department of State, acknowledging receipt of a copy of House Concurrent Resolution No. 379, recognizing the importance of protecting the coral reef ecosystems.

Misc. Com. No. 10 from Jerry L. Rogers, Associate Director, Cultural Resources, United States Department of the Interior, acknowledging receipt of a copy of House Resolution No. 268, requesting study of the Kukuipahu Heiau and Mahukona historic site in North Kohala, in the County of Hawaii, for designation as national historic landmarks.