

EIGHTH DAY

Tuesday, January 31, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Larry Engel of the Seventh-Day Adventist Church, after which the Roll was called showing all members present with the exception of Representative Ward, who was excused.

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

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Seventh Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 125, transmitting copies of a report in response to Act 329, Session Laws of Hawaii 1991, at the request of the Martin Luther King, Jr. Commission, was read by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 5 and 6) were read by the Clerk and were placed on file:

Dept. Com. No. 5 from Yukio Naito, Chairman, Public Utilities Commission, State of Hawaii, transmitting two reports which set forth the phases in which regulatory reform and competition in the local exchange telecommunications market might best be sequenced for the State of Hawaii, prepared by the parties to the Commission's communications infrastructure docket.

Dept. Com. No. 6 from Fred D. Horwitz, Chief Procurement Officer, Division of Community Hospitals, Department of Health, State of Hawaii, transmitting copies of the July 1 through December 31, 1994 report for sole source and emergency procurements for the Division of Community Hospitals, pursuant to Section 103D-321, Hawaii Revised Statutes, as amended.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills (H.B. Nos. 1851 to 2354) were disposed of as follows:

H.B. Nos. Referred to:

1851 Committee on Judiciary, then to the Committee on Finance

1852 Jointly to the Committee on Labor and Public Employment and the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary

1853 Committee on Judiciary, then to the Committee on Finance

1854 Committee on Judiciary

1855 Committee on Judiciary

1856 Committee on Judiciary

1857 Committee on Judiciary, then to the Committee on Finance

1858 Committee on Judiciary

1859 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce, then to the Committee on Finance

1860 Committee on Judiciary

1861 Committee on Judiciary, then to the Committee on Legislative Management

1862 Committee on Hawaiian Affairs and Housing, then to the Committee on Judiciary, then to the Committee on Finance

1863 Committee on Judiciary

1864 Committee on Judiciary

1865 Committee on Judiciary

1866 Committee on Judiciary

1867 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary

1868 Committee on Judiciary

1869 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce, then to the Committee on Finance

1870 Committee on Intergovernmental Relations and International Affairs, then jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs

1871 Committee on Judiciary

1872 Committee on Labor and Public Employment, then to the Committee on Judiciary

1873 Committee on Judiciary, then to the Committee on Finance

1874 Committee on Consumer Protection and Commerce

1875 Committee on Economic Development and Business Concerns, then to the Committee on Finance

1876 Committee on Economic Development and Business Concerns, then to the Committee on Finance

1877 Committee on Economic Development and Business Concerns, then to the Committee on Finance

1878 Committee on Economic Development and Business Concerns, then to the Committee on Finance

1879 Committee on Economic Development and Business Concerns, then to the Committee on Finance

1880 Committee on Energy and Environmental Protection, then to the Committee on Economic Development and Business Concerns, then to the Committee on Finance

1881	Committee on Economic Development and Business Concerns, then to the Committee on Finance	1913	Committee on Economic Development and Business Concerns, then to the Committee on Finance
1882	Committee on Economic Development and Business Concerns, then to the Committee on Finance	1914	Committee on Labor and Public Employment, then to the Committee on Finance
1883	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance	1915	Committee on Labor and Public Employment, then to the Committee on Finance
1884	Committee on Hawaiian Affairs and Housing	1916	Committee on Labor and Public Employment, then to the Committee on Finance
1885	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance	1917	Committee on Labor and Public Employment, then to the Committee on Finance
1886	Committee on Finance	1918	Committee on Health, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
1887	Committee on Judiciary, then to the Committee on Finance	1919	Committee on Consumer Protection and Commerce, then to the Committee on Finance
1888	Committee on Judiciary, then to the Committee on Finance	1920	Committee on Consumer Protection and Commerce, then to the Committee on Finance
1889	Committee on Finance	1921	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
1890	Committee on Finance	1922	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
1891	Committee on Finance	1923	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
1892	Committee on Finance	1924	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
1893	Committee on Finance	1925	Committee on Transportation, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
1894	Committee on Finance	1926	Committee on Consumer Protection and Commerce, then to the Committee on Finance
1895	Committee on Finance	1927	Committee on Consumer Protection and Commerce
1896	Committee on Finance	1928	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
1897	Committee on Finance	1929	Committee on Consumer Protection and Commerce
1898	Committee on Finance	1930	Committee on Consumer Protection and Commerce
1899	Committee on Finance	1931	Committee on Consumer Protection and Commerce
1900	Committee on Finance	1932	Committee on Consumer Protection and Commerce
1901	Committee on Finance	1933	Committee on Consumer Protection and Commerce
1902	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance	1934	Committee on Consumer Protection and Commerce
1903	Committee on Education, then to the Committee on Finance	1935	Committee on Consumer Protection and Commerce
1904	Committee on Finance		
1905	Committee on Finance		
1906	Committee on Finance		
1907	Committee on Finance		
1908	Committee on Finance		
1909	Committee on Finance		
1910	Committee on Water and Land Use Planning		
1911	Committee on Finance		
1912	Committee on Labor and Public Employment		

1936	Committee on Consumer Protection and Commerce	1958	Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
1937	Committee on Consumer Protection and Commerce	1959	Committee on Consumer Protection and Commerce, then to the Committee on Finance
1938	Committee on Consumer Protection and Commerce	1960	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
1939	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary	1961	Committee on Consumer Protection and Commerce
1940	Committee on Health, then to the Committee on Consumer Protection and Commerce	1962	Committee on Public Safety and Military Affairs, then to the Committee on Finance
1941	Committee on Health, then to the Committee on Consumer Protection and Commerce	1963	Committee on Education
1942	Committee on Consumer Protection and Commerce	1964	Committee on Education, then to the Committee on Finance
1943	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary	1965	Committee on Education, then to the Committee on Finance
1944	Committee on Health, then to the Committee on Consumer Protection and Commerce	1966	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
1945	Committee on Consumer Protection and Commerce	1967	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
1946	Committee on Hawaiian Affairs and Housing, then to the Committee on Consumer Protection and Commerce	1968	Committee on Health
1947	Committee on Hawaiian Affairs and Housing, then to the Committee on Consumer Protection and Commerce	1969	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
1948	Committee on Higher Education and the Arts, then to the Committee on Labor and Public Employment	1970	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Consumer Protection and Commerce
1949	Committee on Consumer Protection and Commerce, then to the Committee on Finance	1971	Committee on Health, then to the Committee on Consumer Protection and Commerce
1950	Committee on Consumer Protection and Commerce, then to the Committee on Finance	1972	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
1951	Committee on Consumer Protection and Commerce	1973	Committee on Health
1952	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary	1974	Committee on Health, then to the Committee on Judiciary
1953	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance	1975	Committee on Health, then to the Committee on Judiciary
1954	Jointly to the Committee on Labor and Public Employment; the Committee on Consumer Protection and Commerce; and the Committee on Judiciary, then to the Committee on Finance	1976	Committee on Health, then to the Committee on Finance
1955	Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	1977	Committee on Energy and Environmental Protection, then to the Committee on Judiciary
1956	Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	1978	Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Finance
1957	Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	1979	Committee on Health, then to the Committee on Finance
		1980	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
		1981	Committee on Health

1982	Committee on Health, then to the Committee on Finance	2005	Committee on Consumer Protection and Commerce
1983	Committee on Energy and Environmental Protection	2006	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
1984	Committee on Human Services, then to the Committee on Finance	2007	Jointly to the Committee on Water and Land Use Planning and the Committee on Ocean Recreation and Marine Resources
1985	Committee on Human Services, then to the Committee on Finance	2008	Committee on Agriculture, then to the Committee on Ocean Recreation and Marine Resources
1986	Committee on Human Services, then to the Committee on Judiciary	2009	Committee on Ocean Recreation and Marine Resources, then to the Committee on Judiciary
1987	Committee on Human Services, then to the Committee on Finance	2010	Committee on Energy and Environmental Protection, then to the Committee on Judiciary
1988	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance	2011	Committee on Water and Land Use Planning, then to the Committee on Finance
1989	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2012	Jointly to the Committee on Water and Land Use Planning; the Committee on Energy and Environmental Protection; and the Committee on Ocean Recreation and Marine Resources
1990	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2013	Jointly to the Committee on Water and Land Use Planning and the Committee on Ocean Recreation and Marine Resources
1991	Committee on Human Services, then to the Committee on Finance	2014	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
1992	Committee on Human Services, then to the Committee on Finance	2015	Committee on Hawaiian Affairs and Housing, then to the Committee on Water and Land Use Planning
1993	Committee on Judiciary, then to the Committee on Finance	2016	Jointly to the Committee on Energy and Environmental Protection and the Committee on Transportation, then to the Committee on Finance
1994	Committee on Hawaiian Affairs and Housing	2017	Committee on Water and Land Use Planning, then to the Committee on Finance
1995	Committee on Labor and Public Employment, then to the Committee on Finance	2018	Committee on Water and Land Use Planning, then to the Committee on Finance
1996	Committee on Labor and Public Employment, then to the Committee on Finance	2019	Committee on Water and Land Use Planning, then to the Committee on Finance
1997	Committee on Labor and Public Employment, then to the Committee on Judiciary, then to the Committee on Finance	2020	Committee on Judiciary
1998	Committee on Labor and Public Employment, then to the Committee on Finance	2021	Committee on Judiciary, then to the Committee on Finance
1999	Committee on Labor and Public Employment, then to the Committee on Finance	2022	Committee on Judiciary, then to the Committee on Finance
2000	Committee on Labor and Public Employment	2023	Committee on Judiciary
2001	Committee on Judiciary	2024	Committee on Public Safety and Military Affairs, then to the Committee on Finance
2002	Committee on Judiciary	2025	Committee on Public Safety and Military Affairs, then to the Committee on Finance
2003	Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	2026	Committee on Judiciary
2004	Jointly to the Committee on Labor and Public Employment; the Committee on Consumer Protection and Commerce; and the Committee on Judiciary, then to the Committee on Finance	2027	Committee on Public Safety and Military Affairs, then to the Committee on Finance
		2028	Committee on Finance
		2029	Committee on Finance

2030	Committee on Judiciary, then to the Committee on Finance	2059	Committee on Transportation, then to the Committee on Judiciary
2031	Committee on Finance	2060	Committee on Transportation, then to the Committee on Judiciary
2032	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance	2061	Committee on Transportation
2033	Committee on Agriculture, then to the Committee on Finance	2062	Committee on Transportation
2034	Committee on Consumer Protection and Commerce, then to the Committee on Finance	2063	Committee on Transportation, then to the Committee on Public Safety and Military Affairs, then to the Committee on Finance
2035	Committee on Finance	2064	Committee on Higher Education and the Arts, then to the Committee on Finance
2036	Committee on Finance	2065	Committee on Higher Education and the Arts, then to the Committee on Finance
2037	Committee on Finance	2066	Committee on Higher Education and the Arts, then to the Committee on Finance
2038	Committee on Judiciary, then to the Committee on Finance	2067	Committee on Higher Education and the Arts, then to the Committee on Finance
2039	Committee on Finance	2068	Committee on Higher Education and the Arts, then to the Committee on Labor and Public Employment, then to the Committee on Finance
2040	Committee on Finance	2069	Committee on Higher Education and the Arts, then to the Committee on Labor and Public Employment, then to the Committee on Finance
2041	Committee on Finance	2070	Committee on Higher Education and the Arts, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
2042	Committee on Judiciary, then to the Committee on Finance	2071	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
2043	Committee on Finance	2072	Committee on Education, then to the Committee on Finance
2044	Committee on Energy and Environmental Protection, then to the Committee on Finance	2073	Committee on Judiciary
2045	Committee on Finance	2074	Committee on Judiciary
2046	Committee on Finance	2075	Committee on Health
2047	Committee on Finance	2076	Committee on Health, then to the Committee on Consumer Protection and Commerce
2048	Committee on Finance	2077	Committee on Tourism, then to the Committee on Labor and Public Employment, then to the Committee on Finance
2049	Committee on Transportation, then to the Committee on Judiciary	2078	Committee on Labor and Public Employment, then to the Committee on Finance
2050	Committee on Transportation, then to the Committee on Finance	2079	Committee on Finance
2051	Committee on Transportation, then to the Committee on Judiciary	2080	Committee on Finance
2052	Committee on Transportation, then to the Committee on Finance	2081	Committee on Energy and Environmental Protection, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
2053	Committee on Transportation	2082	Committee on Finance
2054	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance	2083	Committee on Finance
2055	Committee on Transportation, then to the Committee on Judiciary	2084	Committee on Judiciary, then to the Committee on Finance
2056	Committee on Transportation, then to the Committee on Judiciary		
2057	Committee on Transportation, then to the Committee on Judiciary		
2058	Committee on Transportation, then to the Committee on Judiciary		

- 2085 Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 2086 Committee on Education, then to the Committee on Finance
- 2087 Committee on Judiciary, then to the Committee on Finance
- 2088 Committee on Consumer Protection and Commerce
- 2089 Committee on Labor and Public Employment, then to the Committee on Finance
- 2090 Committee on Judiciary, then to the Committee on Finance
- 2091 Committee on Finance
- 2092 Committee on Transportation, then jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce
- 2093 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
- 2094 Committee on Judiciary, then to the Committee on Finance
- 2095 Committee on Labor and Public Employment, then to the Committee on Finance
- 2096 Committee on Labor and Public Employment, then to the Committee on Finance
- 2097 Committee on Finance
- 2098 Committee on Human Services, then to the Committee on Education, then to the Committee on Finance
- 2099 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2100 Committee on Agriculture, then to the Committee on Legislative Management, then to the Committee on Finance
- 2101 Committee on Finance
- 2102 Committee on Agriculture, then to the Committee on Finance
- 2103 Committee on Human Services, then to the Committee on Finance
- 2104 Committee on Human Services, then to the Committee on Finance
- 2105 Committee on Water and Land Use Planning, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2106 Committee on Education, then to the Committee on Finance
- 2107 Committee on Agriculture, then to the Committee on Finance
- 2108 Committee on Water and Land Use Planning, then to the Committee on Labor and Public Employment
- 2109 Committee on Agriculture, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2110 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2111 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
- 2112 Committee on Consumer Protection and Commerce
- 2113 Committee on Consumer Protection and Commerce
- 2114 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2115 Committee on Labor and Public Employment
- 2116 Committee on Labor and Public Employment
- 2117 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2118 Committee on Labor and Public Employment, then to the Committee on Finance
- 2119 Committee on Judiciary, then to the Committee on Finance
- 2120 Committee on Judiciary, then to the Committee on Finance
- 2121 Committee on Labor and Public Employment, then to the Committee on Finance
- 2122 Committee on Labor and Public Employment, then to the Committee on Finance
- 2123 Committee on Tourism, then to the Committee on Finance
- 2124 Committee on Education, then to the Committee on Consumer Protection and Commerce
- 2125 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2126 Committee on Energy and Environmental Protection, then jointly to the Committee on Transportation and the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2127 Committee on Finance
- 2128 Committee on Finance
- 2129 Committee on Water and Land Use Planning, then to the Committee on Finance
- 2130 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

- 2131 Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
- 2132 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2133 Jointly to the Committee on Labor and Public Employment; the Committee on Consumer Protection and Commerce; and the Committee on Judiciary, then to the Committee on Finance
- 2134 Committee on Finance
- 2135 Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Human Services
- 2136 Committee on Higher Education and the Arts, then to the Committee on Finance
- 2137 Committee on Higher Education and the Arts, then to the Committee on Finance
- 2138 Committee on Judiciary, then to the Committee on Finance
- 2139 Committee on Education, then to the Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2140 Committee on Labor and Public Employment, then to the Committee on Finance
- 2141 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2142 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2143 Committee on Water and Land Use Planning, then to the Committee on Human Services, then to the Committee on Finance
- 2144 Committee on Transportation, then to the Committee on Judiciary
- 2145 Committee on Labor and Public Employment
- 2146 Committee on Higher Education and the Arts, then to the Committee on Transportation, then to the Committee on Finance
- 2147 Committee on Judiciary
- 2148 Committee on Judiciary, then to the Committee on Finance
- 2149 Committee on Judiciary, then to the Committee on Finance
- 2150 Committee on Judiciary
- 2151 Committee on Education, then to the Committee on Judiciary
- 2152 Committee on Hawaiian Affairs and Housing, then to the Committee on Judiciary
- 2153 Committee on Finance
- 2154 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2155 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 2156 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 2157 Committee on Finance
- 2158 Committee on Transportation, then to the Committee on Finance
- 2159 Committee on Labor and Public Employment, then to the Committee on Finance
- 2160 Committee on Labor and Public Employment, then to the Committee on Finance
- 2161 Committee on Consumer Protection and Commerce
- 2162 Committee on Judiciary, then to the Committee on Finance
- 2163 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 2164 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Health, then to the Committee on Judiciary
- 2165 Committee on Consumer Protection and Commerce
- 2166 Committee on Consumer Protection and Commerce
- 2167 Committee on Consumer Protection and Commerce
- 2168 Committee on Judiciary
- 2169 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 2170 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 2171 Committee on Finance
- 2172 Committee on Judiciary
- 2173 Committee on Judiciary
- 2174 Committee on Judiciary, then to the Committee on Finance
- 2175 Committee on Finance
- 2176 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2177 Committee on Judiciary, then to the Committee on Finance
- 2178 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2179 Committee on Consumer Protection and Commerce

- 2180 Committee on Finance
- 2181 Committee on Health, then to the Committee on Finance
- 2182 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 2183 Jointly to the Committee on Economic Development and Business Concerns and the Committee on Agriculture, then to the Committee on Finance
- 2184 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 2185 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 2186 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 2187 Committee on Agriculture
- 2188 Committee on Hawaiian Affairs and Housing, then to the Committee on Education, then to the Committee on Finance
- 2189 Committee on Energy and Environmental Protection
- 2190 Jointly to the Committee on Health and the Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2191 Committee on Health, then to the Committee on Finance
- 2192 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
- 2193 Committee on Health, then to the Committee on Finance
- 2194 Committee on Finance
- 2195 Committee on Finance
- 2196 Committee on Finance
- 2197 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2198 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2199 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2200 Jointly to the Committee on Water and Land Use Planning and the Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 2201 Committee on Labor and Public Employment, then to the Committee on Finance
- 2202 Committee on Finance
- 2203 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2204 Committee on Consumer Protection and Commerce
- 2205 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2206 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
- 2207 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2208 Committee on Human Services, then to the Committee on Finance
- 2209 Committee on Labor and Public Employment, then to the Committee on Finance
- 2210 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2211 Committee on Hawaiian Affairs and Housing, then to the Committee on Judiciary, then to the Committee on Finance
- 2212 Committee on Education, then to the Committee on Finance
- 2213 Committee on Transportation, then to the Committee on Finance
- 2214 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2215 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2216 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2217 Committee on Higher Education and the Arts, then to the Committee on Finance
- 2218 Committee on Finance
- 2219 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2220 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Water and Land Use Planning
- 2221 Committee on Transportation, then to the Committee on Consumer Protection and Commerce
- 2222 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2223 Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
- 2224 Committee on Energy and Environmental Protection, then to the Committee on Judiciary

- 2225 Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce
- 2226 Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 2227 Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 2228 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Public Safety and Military Affairs
- 2229 Committee on Finance
- 2230 Committee on Finance
- 2231 Committee on Energy and Environmental Protection, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 2232 Committee on Agriculture, then to the Committee on Higher Education and the Arts, then to the Committee on Finance
- 2233 Committee on Energy and Environmental Protection, then to the Committee on Judiciary
- 2234 Committee on Finance
- 2235 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2236 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2237 Committee on Judiciary
- 2238 Committee on Judiciary, then to the Committee on Finance
- 2239 Committee on Labor and Public Employment, then to the Committee on Finance
- 2240 Committee on Health, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
- 2241 Committee on Finance
- 2242 Committee on Judiciary
- 2243 Committee on Labor and Public Employment, then to the Committee on Judiciary
- 2244 Committee on Labor and Public Employment, then to the Committee on Finance
- 2245 Jointly to the Committee on Energy and Environmental Protection and the Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 2246 Committee on Human Services, then to the Committee on Finance
- 2247 Committee on Finance
- 2248 Committee on Education, then to the Committee on Finance
- 2249 Committee on Education, then to the Committee on Finance
- 2250 Committee on Finance
- 2251 Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance
- 2252 Committee on Finance
- 2253 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2254 Committee on Economic Development and Business Concerns, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2255 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 2256 Committee on Finance
- 2257 Committee on Finance
- 2258 Committee on Finance
- 2259 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2260 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2261 Jointly to the Committee on Labor and Public Employment; the Committee on Consumer Protection and Commerce; and the Committee on Judiciary, then to the Committee on Finance
- 2262 Committee on Health, then to the Committee on Finance
- 2263 Committee on Health, then to the Committee on Finance
- 2264 Committee on Health, then to the Committee on Finance
- 2265 Committee on Human Services, then to the Committee on Finance
- 2266 Committee on Human Services, then to the Committee on Finance
- 2267 Committee on Finance
- 2268 Committee on Finance
- 2269 Committee on Judiciary, then to the Committee on Finance
- 2270 Committee on Labor and Public Employment, then to the Committee on Finance
- 2271 Committee on Judiciary
- 2272 Committee on Finance

- 2273 Committee on Tourism, then to the Committee on Finance
- 2274 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 2275 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2276 Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce
- 2277 Committee on Education, then to the Committee on Finance
- 2278 Committee on Finance
- 2279 Committee on Finance
- 2280 Jointly to the Committee on Education and the Committee on Higher Education and the Arts, then to the Committee on Finance
- 2281 Committee on Labor and Public Employment, then to the Committee on Education, then to the Committee on Finance
- 2282 Committee on Higher Education and the Arts, then to the Committee on Finance
- 2283 Committee on Water and Land Use Planning, then to the Committee on Higher Education and the Arts, then to the Committee on Finance
- 2284 Committee on Judiciary
- 2285 Committee on Human Services, then to the Committee on Finance
- 2286 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
- 2287 Committee on Education, then to the Committee on Finance
- 2288 Committee on Hawaiian Affairs and Housing, then to the Committee on Education, then to the Committee on Consumer Protection and Commerce
- 2289 Committee on Finance
- 2290 Jointly to the Committee on Labor and Public Employment and the Committee on Consumer Protection and Commerce
- 2291 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2292 Committee on Finance
- 2293 Committee on Higher Education and the Arts
- 2294 Committee on Hawaiian Affairs and Housing
- 2295 Committee on Hawaiian Affairs and Housing
- 2296 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2297 Committee on Finance
- 2298 Committee on Judiciary
- 2299 Committee on Education, then to the Committee on Finance
- 2300 Committee on Education, then to the Committee on Human Services, then to the Committee on Judiciary
- 2301 Committee on Finance
- 2302 Committee on Education, then to the Committee on Finance
- 2303 Committee on Judiciary, then to the Committee on Finance
- 2304 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2305 Committee on Judiciary, then to the Committee on Finance
- 2306 Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 2307 Committee on Judiciary
- 2308 Committee on Transportation, then to the Committee on Judiciary
- 2309 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2310 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2311 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2312 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 2313 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance
- 2314 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance
- 2315 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance
- 2316 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance
- 2317 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 2318 Committee on Transportation, then to the Committee on Judiciary

- 2319 Committee on Transportation, then to the Committee on Finance
- 2320 Committee on Transportation, then to the Committee on Finance
- 2321 Committee on Consumer Protection and Commerce
- 2322 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 2323 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Water and Land Use Planning
- 2324 Committee on Transportation, then to the Committee on Judiciary
- 2325 Committee on Judiciary
- 2326 Committee on Human Services
- 2327 Committee on Human Services, then to the Committee on Finance
- 2328 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 2329 Committee on Education, then to the Committee on Finance
- 2330 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
- 2331 Committee on Tourism, then to the Committee on Higher Education and the Arts, then to the Committee on Finance
- 2332 Committee on Labor and Public Employment, then to the Committee on Finance
- 2333 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Labor and Public Employment, then to the Committee on Judiciary
- 2334 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 2335 Committee on Judiciary
- 2336 Committee on Labor and Public Employment, then to the Committee on Finance
- 2337 Committee on Education, then to the Committee on Finance
- 2338 Committee on Transportation, then to the Committee on Finance
- 2339 Committee on Transportation, then to the Committee on Finance
- 2340 Committee on Finance
- 2341 Committee on Judiciary, then to the Committee on Finance
- 2342 Committee on Judiciary, then to the Committee on Finance
- 2343 Committee on Judiciary
- 2344 Committee on Transportation, then to the Committee on Judiciary
- 2345 Committee on Transportation, then to the Committee on Judiciary
- 2346 Committee on Judiciary
- 2347 Committee on Labor and Public Employment, then to the Committee on Finance
- 2348 Committee on Labor and Public Employment, then to the Committee on Finance
- 2349 Committee on Labor and Public Employment, then to the Committee on Finance
- 2350 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
- 2351 Committee on Finance
- 2352 Committee on Transportation, then to the Committee on Consumer Protection and Commerce
- 2353 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance
- 2354 Jointly to the Committee on Intergovernmental Relations and International Affairs and the Committee on Transportation, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

- | <u>H.B. Nos.</u> | <u>Re-referred to:</u> |
|------------------|--|
| 419 | Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Education, then to the Committee on Finance |
| 929 | Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance |
| 1516 | Committee on Education, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance |
| 1567 | Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Education, then to the Committee on Finance |
| 1602 | Committee on Human Services, then to the Committee on Finance |
| 1690 | Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Education, then to the Committee on Finance |
| 1724 | Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Education, then to the Committee on Finance |
| 1742 | Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Education, then to the Committee on Finance |

1880 Committee on Energy and Environmental Protection, then to the Committee on Finance

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 12:40 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1) recommending that S.B. No. 1, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 1, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 5, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 5, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3) recommending that H.B. No. 7 pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 7, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 4) recommending that H.B. No. 18, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 18, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JITNEY SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 5) recommending that H.B. No. 26, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 26, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 6) recommending that H.B. No. 42 pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 42, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 7) recommending that H.B. No. 184, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 8) recommending that H.B. No. 187 pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 9) recommending that H.B. No. 35, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 35, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 201 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 201, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH," passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 12 to 17) and concurrent resolutions (H.C.R. Nos. 9 to 13) were referred to Printing and further action was deferred:

H.R. No. 12, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE EFFECTIVENESS OF THE STATE DEPARTMENT OF TRANSPORTATION'S MOTOR VEHICLE SAFETY INSPECTION PROGRAM," was offered by Representative Alcon.

H.R. No. 13, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE NUMBER OF OUT-OF-STATE STUDENTS ENROLLED IN EVERY COLLEGE AT THE UNIVERSITY OF HAWAII," was offered by Representative Alcon.

H.R. No. 14, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO DETERMINE TO WHAT EXTENT FOUR-YEAR COLLEGES IN HAWAII ACCEPT CREDITS EARNED BY STUDENTS AT COMMUNITY COLLEGES," was offered by Representative Alcon.

H.R. No. 15, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO EXAMINE THE CURRENT PENALTIES FOR UNLICENSED CONTRACTORS," was offered by Representative Souki, by request.

H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO STUDY IMPOSING A CONTINUING EDUCATION PROGRAM FOR GENERAL CONTRACTORS," was offered by Representative Souki, by request.

H.R. No. 17, entitled: "HOUSE RESOLUTION SUPPORTING HIGHWAY TRAFFIC IMPROVEMENTS IN KAPAA AND THE WESTSIDE AREAS OF KAUAI," was offered by Representative Souki, by request.

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTIVENESS OF THE STATE DEPARTMENT OF TRANSPORTATION'S MOTOR VEHICLE SAFETY INSPECTION PROGRAM," was offered by Representative Alcon.

H.C.R. No. 10, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE NUMBER OF OUT-OF-STATE STUDENTS ENROLLED IN EVERY COLLEGE AT THE UNIVERSITY OF HAWAII," was offered by Representative Alcon.

H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO EXAMINE THE CURRENT PENALTIES FOR UNLICENSED CONTRACTORS," was offered by Representative Souki, by request.

H.C.R. No. 12, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO STUDY IMPOSING A CONTINUING EDUCATION PROGRAM FOR GENERAL CONTRACTORS," was offered by Representative Souki, by request.

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING HIGHWAY TRAFFIC IMPROVEMENTS IN KAPAA AND THE WESTSIDE

AREAS OF KAUAI." was offered by Representative Souki, by request.

ADJOURNMENT

At 12:42 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 1, 1995.

NINTH DAY

Wednesday, February 1, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by The Reverend John B. Connell of St. Barnebas' Episcopal Church, Kapolei, after which the Roll was called showing all members present with the exception of Representatives Alcon, Amaral and Ward, who were excused.

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

On motion by Representative Arakaki, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Eighth Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 126, transmitting a report on the activities of the Hawaiian Home Lands Trust Individual Claims Review Panel during 1994, which Panel was created by Act 323 (SLH 1991) to resolve claims of individual native Hawaiians damaged as a result of breaches of the Hawaiian Home Lands trust in the period from August 21, 1959 to June 30, 1988, was read by the Clerk and was placed on file.

At 12:10 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 546 pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 546, entitled: "A BILL FOR AN ACT RELATING TO SHIPPING," passed Second Reading and was referred to the Committee on Transportation.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 12) recommending that H.B. No. 516, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 516, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF ADDITIONAL EMERGENCY CALL BOXES ALONG STATE HIGHWAYS IN THE COUNTY OF KAUAI," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 13) recommending that H.B. No. 360 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 360, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 14) recommending that H.B. No. 549 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 549, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER VEHICLES," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 15) recommending that H.B. No. 548 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 16) recommending that H.B. No. 547 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 547, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 17) recommending that H.B. No. 759, as amended in HD 1, pass Second Reading and be referred to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 759, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW ENFORCEMENT," passed Second Reading and was referred to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 18) recommending that H.B. No. 88, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 88, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP

TRUCKS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 19) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTORISTS," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 807, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARKETING THE PORTS OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

SUSPENSION OF RULES

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

THIRD READING

S.B. No. 1, SD 1:

On motion by Representative Say, seconded by Representative Kawakami and carried, S.B. No. 1, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Alcon, Amaral and Ward being excused.

The Chair directed the Clerk to note that S.B. No. 1 had passed Third Reading at 12:27 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 18) and concurrent resolution (H.C.R. No. 14) were referred to Printing and further action was deferred:

H.R. No. 18, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE ACCESS CABLE TELEVISION PILOT PROJECT FOR THE EIGHTEENTH LEGISLATURE," was jointly offered by Representatives Souki, Arakaki, Okamura, P. Oshiro and Thielen.

H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AND SUBMIT TO THE SEVERAL STATES AN AMENDMENT TO

THE CONSTITUTION OF THE UNITED STATES," was offered by Representative Souki.

ANNOUNCEMENT

Representative Kahikina: "The Hawaiian Affairs and Housing Committee will reconvene at 12:45 to complete our hearing in Room 1111."

ADJOURNMENT

At 12:27 o'clock p.m., on motion by Representative Arakaki, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 2, 1995.

TENTH DAY

Thursday, February 2, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Lieutenant Edward Hill of the Salvation Army, after which the Roll was called showing all members present with the exception of Representatives Stegmaier and Ward, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Ninth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Ninth Day was approved.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 260, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 260, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN INVESTIGATION OF ILLEGAL DUMPING OF MACADAMIA NUTS INTO THE UNITED STATES MARKET," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 1154, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy and Environmental Protection.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1154, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PESTICIDE EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Energy and Environmental Protection.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 1156 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1156, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 469, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the

Committee was adopted and H.B. No. 469, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 614, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 19) and concurrent resolution (H.C.R. No. 15) were referred to Printing and further action was deferred:

H.R. No. 19, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO APPOINT MEMBERS OF A KAUAI DENTAL HEALTH TASK FORCE TO STUDY THE DENTAL HEALTH PROBLEMS ON KAUAI," was jointly offered by Representatives Swain, Kanoho and Kawakami.

H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO APPOINT MEMBERS OF A KAUAI DENTAL HEALTH TASK FORCE TO STUDY THE DENTAL HEALTH PROBLEMS ON KAUAI," was jointly offered by Representatives Swain, Kanoho and Kawakami.

ANNOUNCEMENTS

Representative Takamine: "As a reminder to the members, members of the Hilo and Hamakua community are with us today and they will be providing an update on the assistance that was provided to them last year, in Room 1111 following session."

At 12:10 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 12:11 o'clock p.m.

Representative Okamura: "We are planning to have a short Majority caucus immediately following session in the Majority Caucus Room."

At this time, Representative Nekoba, on behalf of the members of the House, extended birthday greetings to Representative Nathan Suzuki.

Representative White then rose and stated:

"I hope the members have noticed that we have left a Kobe ribbon on each of your desks. I think, as we deliberate over the many problems that we face here, we all must be very thankful that we are not facing the kinds of challenges that the residents of Kobe are facing. And because this area has, over many past years, sent us many thousands of visitors who have spent many millions of dollars in our State from which all of us have benefitted, I would just like to take this opportunity to ask

you to remind your constituents and remind all the people in our State to help the residents of Kobe in whatever way they can.

"The Hawaii Visitors Bureau is conducting a campaign to raise funds to send to Kobe. We have a very high goal and so all of your help will be much appreciated, and I hope all of you will continue to wear your ribbons for the days ahead.

"Thank you, Mr. Speaker."

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 3, 1995.

ELEVENTH DAY

Friday, February 3, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:03 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Sister Marie Rosso of the Maryknoll Sisters, after which the Roll was called showing all members present with the exception of Representatives Isbell and Ward, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Tenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Tenth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 127 and 128) were read by the Clerk and were placed on file:

Gov. Msg. No. 127, transmitting copies of the report prepared by the University of Hawaii pursuant to H.B. 1152, HD 1, SD 1, CD 1, Section 94 (Act 289, SLH 1993), **A Report Illustrating the Programmatic Impact of Authorized Positions and Dollar Amounts That Were Restricted by Executive Order or Other Restrictions in the Previous Fiscal Year.**

Gov. Msg. No. 128, transmitting copies of the 1994 Annual Report of The Research Corporation of the University of Hawaii as mandated by Section 307-6, H.R.S.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 3 and 4) were read by the Clerk and were placed on file:

Sen. Com. No. 3, transmitting Senate Bill No. 15, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on February 2, 1995.

Sen. Com. No. 4, transmitting Senate Bill No. 75, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," which passed Third Reading in the Senate on February 2, 1995.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. Nos. 15 and 75 passed First Reading by title and further action was deferred.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
567	Committee on Finance
1069	Committee on Judiciary

1729	Committee on Finance
1968	Committee on Health, then to the Committee on Judiciary
2102	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
2284	Committee on Health, then to the Committee on Judiciary
2308	Committee on Judiciary
2338	Committee on Finance
2339	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 31, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 31, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 760, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 361 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 361, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURES ON ARREST," passed Second Reading and was referred to the Committee on Judiciary.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 591, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 591, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RURAL DEVELOPMENT PROJECTS," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 693, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Herkes moved that the report of the Committee be adopted and H.B. No. 693, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Jones.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, this bill has a very innocuous title -- the study of equestrian activities. And normally you would look at it and think, fine, that's great -- we'll study about horses and maybe riding on trails.

"You take a look at the language, Mr. Speaker, in the bill and what we're suggesting to be done. I want everyone to take a look at this, please, and be sure that you know what you're doing when you vote on this measure. What is being suggested here is that we appropriate State money to fund a study that will look at horse racing and parimutuel events.

"Mr. Speaker, to paraphrase Preston Foster in **The Music Man**, it's the first big step on the road to degradation because following the study, Mr. Speaker, the next thing you know, we'll have the bill to legalize these gambling events.

"I don't believe that we should spend taxpayers' money on anything related to gambling, and I certainly don't believe that in these tight fiscal times that we should spend taxpayers' money to study horse racing and parimutuel.

"I would respectfully ask the Clerk to cast a very, very strong 'no' vote for me, and I will follow this through the process where I hope it will die. But every time it comes before us for a vote, I am voting a strong 'no,' Mr. Speaker. No to gambling, and no to the first step that leads to gambling."

Representative Lee then rose and stated:

"Mr. Speaker, I rise to speak against the bill but for a different reason.

"I don't think we need a study. If we want to do it, let's do it. Let's not waste money on studies anymore.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, we made it very clear in the announcement on the discussion of this bill that among the things that were being discussed was going to be parimutuel, and the Committee received no testimony in opposition to it, and it includes a broad variety of equestrian events -- rodeos and things of that nature.

"I speak in favor of the bill."

Representative Shon then rose and stated:

"I would like to thank one of the previous speakers for pointing out the relationship of this innocuous bill to gambling, and I would also like to ask the Clerk to cast a 'no' vote for me.

"I think it is quite appropriate that if issues that pertain to gambling are very significant for our State revenues, that we discuss them on Second Reading as well as on Third Reading.

"Thank you."

Representative Marumoto then rose and stated:

"I would like to have the Clerk cast a 'no' vote for me on this measure on Second Reading. In doing so, I just want to point out that I am a big proponent of rodeos ... I think they're a great activity. It's just the other two -- horse racing and parimutuel betting -- which I have problems with.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 693, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STUDY OF EQUESTRIAN ACTIVITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Lee, Marumoto, Shon and Thielen voting no.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 599 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 714 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 714, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 1093 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1093, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 1127 pass Second Reading and be referred to the Committee on Hawaiian Affairs and Housing.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1127, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF SCHOOL CHILDREN," passed

Second Reading and was referred to the Committee on Hawaiian Affairs and Housing.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 1276 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1276, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 767 pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 767, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 1119 pass Second Reading and be referred to the Committee on Energy and Environmental Protection.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1119, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Energy and Environmental Protection.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 1848 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1848, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDE RESIDUE LABELING," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representatives Arakaki, Chun Oakland and Pepper, for the Committees on Hawaiian Affairs and Housing; Human Services; and Health, presented a joint report (Stand. Com. Rep. No. 39) recommending that H.B. No. 1256 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Arakaki, seconded by Representative Chun Oakland and carried, the joint report of the Committees was adopted and H.B. No. 1256, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW SPECIAL PURPOSE REVENUE BONDS TO BE ISSUED FOR ASSISTED LIVING FACILITIES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No.

40) recommending that H.B. No. 1131, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Morihara, seconded by Representative Swain carried, the report of the Committee was adopted and H.B. No. 1131, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL REVOLVING FUNDS," was recommitted to the Committee on Agriculture.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 20 to 22) and concurrent resolutions (H.C.R. Nos. 16 to 18) were referred to Printing and further action was deferred:

H.R. No. 20, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE POSSIBILITY OF CREATING A COLLEGE INTERNSHIP PROGRAM IN THE ENVIRONMENTAL HEALTH DIVISION OF THE DEPARTMENT OF HEALTH," was jointly offered by Representatives Thielen, Anderson, Ward, Kawanakoa, Marumoto, Meyer and Halford.

H.R. No. 21, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO REVIEW BARRIERS TO FORMING AND OPERATING A SMALL BUSINESS IN HAWAII," was jointly offered by Representatives Kawanakoa, Ward, Anderson, Marumoto, Thielen, Meyer and Halford.

H.R. No. 22, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO ESTABLISH A STRONG RELATIONSHIP WITH ASIA AND THE PACIFIC RIM NATIONS THROUGH EDUCATIONAL, CULTURAL, AND ECONOMIC ACTIVITIES," was jointly offered by Representatives Meyer, Ward, Marumoto, Kawanakoa, Anderson, Halford and Thielen.

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE POSSIBILITY OF CREATING A COLLEGE INTERNSHIP PROGRAM IN THE ENVIRONMENTAL HEALTH DIVISION OF THE DEPARTMENT OF HEALTH," was jointly offered by Representatives Thielen, Kawanakoa, Ward, Anderson, Meyer, Marumoto and Halford.

H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW BARRIERS TO FORMING AND OPERATING A SMALL BUSINESS IN HAWAII," was jointly offered by Representatives Kawanakoa, Ward, Anderson, Meyer, Thielen, Halford and Marumoto.

H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR AND THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO ESTABLISH A STRONG RELATIONSHIP WITH ASIA AND THE PACIFIC RIM NATIONS THROUGH EDUCATIONAL, CULTURAL, AND ECONOMIC ACTIVITIES," was jointly offered by Representatives Ward, Marumoto, Kawanakoa, Anderson, Meyer, Halford and Thielen.

ANNOUNCEMENTS

Representative Santiago rose and stated:

"Mr. Speaker, I have the responsibility of informing the House that last night, a historical event occurred -- the House/Senate basketball game. And for those members who were not there, you missed an opportunity to see our Speaker Souki representing the House on the court. His three-point attempt careened off the front of the rim as we all held our collective breath. The score was 31 to 29, and although we were outscored by two points I refuse to say that we lost. We came out winners -- the House had many members there. It was an extremely enjoyable evening.

"Thank you to everybody, and we'll get them next year."

Representative McMurdo: "Your Committee on Public Safety and Military Affairs will meet Monday afternoon at 1:30 for decision-making, and at 2:00 o'clock a joint session with the Judiciary Committee on a number of bills."

Representative Tarnas then rose and stated:

"I would like to also inform the House that our own staff did us very well last night in their basketball game. They went into overtime and lost by one basket. They were very, very good, and they served us proud. I wanted to make that note in the record.

"Thank you, Mr. Speaker."

Representative Okamura: "There will be a Majority caucus in the Caucus Room immediately following session."

At 12:19 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 12:21 o'clock p.m.

Representative Arakaki rose and requested waiver of the 48-hour hearing notice requirement for the purpose of adding decision-making only to House Bill 1202, and the Chair "so ordered."

Representative Arakaki: "We will be adding decision-making only to House Bill 1202 which is a short-form bill for the purpose of adding language relating to Hawaiian Home Lands tomorrow at our 8:30 hearing."

Representative White then rose and stated:

"This is a follow-up to my request yesterday for all of us to support the Aloha Kobe effort. We've asked the Sergeant-at-Arms to go around to your offices with the ribbons, and the ribbons will also be available at the reception desk on the lobby level."

ADJOURNMENT

At 12:23 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon on Monday, February 6, 1995.

TWELFTH DAY

Monday, February 6, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Norman C. Choy of the Chinese Baptist Church - Kahala, after which the Roll was called showing all members present with the exception of Representative Meyer, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Eleventh Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Eleventh Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 129 to 144) were read by the Clerk and were placed on file:

Gov. Msg. No. 129, transmitting copies of the Criminal Injuries Compensation Commission's Twenty Seventh Annual Report, July 1, 1993 - June 30, 1994, prepared pursuant to Chapter 351, Hawaii Revised Statutes.

Gov. Msg. No. 130, transmitting copies of a special report entitled: **"Status Report on the Automated Fingerprint Identification System - Supplemental Appropriations Act of 1994,"** prepared by the Hawaii Criminal Justice Data Center, Department of the Attorney General.

Gov. Msg. No. 131, transmitting copies of the 1994 Interim Report from Hawaii Early Childhood Education and Care Coordinating Committee, prepared by the Governor's Office of Children and Youth, pursuant to H.C.R. 21, HD 1, SD 1, and S.C.R. 24, HD 1, SD 1.

Gov. Msg. No. 132, transmitting copies of the following documents:

1. The Multi-Year Program and Financial Plan and Executive Budget for the Period 1995-2001, pursuant to Sections 37-69, HRS, Budget - The Six-Year Program and Financial Plan; and 37-71, HRS, Budget - The Budget;
2. The Variance Report for Fiscal Years 1994 and 1995, pursuant to Section 37-75, HRS, Budget - Variance Report; and
3. The State of Hawaii Program Structure.

Gov. Msg. No. 133, transmitting copies of a report prepared by the Department of Land and Natural Resources in response to House Concurrent Resolution No. 443, HD 3 - **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 Maunaloa, Makiki Heights, on Oahu, to Improve their Existing Homes or to Construct New Homes in an Environmentally Sensitive Manner.**

Gov. Msg. No. 134, transmitting copies of a report prepared by the Department of Land and Natural Resources in response to House Concurrent Resolution

No. 321 **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.**

Gov. Msg. No. 135, transmitting copies of the 1994 Annual Update Report on Various Cost Options on Customary Fee Profiles for Non-Institutional Health Care Providers prepared by the Department of Human Services, pursuant to Section 346-59, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 136, transmitting copies of the Final Report on the Relationship Between Fish Feeding, Artificial Reefs and the Risk from Sharks on Inshore Recreational Users at Waikiki Beach, Oahu, prepared by the Department of Land and Natural Resources, in response to House Concurrent Resolution No. 180, HD 1.

Gov. Msg. No. 137, transmitting copies of the status report to the Legislature in response to Section 99 of Act 252, Session Laws of Hawaii 1994, on the development and implementation of a return-to-work program and a medical review panel.

Gov. Msg. No. 138, transmitting copies of the reports on **"The Actions Taken to Address the Housing Needs of the Hilo-Hamakua Coast Residents"** and **"A Status Report on the Use of Funds Appropriated in Section 58, Act 289, SLH 1993 for Use by Hamakua Housing Corporation"** prepared by the Housing Finance and Development Corporation, Department of Budget and Finance, pursuant to Act 228, SLH 1994.

Gov. Msg. No. 139, transmitting copies of the HFDC Funds report prepared by KMPG Peat Marwick, Certified Public Accountants and the Housing Finance and Development Corporation, Department of Budget and Finance, to satisfy the requirements of Section 201E-40, Hawaii Revised Statutes.

Gov. Msg. No. 140, transmitting copies of the joint written response of the Public Utilities Commission and the Department of Commerce and Consumer Affairs to S.C.R. 191, SD 1, HD 1, adopted by the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994.

Gov. Msg. No. 141, transmitting copies of the Hawaii Public Broadcasting Authority 1993-1994 Annual Report, prepared by the Hawaii Public Broadcasting Authority, Department of Commerce and Consumer Affairs, pursuant to Section 314-12, Hawaii Revised Statutes.

Gov. Msg. No. 142, transmitting copies of milestone documents and a status report on the development of the Kapolei Civic Center (Kapolei State Office Building No. 1), in response to H.C.R. 478 (1994 Session) and S.C.R. 273 (1994 Session), prepared by the Department of Accounting and General Services.

Gov. Msg. No. 143, transmitting copies of the Report on the Methodology of Payment Program Projections, prepared by the Department of Human Services, pursuant to Section 56.3 of Act 252, SLH, 1994.

Gov. Msg. No. 144, informing the House that on February 1, 1995, he signed the following bill into law:

Senate Bill No. 1 as Act 1, entitled: **"MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE**

LEGISLATIVE AUDITOR, THE LEGISLATIVE
REFERENCE BUREAU, AND THE OMBUDSMAN".

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1015	Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce
1016	Committee on Judiciary
1131	Committee on Agriculture, then to the Committee on Finance
1327	Committee on Higher Education and the Arts, then to the Committee on Finance
1552	Committee on Education, then to the Committee on Finance
1773	Committee on Judiciary, then to the Committee on Finance

**INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)**

H.R. No. 23, entitled: "HOUSE RESOLUTION CONGRATULATING AND COMMENDING JAZMIN BROOKS FOR WINNING THE HAWAII VOICE OF DEMOCRACY ESSAY CONTEST," was jointly offered by Representatives Amaral and P. Oshiro and was read by the Clerk.

On motion by Representative Amaral, seconded by Representative P. Oshiro and carried, H.R. No. 23 was adopted.

At this time, Representative Amaral rose and proceeded to introduce the honoree, stating:

"It is indeed an honor to be able to introduce to you, Mr. Speaker and my colleagues, a young lady that I believe is truly a remarkable young woman and an asset to our community, both in Makakilo and the larger community.

"On Saturday, January 28th, I had the honor of attending the reception wherein Jazmin Brooks gave her award-winning speech and was presented with her award. One of the things that touched me was, not only was her speech compelling in its delivery but also compelling in its content. I am one that likes to watch for good orators and developing leadership, and I believe that Jazmin Brooks serves in both categories very well.

"Jazmin, as you have been told, is a 4.0 student at Campbell High School. She has been an honor student since she was in elementary school. She not only works hard in school -- she works very hard in her community, as you have been told. I have gone over to her house when Jazmin comes home from school and her job is to clean house, then wash the dogs, she does the dishes, and she does all of that with a big smile.

"She has some very strong views about democracy and about the responsibility of government. She and I have gotten into long discussions about that. More often than not, she and I agreed rather than disagreed. Does that give you a sense of how bright this young woman is?"

"Subsequent to her trip to Washington, when Jazmin returns to Hawaii she will again be going back to Washington ... this time for the Hugh O'Brien Youth Leadership Presidential Classroom in March. She travels throughout the year because she sits on the statewide student council.

"My dear colleagues, I would like to present to you a very remarkable woman, and that is Jazmin Brooks."

The honoree, Jazmin Brooks rose to be recognized.

Accompanying Jazmin on the House floor were the following:

Marcia Lee, her mother. "She is the coordinator of the PCNC program at Makakilo Elementary School. She is one of the hardest workers we have in the Makakilo community. She is the person that actually grabbed me by the scruff of my neck and made me pay attention to the awful conditions at Ilima School and made sure that we made some substantial changes there. It's because of her advocacy, I think, that we have a wonderful, thriving community, and she is a wonderful model for both of her girls."

Mrs. Marcia Lee rose to be recognized.

"In the face of these very strong women, there has to be a remarkable, calm and serene presence, and that is the father, Bill Lee, who is very articulate on his own, very strong, a wonderful provider, a true feminist, I believe, and a bright and loving man that we care very much for."

Mr. Bill Lee rose to be recognized.

Jade Lee, younger sister of Jazmin. "Jade is in Makakilo Elementary School. She's starting to make her own 'path' and I know one day soon we'll be honoring Jade on the floor of this House."

Jade Lee rose to be recognized.

Mr. Johnny Rouse, "the man that made this award possible through his hard work. He is an active member with the Veterans of Foreign Wars, and an active supporter of the Voice of Democracy, one of the few people that will continue to work hard, volunteering his time of countless hours, and who believes strongly in Hawaii's youth and strongly in the principles of democracy."

Mr. Johnny Rouse rose to be recognized.

A Certificate of Recognition and a ginger lei were presented to Jazmin Brooks by Representative Amaral while floral leis were presented to the others by Representatives Arakaki, Kawakami, P. Oshiro, Kahikina and Yoshinaga.

At 12:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 295 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 295, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT LOAN ASSISTANCE PROGRAM," passed Second Reading and 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. 42) recommending that H.B. No. 296 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 296, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and 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. 43) recommending that H.B. No. 297, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and 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. 44) recommending that H.B. No. 791 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO STUDENT LOAN FUNDS," passed Second Reading and 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. 45) recommending that H.B. No. 792, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 46) recommending that H.B. No. 837, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 837, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES," passed Second Reading and 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. 47) recommending that H.B. No. 1191, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 1191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Finance.

On motion by Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 39, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDING AND DOCKAGE FEES," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 49) recommending that H.B. No. 715 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 715, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 929, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chun Oakland, seconded by Representative Stegmaier and carried, the report of the Committee was adopted and H.B. No. 929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 19 and 20) were referred to Printing and further action was deferred:

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR A CONFERENCE OF THE STATES TO BE PROMOTED AND CONVENED BY THE COUNCIL OF STATE GOVERNMENTS TO RESTORE BALANCE IN THE FEDERAL SYSTEM," was offered by Representative Souki.

H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMISSION FOR INTERGOVERNMENTAL EFFICIENCY AND COOPERATION," was jointly offered by Representatives Arakaki, Okamura, Amaral, P. Oshiro and Souki.

ANNOUNCEMENTS

At this time, Representative Ward was permitted a late introduction and he introduced Ms. Ursala Hare, a constituent of his from the Aina Haina area, and "originally an actress from Vienna."

Representative Pepper: "Your Committee on Health will meet in Room 1206 immediately after the session to complete action on this morning's agenda."

Representative Tom: "There's a joint hearing today with Public Safety and Military Affairs and Judiciary at 1:30. We note that there are two bills we take the lead on. Judiciary is at the end. We're going to put them at the beginning so that the members of Judiciary can get in and get out. It's House Bill 142 and House Bill 641. Both chairs want to emphasize promptness."

ADJOURNMENT

At 12:33 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 7, 1995.

THIRTEENTH DAY

Tuesday, February 7, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor John Chow of the Seventh Day Adventist Church, Honolulu Central, after which the Roll was called showing all members present with the exception of Representatives Menor and Takamine, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Twelfth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twelfth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 145 and 146) were read by the Clerk and were placed on file:

Gov. Msg. No. 145, transmitting the Department of Land and Natural Resources' resolution concerning a land exchange between the State of Hawaii and Roger A. Watson and Ellen H. Watson for introduction in the House of Representatives.

Gov. Msg. No. 146, transmitting the Department of Land and Natural Resources' resolution concerning a land exchange between the State of Hawaii and Mr. and Mrs. David H. Miller, Hauula, Oahu, for introduction in the House of Representatives.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 7 and 8) were read by the Clerk and were placed on file:

Dept. Com. No. 7 from Judge Daniel G. Heely, for the Office of the Administrative Director of the Courts, The Judiciary, State of Hawaii, transmitting a copy of the Judiciary's 1995 Legislative Package.

Dept. Com. No. 8 from James Nakatani, Chairperson, Board of Agriculture, transmitting copies of the Department of Agriculture's Market Development Activity Report for the calendar year 1994.

Dept. Com. No. 9 from Yukio Naito, Chairman, Public Utilities Commission, State of Hawaii, transmitting its status report pursuant to Act 209 (SLH 1994), regarding emergency rate action for nonfossil fuel producers of energy.

SENATE COMMUNICATION

Sen. Com. No. 5, transmitting Senate Bill No. 888, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON SEXUAL ORIENTATION AND THE LAW," which passed Third Reading in the Senate on February 6, 1995, was read by the Clerk and was placed on file.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. No. 888 passed First Reading by title and further action was deferred.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
15	Committee on Water and Land Use Planning
75	Committee on Water and Land Use Planning, then to the Committee on Finance
888	Committee on Judiciary

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 8 to 22) and concurrent resolutions (H.C.R. Nos. 3 to 19) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
8	Committee on Health, then jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance
9	Committee on Water and Land Use Planning, then to the Committee on Finance
10	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
11	Jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance
12	Committee on Transportation, then to the Committee on Legislative Management
13	Committee on Higher Education and the Arts, then to the Committee on Finance
14	Committee on Higher Education and the Arts, then to the Committee on Finance
15	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
16	Committee on Consumer Protection and Commerce, then to the Committee on Finance
17	Committee on Transportation, then to the Committee on Finance
18	Committee on Legislative Management
19	Committee on Health, then to the Committee on Finance
20	Committee on Energy and Environmental Protection, then to the Committee on Higher Education and the Arts, then to the Committee on Legislative Management

21 Committee on Economic Development and Business Concerns, then to the Committee on Legislative Management

22 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Economic Development and Business Concerns

H.C.R. Nos.

3 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance

4 Committee on Human Services, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management

5 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management

6 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance

7 Jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance

8 Committee on Judiciary, then to the Committee on Legislative Management

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

10 Committee on Higher Education and the Arts, then to the Committee on Finance

11 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance

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

13 Committee on Transportation, then to the Committee on Finance

14 Committee on Finance

15 Committee on Health, then to the Committee on Finance

16 Committee on Energy and Environmental Protection, then to the Committee on Higher Education and the Arts, then to the Committee on Legislative Management

17 Committee on Economic Development and Business Concerns, then to the Committee on Legislative Management

18 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Economic Development and Business Concerns

19 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

Rep. No. 51) recommending that H.B. No. 292, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII GRADUATE APPLICATION REVOLVING FUND," passed Second Reading and 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. 52) recommending that H.B. No. 1309 pass Second Reading and be referred to the Committee on Labor and Public Employment.

Representative Lee moved that the report of the Committee be adopted and H.B. No. 1309 pass Second Reading and be referred to the Committee on Labor and Public Employment, seconded by Representative Tarnas.

Representative Thielen rose and stated:

"I would like to ask the Clerk to cast a no vote for me because I don't believe that the Board of Regents should be able to determine the President's salary.

"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. 1309, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Labor and Public Employment with Representative Thielen voting no.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 666, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

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

Representative Stegmaier moved that the report of the Committee be adopted and H.B. No. 666, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Tarnas.

Representative Alcon rose to speak against the bill, stating:

"Mr. Speaker, I think this is the wrong way of doing it. You expel a student from school -- what are you going to do with him? Put him in jail? Also, the voting age is 18 and you lower the compulsory attendance age to 16; that means there will be more students walking on the streets.

"And holding the parents responsible and doing some community work, Mr. Speaker, is not the best thing to do.

"I think this bill is geared towards demeaning the people of Kalihi because they have to work for a living. And to let them do community services, it would be hard on their part so therefore, Mr. Speaker, I'm voting against this bill."

STANDING COMMITTEE REPORTS

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com.

Representative Stegmaier then rose and stated:

"In response to the previous speaker, it is for the very reasons that he gave that we, in the draft, decided to eliminate any possibility of extortion ... that has been deleted from the bill. And we have decided not to lower the compulsory attendance age to 16.

"With those modifications and improvements, I hope that all members can support this bill.

"Thank you."

Representative Alcon, in response, stated:

"I accept the explanation of the Committee Chairman, but I still don't like the idea that the parents will have to put in some community service."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUANCY," passed Second Reading and was referred to the Committee on Judiciary with Representative Alcon voting no.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 1454 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1454, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRAINING OF SECURITY GUARDS FOR THE DEPARTMENT OF EDUCATION'S SCHOOL CAMPUSES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 58, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 58, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREVENTIVE HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 595 pass Second Reading and be referred to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE REPORTING OF SCHEDULE II CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 896 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Pepper moved that the report of the Committee be adopted and H.B. No. 896 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Hamakawa.

Representative Ward rose and stated:

"Mr. Speaker, I would be amiss if I didn't speak in favor of this bill.

"It's not for myself, it's for my adopted daughter, Johanna Mei, who, because of this bill, will allow her to go to her second visit with the pediatrician at 2:00 o'clock today. Without this bill, Mr. Speaker, she would have to wait until June. And if she waited until June, her parents would really be amiss in their responsibility.

"So, on behalf of all adoptees, I encourage all of you to support this bill.

"Thank you."

Representative Shon rose to speak in support of the bill and remarked:

"I am delighted to hear the endorsement of mandated benefits by the Minority Leader."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 896, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 898, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Pepper moved that the report of the Committee be adopted and H.B. No. 898, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Hamakawa.

Representative Anderson rose and requested a conflict ruling, stating that she is a trustee on the Board of the Kapiolani Medical Center, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 898, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAPIOLANI HEALTH CARE SYSTEMS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 87, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 87, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 60) recommending that H.B. No. 180, as amended in HD 1,

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

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 180, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 357, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 544, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 544, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 1018, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 1018, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," passed Second Reading and was referred to the Committee on Labor and Public Employment.

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

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

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 1203 pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 604, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 604, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 66) recommending that H.B. No. 716 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

At 12:25 o'clock p.m., Representative Thielen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:28 o'clock p.m.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 67) recommending that H.B. No. 704, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

Representative Morihara moved that the report of the Committee be adopted and H.B. No. 704, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning, seconded by Representative Swain.

Representative Meyer rose to register a no vote, saying:

"I believe that this bill will create a situation where this water could not be returned to the streams of origin, and there are streams in our State that would be very badly impacted by that."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND PLANNING," passed Second Reading and was referred to the Committee on Water and Land Use Planning with Representative Meyer voting no.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 68) recommending that H.B. No. 1379 pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1379, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 1535 pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1535, entitled: "A BILL FOR AN ACT RELATING TO THE FLOWER

INDUSTRY," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 1668 pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1668, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PERMANENT EXTENSION AND RESEARCH SUPPORT POSITION FOR THE KULA EXPERIMENT STATION ON MAUI," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 1731 pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1731, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PLANTS AND ANIMALS," passed Second Reading and was referred to the Committee on Transportation.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 72) recommending that H.B. No. 1789, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOWER HAMAKUA DITCH," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 73) recommending that H.B. No. 2100 pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 2100, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF AGRICULTURE, ANIMAL INDUSTRY DIVISION, ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 74) recommending that H.B. No. 2232, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 2232, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A NURSERY RESEARCH POSITION," passed Second

Reading and was referred to the Committee on Higher Education and the Arts.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 75) recommending that H.B. No. 1202, as amended in HD 1, be recommitted to the Committee on Hawaiian Affairs and Housing.

On motion by Representative Arakaki, seconded by Representative Kahikina and carried, the report of the Committee was adopted and H.B. No. 1202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," was recommitted to the Committee on Hawaiian Affairs and Housing.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 24) and concurrent resolution (H.C.R. No. 21) were referred to Printing and further action was deferred:

H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT PROGRAM AUDITS OF HAWAII'S STATE EMPLOYMENT AND TRAINING PROGRAMS," was offered by Representative Alcon.

H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT PROGRAM AUDITS OF HAWAII'S STATE EMPLOYMENT AND TRAINING PROGRAMS," was offered by Representative Alcon.

ADJOURNMENT

At 12:30 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 8, 1995.

FOURTEENTH DAY

Wednesday, February 8, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by The Reverend Dr. Beverly Dexter, Chaplain, St. Andrews Priory School, after which the Roll was called showing all members present with the exception of Representatives Takamine and Tom, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Thirteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Thirteenth Day was approved.

At 12:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

GOVERNOR'S MESSAGE

Gov. Msg. No. 147, submitting emergency appropriation request for Health and Human Service programs embodied in H.B. 1984 and H.B. 1992, in accordance with Section 9, Article VII, of the Constitution of the State of Hawaii, was read by the Clerk and was placed on file.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
99	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary
390	Committee on Energy and Environmental Protection, then to the Committee on Judiciary
792	Committee on Higher Education and the Arts, then to the Committee on Finance
919	Committee on Consumer Protection and Commerce
994	Committee on Consumer Protection and Commerce
1010	Committee on Judiciary
1018	Committee on Health, then to the Committee on Finance
1128	Committee on Finance
1202	Committee on Hawaiian Affairs and Housing, then to the Committee on Judiciary
1309	Committee on Higher Education and the Arts, then to the Committee on Finance

1314 Committee on Hawaiian Affairs and Housing, then to the Committee on Finance

1349 Committee on Judiciary

1379 Committee on Agriculture, then to the Committee on Finance

1470 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce

1746 Committee on Education, then to the Committee on Hawaiian Affairs and Housing, then to the Committee on Finance

1785 Committee on Finance

1794 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary

1960 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary

2071 Committee on Finance

2081 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary

2232 Committee on Agriculture, then to the Committee on Finance

2286 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 76) recommending that H.B. No. 515 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 515, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 1551 pass Second Reading and be referred to the Committee on Water and Land Use Planning.

Representative Arakaki moved that the report of the Committee be adopted and H.B. No. 1551 pass Second Reading and be referred to the Committee on Water and Land Use Planning, seconded by Representative Kahikina.

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

"While I voted in favor, without reservations, as a member of the Committee, upon further reflection I concur with the testimony of the Department of Land and Natural Resources that the bill may violate and conflict with our five trust responsibilities as set forth in the Admissions Act.

"For that reason, I have some reservations.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1551, entitled: "A BILL FOR AN ACT RELATING TO THE CEDED LANDS TRUST," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

At 12:47 o'clock p.m., Representative Amaral asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 234 pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No. 1840 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1840, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE," passed Second Reading and 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. 80) recommending that H.B. No. 294, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 81) recommending that H.B. No. 1301 pass Second Reading and be referred to the Committee on Energy and Environmental Protection.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 1301, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Energy and Environmental Protection.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 1524 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1524, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 83) recommending that H.B. No. 75 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 75, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Santiago, for the Committees on Energy and Environmental Protection and Ocean Recreation and Marine Resources, presented a joint report (Stand. Com. Rep. No. 84) recommending that H.B. No. 401, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 401, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 380, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 380, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 394, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 402 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL FEES," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 574, as amended in HD 1,

pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 574, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII INTERNATIONAL FILM FESTIVAL," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 585, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM AND SPORTS," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 821 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 2049 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2049, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT LAW ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 2050 pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2050 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Ward rose and stated:

"I rise to speak against the bill, not because I'm against the bill but the Committee voting system does not allow one to abstain ... abstain in the sense that the issue is moot.

"On the one hand, it is saying that this affects large boats as well as small boats. This means that boats can be impounded, sold, and what's the fear of many of the small boat harbor people is that it can be crushed. If it is a large boat issue, it is only twelve boats per year that this affects. If it's a small boat issue, it's in the hundreds -- almost thousand. Mr. Speaker, we have to be able to be very clear in our minds which kind of boats we're going to be crushing -- small or big.

"In the testimony, inconclusive as it was, I think it's premature to say that this is a good bill even though I'm not sure that this is bad but because the discussion was polarized, I would suggest that as it passes on to the next Committee, that that be clearly clarified. That is my abstention from the Committee on the floor today.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 2051 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2051, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 2054 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2054, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT SECURITY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 2352 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2352, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 124, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 347, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

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

Committee was adopted and H.B. No. 347, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS, FINES, AND FORFEITURES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 98) recommending that H.B. No. 348 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 348, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 99) recommending that H.B. No. 406 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 406, entitled: "A BILL FOR AN ACT RELATING TO COUNTY TAXES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 100) recommending that H.B. No. 1740 pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1740, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CENTRAL OFFICE AND FOUNDATION OF THE POLYNESIAN LANGUAGES FORUM," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 101) recommending that H.B. No. 1765, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1765, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGIONAL INFRASTRUCTURE FOR THE EWA PLAIN, OAHU," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 102) recommending that H.B. No. 376, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 376, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SYMPHONY ORCHESTRA," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 103) recommending that H.B. No. 1984 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1984, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 104) recommending that H.B. No. 1921 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1921, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 1290, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and 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. 106) recommending that H.B. No. 1409, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1409, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII ENDOWMENT FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 191, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 191, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTROL OF BROWN TREE SNAKES," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 1377, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1377, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ANTHURIUM IN-VITRO CULTURE PROPAGATION CERTIFICATION AND INDEXING," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 109) recommending that H.B. No. 428, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 1466, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAXIMIZING FEDERAL REIMBURSEMENT FOR HAWAII'S VOCATIONAL REHABILITATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 1992 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1992, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 1314 pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1314, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 1563, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CULTURAL IMPACT

STATEMENTS," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 1779 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1779, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki, Chun Oakland and Pepper, for the Committees on Hawaiian Affairs and Housing; Human Services; and Health, presented a joint report (Stand. Com. Rep. No. 115) recommending that H.B. No. 1029, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1029, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE DEVELOPMENT OF ASSISTED LIVING HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 116) recommending that H.B. No. 74, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 74, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 82, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 103, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL ADVOCATE," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 207,

as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 207, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary.

At 12:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 215, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 231, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII MODEL ENERGY CODE," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 216, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 1430 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1430, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEERS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 1736 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1736, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," passed Second Reading and was placed on the calendar for Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 25 to 27) and concurrent resolutions (H.C.R. Nos. 22 to 24) were referred to Printing and further action was deferred:

H.R. No. 25, entitled: "HOUSE RESOLUTION REQUESTING AN EXPANSION OF THE NIMITZ HIGHWAY-PEARL CITY BICYCLE PATH TO THE EWA PLAIN," was offered by Representative P. Oshiro.

H.R. No. 26, entitled: "HOUSE RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REINVEST IN SOUTH AFRICA IN ACCORDANCE WITH SOCIALLY RESPONSIBLE GUIDELINES AND STANDARDS," was jointly offered by Representatives Takumi, M. Oshiro, Okamura, Ito, Cachola, Takai, Lee, Tarnas, Hiraki, Jones, Meyer, Nekoba, Marumoto, Kanoho, Isbell, Chun Oakland, Halford, Anderson, Shon and Saiki.

H.R. No. 27, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO REVISE RESTRICTIONS ON FAMILY IMMIGRATION TO ENABLE THE FAMILIES OF FILIPINO WORLD WAR II VETERANS TO REJOIN THEM IN THE UNITED STATES," was jointly offered by Representatives Cachola, Arakaki, Garcia, Alcon, Menor and Herkes.

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EXPANSION OF THE NIMITZ HIGHWAY-PEARL CITY BICYCLE PATH TO THE EWA PLAIN," was offered by Representative P. Oshiro.

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REINVEST IN SOUTH AFRICA IN ACCORDANCE WITH SOCIALLY RESPONSIBLE GUIDELINES AND STANDARDS," was jointly offered by Representatives Takumi, Cachola, M. Oshiro, Okamura, Ito, Kahikina, Pepper, Hamakawa, Kawakami, Lee, Takai, Case, Santiago, Tarnas, Jones, Hiraki, Alcon, Arakaki, Meyer, Nekoba, Marumoto, Kanoho, Amaral, Isbell, Chun Oakland, Anderson, Shon, Saiki, Halford and Herkes.

H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO REVISE RESTRICTIONS ON FAMILY IMMIGRATION TO ENABLE THE FAMILIES OF FILIPINO WORLD WAR II VETERANS TO REJOIN THEM IN THE UNITED STATES," was jointly offered by Representatives Cachola, Menor, Arakaki, Garcia, Alcon and Herkes.

ANNOUNCEMENT

Representative Arakaki: "Your Committee on Hawaiian Affairs and Housing will be reconvening after adjournment in Conference Room 1310 to complete our agenda for today."

ADJOURNMENT

At 1:01 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 9, 1995.

FIFTEENTH DAY

Thursday, February 9, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Major Robert Gregory of the Salvation Army, after which the Roll was called showing all members present with the exception of Representatives Menor, M. Oshiro and White, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fourteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Fourteenth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 148 to 151) were read by the Clerk and were placed on file:

Gov. Msg. No. 148, transmitting copies of the DEPARTMENT OF AGRICULTURE'S ANNUAL REPORT for the Fiscal Year ending June 30, 1994.

Gov. Msg. No. 149, transmitting copies of the 1994 report prepared by the Department of Agriculture, pursuant to Sections 153-3, 155-14 and 219-4, Hawaii Revised Statutes, as amended.

Gov. Msg. No. 150, transmitting copies of a report on geothermal development permitting prepared by the Department of Land and Natural Resources in response to Section 196D-11, Hawaii Revised Statutes.

Gov. Msg. No. 151, transmitting copies of a summary report prepared in response to Section 103D-321, Hawaii Revised Statutes, requiring the chief procurement officer to provide a report of sole source and emergency procurement under Sections 103D-306 and 103D-307, Hawaii Revised Statutes.

At this time, Representative Tom introduced to the members of the House Mr. Hidenori Isono, attorney and legal scholar from Osaka, Japan. "He has just published a book on Japanese judicial practice, and is general counsel for numerous banking and financial institutions, construction, and real estate companies, and lecturer at various universities, including the Law Enforcement Division of Wakayama Prefecture. He is presently lecturing at Chaminade University."

Accompanying Mr. Isono was Mr. Kinji Kanazawa, a retired attorney, "who is an expert in real estate transactions and helped draft the condominium laws of Hawaii, and prepared exams of realtors ... a legend in his own time."

At 12:16 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 743 pass Second Reading and be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 743, entitled: "A BILL FOR AN ACT RELATING TO LIFEGUARDS," passed Second Reading and 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. 126) recommending that H.B. No. 579, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 579, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA FESTIVALS," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 127) recommending that H.B. No. 1806, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1806, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and 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. 128) recommending that H.B. No. 1716 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1716, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and 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. 129) recommending that H.B. No. 1797 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1797, entitled: "A BILL FOR AN ACT RELATING TO UNACCREDITED DEGREE-GRANTING EDUCATIONAL CORPORATIONS," passed Second Reading and 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. 130) recommending that H.B. No. 1948 pass

Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1948, entitled: "A BILL FOR AN ACT RELATING TO EXEMPT EMPLOYMENT STATUS," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 131) recommending that H.B. No. 314, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 1266, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen voting no.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 1833 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1833, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 1873, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1873, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

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

"I'm speaking in favor of this but with the following understanding. I wholeheartedly support the idea that more aggressive prosecution of public corruption is needed. I have some concerns about leaving the job, though, to the Attorney General's Office. Historically, with an appointed Attorney General reporting to the Governor instead of the people, such prosecutions have been less than vigorous. If persons in the AG's office under the prior administration had vigorously enforced the law, we wouldn't even need this bill today.

"But I recognize that we have a new Governor and a new Attorney General, and I am supporting House Bill 1873 in a gesture of faith toward their public commitments to public integrity. I have spoken personally with Attorney General (nominee) Margery Bronster, and I understand that she is looking outside of her department for someone who didn't serve under or have ties to the prior administration. With that acknowledgment, Mr. Speaker, I can support the steps being taken to bring back trust into the public sector. I hope that the passage of this bill will be the first of many steps taken by the administration to restore the public beliefs in government and correct the serious problems that have occurred.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 2022 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 2030 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2030, entitled: "A BILL FOR AN ACT RELATING TO BULK SALES," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 181, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative Yoshinaga and carried, the report of the Committee was adopted and H.B. No. 181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATIC FINGERPRINT IDENTIFICATION SYSTEM," passed Second Reading and was placed on the calendar for Third Reading.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 973, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 973, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

Representative Kawanakoa rose and requested a conflict ruling, saying:

"Inasmuch as I am a member of the Board of Directors of the Native Hawaiian Bar Association, and since they were the actual initiators of this particular program with the Family Court, I would like to note that I have an interest in the success of this worthy project -- the Ho'oponopono Demonstration Project."

The Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 973, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HO'OPONOPONO," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 289 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 289, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 894, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 1559 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1559, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 420, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 143) recommending that H.B. No. 652, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 652, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT/COMMUNITY NETWORKING CENTERS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 1456, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1456, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUOUS IN-SERVICE TRAINING FOR TEACHERS OF THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 1469 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1469, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONFLICT MANAGEMENT PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 1632, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1632, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Thielen.

Representative Thielen rose and stated:

"I rise to speak in favor of Stand. Com. Rep. 147 and House Bill 1632, and to make a comment, Mr. Speaker, as this bill moves forward through the process.

"Mr. Speaker, Republicans are parents, too, and I would ask the members to turn to page 8 of the bill and note that the President of the Senate and the Speaker of the House of Representatives shall each appoint three members from their respective houses to this task force. I would think, in the interest of bipartisanship, the members should be from both sides of the House and both sides of the Senate, and I would like to note that, Mr. Speaker.

"Fortunately, I sit on the Legislative Management Committee so you'll hear from me as a Committee member on that also."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1632, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 1819, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1819, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE SCHOOLS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 1746, as amended in HD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs and Housing.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1746, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Hawaiian Affairs and Housing.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 2251, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2251, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 752, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 752, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES BENEFICIARY WATER RIGHTS," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 152) recommending that H.B. No. 753, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HAWAIIAN HOME LANDS TRUST

CLAIMS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 153) recommending that H.B. No. 1743, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1743, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A MASTER OF ARTS PROGRAM IN HAWAIIAN LANGUAGE AND LITERATURE," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

SUSPENSION OF RULES

On motion by Representative Amaral, 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.

THIRD READING

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

H.B. No. 87, HD 1:

Representative Tom moved that H.B. No. 87, HD 1, having been read throughout, pass Third Reading, seconded by Representative Yoshinaga.

Representative Alcon rose to speak against the bill, stating:

"I don't see any benefits that we can derive from this bill. There's no problem that we are trying to cure. The Police Department has not come over and asked us to pass this bill. I think it's just a stigma in somebody's mind, particularly in the Waikiki area, because when you talk about pedestrian crossing, it is mostly done in Waikiki.

"For that reason, Mr. Speaker, I am voting against this bill. It's a manini bill anyway."

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

"Mr. Speaker, the purpose of this bill is to revise the requirements involving violations of the pedestrian code in the Traffic Code, and a discussion about the requiring of the pedestrian an identification code for the police officers. And this causes us, as lawmakers, to try to strike a very careful balance between public safety and continuing to empower police officers to do their business in the safest way possible while maintaining the privacy of our citizens and their basic civil rights and not turn this into a police state. That is a very delicate balance.

"And your Committee is to be complimented on maintaining that balance and assuring that the rights of the citizens are protected and the police are given some basics so that they can continue to do their job safely.

"That's why I am supporting this measure and I hope that my colleagues will as well."

The motion was put by the Chair and carried, and H.B. No. 87, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," having been read throughout, passed Third Reading by a vote of 47 ayes to 1 no, with Representative Alcon voting no, and Representatives Menor, M. Oshiro and White being excused.

The Chair directed the Clerk to note that H.B. No. 87 had passed Third Reading at 12:57 o'clock p.m.

H.B. No. 180, HD 1:

Representative Tom moved that H.B. No. 180, HD 1, having been read throughout, pass Third Reading, seconded by Representative Yoshinaga.

Representative Alcon rose to speak against the bill, stating:

"The objections I have on this one is that, us from Kalihi work three jobs and, you know, if you fine them one thousand dollars, that's kind of hard, Mr. Speaker. We need all the money we can get.

"If you put them on a community service, it's even harder because it's hard to do this type of service and still go out and do some work.

"Thank you, Mr. Speaker."

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

"Although the intent is very well-respected, I find that parents from the poverty-stricken areas are the parents that are usually involved in this situation, and there's other good intended laws such as CPS that have taken away our ability to be parents.

"There's a fine line between discipline and abuse. We find that a lot of the parents have to spare the rod and we find our kids using the rods on their parents. So I find it hard to support this bill because of those concerns."

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

"I just want to make a very brief comment.

"I think what this bill really does is give the court -- the Family Court -- just another tool in its arsenal of tools to try to make children -- minors -- rehabilitate and not be law violators. I think the word 'may' and not 'shall' is contained in the bill so that the court doesn't have to impose fines on the child or the parents.

"I think this bill also recognizes the fact that parents have to, and we as parents -- many of us are parents -- be held, to some extent, accountable, when appropriate, for the actions of our kids.

"The bill also provides, if you're looking at the safeguards, that it says clearly the court will not be able to impose such fines if the child or child's parents or legal guardian will not be able to pay it, or that the fine really is not an appropriate one. And it doesn't require a thousand dollars or whatever it is. The court is free to impose a \$25 or a \$50 fine.

"I think it's more the principle and the symbolic nature of what it's trying to achieve that we're trying to do in this bill. As I said, it is not mandatory -- it's just another method that the court can impose, like in graffiti or burglaries or other kinds of situations where it might be appropriate to fine the child or the parent.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 180, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Alcon and Kahikina voting no, and Representatives Menor, M. Oshiro and White being excused.

The Chair directed the Clerk to note that H.B. No. 180 had passed Third Reading at 1:01 o'clock p.m.

H.B. No. 357, HD 1:

Representative Tom moved that H.B. No. 357, HD 1, having been read throughout, pass Third Reading, seconded by Representative Yoshinaga.

Representative Marumoto 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 Marumoto's remarks are as follows:

"Mr. Speaker, I wish to speak in support of House Bill 357. This bill permits the release of residence and/or work address and telephone number of a criminal on probation. The address and telephone number would be disclosed to law enforcement officers in order to pursue a criminal investigation.

"It is well established that a significant percentage of crimes are committed by persons with a prior criminal record. In lieu of jail time or after sentence is served, the majority of those convicted (particularly for felonies) are placed on probation subsequent to their conviction. In addition, a probationer may have information regarding another suspect. Since probationers are required to keep their probation officers apprised of current residence and employment information, the probation officers' records provide a valuable source of information for locating suspects under investigation in criminal cases.

"The existing statute only permits the sharing of information for the purpose of serving bench warrants and summons. This means probation officers are prohibited from giving the information to a law enforcement officer who is conducting a criminal investigation, which may or may not involve the probationer, but for whom there is no outstanding warrant or summons.

"Mr. Speaker, this bill will greatly assist law enforcement officers in their investigation by saving them valuable time and resources.

"I urge your support of House Bill 357.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," having been read throughout, passed Third Reading by a vote of 48 ayes, with Representatives Menor, M. Oshiro and White being excused.

The Chair directed the Clerk to note that H.B. No. 357 had passed Third Reading at 1:02 o'clock p.m.

H.B. No. 544, HD 1:

On motion by Representative Tom, seconded by Representative Yoshinaga and carried, H.B. No. 544, HD

1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 48 ayes, with Representatives Menor, M. Oshiro and White being excused.

The Chair directed the Clerk to note that H.B. No. 544 had passed Third Reading at 1:03 o'clock p.m.

H.B. No. 1736:

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, H.B. No. 1736, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," passed Third Reading by a vote of 48 ayes, with Representatives Menor, M. Oshiro and White being excused.

The Chair directed the Clerk to note that H.B. No. 1736 had passed Third Reading at 1:04 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

H.R. No. 28 concerning Mary-Jane McMurdo who shall no longer be a member of the Energy and Environmental Protection Committee, and except as amended by this Resolution, all appointments and committee memberships of the House of Representatives as set forth in H.R. No. 4 adopted by the House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, shall remain in full force and effect, was jointly offered by Representatives Okamura and Ward, and was read by the Clerk.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 28 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 29 to 31) and concurrent resolutions (H.C.R. Nos. 25 to 27) were referred to Printing and further action was deferred:

H.R. No. 29, entitled: "HOUSE RESOLUTION URGING THE PRIVATIZATION OF THE PUBLICATION OF THE HAWAII REVISED STATUTES," was offered by Representative Ward.

H.R. No. 30, entitled: "HOUSE RESOLUTION URGING RANDOM VERIFICATION OF VOTER ELIGIBILITY," was offered by Representative Ward.

H.R. No. 31, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES CONGRESS, AND THE STATE LEGISLATURE TO JOIN IN A CONCERTED EFFORT IN AMENDING THE UNITED STATES CONSTITUTION TO PROHIBIT THE PHYSICAL DESECRATION OF THE UNITED STATES FLAG," was jointly offered by Representatives McMurdo and Alcon.

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRIVATIZATION OF THE PUBLICATION OF THE HAWAII REVISED STATUTES," was offered by Representative Ward.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ANNUALLY APPEAR BEFORE A JOINT SESSION OF THE LEGISLATURE TO DISCUSS THE PROBLEMS OF UNFUNDED FEDERAL MANDATES," was offered by Representative Ward.

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES CONGRESS, AND THE STATE LEGISLATURE TO JOIN IN A CONCERTED EFFORT IN AMENDING THE UNITED STATES CONSTITUTION TO PROHIBIT THE PHYSICAL DESECRATION OF THE UNITED STATES FLAG," was jointly offered by Representatives McMurdo and Alcon.

ANNOUNCEMENTS

Representative Morihara: "Your Committee on Agriculture will be meeting for decision-making right after session."

Representative Ward: "The Small Business Caucus will be holding a press conference tomorrow morning at 11:00 a.m. in Room 1006 for the purpose of signing the Small Business Caucus package."

ANNOUNCEMENT

At 1:05 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 10, 1995.

SIXTEENTH DAY

Friday, February 10, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Father Robert R. Mackey of Chaminade University, after which the Roll was called showing all members present with the exception of Representatives McMurdo and Pepper, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Fifteenth Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 152, transmitting copies of the State's Annual Report of Deposits and Investments for the fiscal year ending June 30, 1994, prepared by the Department of Budget and Finance, was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 6 and 7) were read by the Clerk and were placed on file:

Sen. Com. No. 6, transmitting S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE PEOPLE OF KOBE, JAPAN," which was adopted by the Senate on February 9, 1995.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.C.R. No. 17 was adopted.

Sen. Com. No. 7, informing the House that the Senate has adopted House Concurrent Resolution No. 2 on February 9, 1995.

At this time, Representative Alcon introduced to the members of the House Mr. Fred Cardova and his wife, Dorothy, from Seattle, Washington, who are leaders of the Filipino/American National Historical Society. They were accompanied by Mr. Domingo Los Banos.

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

The House of Representatives reconvened at 12:41 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

H.B. Nos. Re-referred to:

1039 Committee on Human Services, then to the Committee on Finance

1127 Committee on Transportation, then to the Committee on Education

1254 Committee on Labor and Public Employment, then to the Committee on Finance

1613 Committee on Labor and Public Employment, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 374 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 374, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 375 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 375, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 798, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 798, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 123, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE METHODS OF TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 183 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 183, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 159) recommending that H.B. No. 1173 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1173, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 160) recommending that H.B. No. 1215, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Chang and Herkes voting no.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 161) recommending that H.B. No. 1638, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1638, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI TRAFFIC IMPACT PLAN," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 162) recommending that H.B. No. 1712 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 1712, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 163) recommending that H.B. No. 2053 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, the report of the Committee was adopted and H.B. No. 2053, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION DEMAND MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 164) recommending that H.B.

No. 840, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety and Military Affairs.

On motion by Representative Santiago, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 840, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES," passed Second Reading and was referred to the Committee on Public Safety and Military Affairs.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 165) recommending that H.B. No. 251, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Santiago, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 251, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE CERTIFICATION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 264, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1273 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1273, entitled: "A BILL FOR AN ACT RELATING TO STADIUMS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 1918 pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Hamakawa, seconded by Representative Kahikina and carried, the report of the Committee was adopted and H.B. No. 1918, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 1117, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1117, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LOW-INPUT SUSTAINABLE

AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 1144 pass Second Reading and be referred to the Committee on Energy and Environmental Protection.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1144, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIVESTOCK WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Energy and Environmental Protection.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 1164, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1164, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PESTICIDE REGISTRATION RESEARCH," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 1585 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1585, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTROL OF FRUIT FLIES," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 1595 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1595, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 1717 pass Second Reading and be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1717, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Intergovernmental Relations and International Affairs.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 1254, as amended in HD 1, be recommitted to the Committee on Labor and Public Employment.

On motion by Representative Yonamine, seconded by Representative Suzuki and carried, the report of the

Committee was adopted and H.B. No. 1254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Labor and Public Employment.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 1613, as amended in HD 1, be recommitted to the Committee on Labor and Public Employment.

On motion by Representative Yonamine, seconded by Representative Suzuki and carried, the report of the Committee was adopted and H.B. No. 1613, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was recommitted to the Committee on Labor and Public Employment.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 1763, as amended in HD 1, pass Second Reading and be referred to the Committee on Ocean Recreation and Marine Resources.

On motion by Representative Arakaki, seconded by Representative Kahikina and carried, the report of the Committee was adopted and H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," passed Second Reading and was referred to the Committee on Ocean Recreation and Marine Resources.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 1385, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Hamakawa, seconded by Representative Kahikina and carried, the report of the Committee was adopted and H.B. No. 1385, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 32 and 33) and concurrent resolutions (H.C.R. Nos. 28 to 30) were referred to Printing and further action was deferred:

H.R. No. 32, entitled: "HOUSE RESOLUTION SUPPORTING EMPLOYEES IN THE STATE OF HAWAII TO RECEIVE TIME OFF TO ASSIST IN SCHOOL ACTIVITIES," was jointly offered by Representatives Takumi, Takai, Arakaki, Santiago, Tarnas, Shon, Yonamine, Anderson, Lee and Stegmaier.

H.R. No. 33, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH LAWS TO ALLOW STATES TO SHARE IN THE REVENUES FROM THE FEDERAL COMMUNICATIONS COMMISSION AUCTION OF RADIO FREQUENCY SPECTRUM FOR EDUCATIONAL PURPOSES," was jointly offered by Representatives Kawakami, Hamakawa, Jones and Say.

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EMPLOYEES IN THE STATE OF HAWAII TO RECEIVE TIME OFF TO ASSIST IN SCHOOL ACTIVITIES," was jointly offered

by Representatives Takumi, Takai, Arakaki, Santiago, Tarnas, Shon, Yonamine, Anderson, Lee and Stegmaier.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH LAWS TO ALLOW STATES TO SHARE IN THE REVENUES FROM THE FEDERAL COMMUNICATIONS COMMISSION AUCTION OF RADIO FREQUENCY SPECTRUM FOR EDUCATIONAL PURPOSES," was jointly offered by Representatives Kawakami, Say, Hamakawa and Jones.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PUBLIC FINANCING OF STATE ELECTIONS," was jointly offered by Representatives Case, Yamane, Swain, Takai, Kahikina, M. Oshiro, Yoshinaga, Garcia, Saiki, Tarnas, McMurdo, Hamakawa, Anderson, Halford, Ito, Jones and Meyer.

ANNOUNCEMENTS

Representative Yonamine: "Your Committee on Labor and Public Employment will be reconvening for decision-making right after this session."

Representative Stegmaier: "Your Committee on Education will be holding a hearing tomorrow, Saturday, in Room 802. In addition to the agenda listed, the first seventeen of those bills we've heard already and those will be for decision-making. So the decision-making will start at the beginning of the meeting which starts at 1:00 p.m., and thereafter we will hold hearings on the rest of the bills listed."

ADJOURNMENT

At 12:52 o'clock p.m., on motion by Representative Amaral, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon on Monday, February 13, 1995.

SEVENTEENTH DAY

Monday, February 13, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Terry K. Nakamura, Minister of Education and Youth, Hawaii Kai Baptist Church, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Sixteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Sixteenth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 153 to 157) were read by the Clerk and were placed on file:

Gov. Msg. No. 153, transmitting copies of the report entitled: **Interim Progress Report on the Missing Children State Clearinghouse Center**, in response to Act 246, Session Laws of Hawaii 1994, Creating the Missing Children State Clearinghouse Center.

Gov. Msg. No. 154, transmitting copies of the following: **Report to the Eighteenth Legislature, State of Hawaii, Fact-Finding Study to Determine the Feasibility of Alternative or Improved Transportation Modes Geared Specifically towards Persons with Disabilities.**

Gov. Msg. No. 155, requesting immediate consideration of House Bill 1995, **Making An Emergency Appropriation for the State Workers' Compensation Program**, in accordance with Section 9, Article VII, of the Constitution of the State of Hawaii.

Gov. Msg. No. 156, requesting immediate consideration of House Bill No. 1982, which amends Act 289, Session Laws of Hawaii 1993, as amended by Act 252, Session Laws of Hawaii 1994, appropriating a designated sum to the Department of Health for the provision of child and adolescent mental health programs, in accordance with Section 9, Article VII of the Constitution of the State of Hawaii.

Gov. Msg. No. 157, requesting immediate consideration of House Bill No. 2027 for the fiscal year 1994-1995 which makes a supplementary appropriation for the Department of Public Safety, in accordance with Section 9, Article VII of the Constitution of the State of Hawaii.

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

Representative Swain introduced Rachel Lahela Chandler Correia, Carol Ann Washburn and Susan Claire from Waiahiha, Kauai, here for the Hale Halawai Ohana 'O Hanalei, a part of the Family Center Demonstration Project.

Representative Isbell introduced Jan Merit and Jo-Ann Farnsworth from Kona, Hawaii, also here for the Family Center Demonstration Project.

Representative Tarnas introduced his sister, Theresa Tarnas, who is on her way back to Detroit to continue her studies in physical therapy.

At 12:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 24 to 27, 29 to 33) and concurrent resolutions (H.C.R. Nos. 20 to 30) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
24	Committee on Labor and Public Employment, then to the Committee on Legislative Management
25	Committee on Transportation, then to the Committee on Finance
26	Committee on Labor and Public Employment, then to the Committee on Finance
27	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
29	Committee on Legislative Management, then to the Committee on Finance
30	Committee on Judiciary, then to the Committee on Finance
31	Committee on Intergovernmental Relations and International Affairs, then jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary
32	Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance
33	Committee on Education, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
<u>H.C.R. Nos.</u>	
20	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
21	Committee on Labor and Public Employment, then to the Committee on Legislative Management
22	Committee on Transportation, then to the Committee on Finance
23	Committee on Labor and Public Employment, then to the Committee on Finance

- 24 Committee on Intergovernmental Relations and International Affairs, then to the Committee on Judiciary
- 25 Committee on Legislative Management, then to the Committee on Finance
- 26 Committee on Finance
- 27 Committee on Intergovernmental Relations and International Affairs, then jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary
- 28 Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance
- 29 Committee on Education, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
- 30 Committee on Judiciary, then to the Committee on Legislative Management, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
941	Committee on Water and Land Use Planning
942	Committee on Water and Land Use Planning
1110	Committee on Hawaiian Affairs and Housing, then to the Committee on Finance
1494	Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Human Services, then to the Committee on Finance
1681	Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Human Services, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 1383, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 1383, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 1384 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 1384, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE

COST CONTAINMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 1683 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Pepper, seconded by Representative Hamakawa and carried, the report of the Committee was adopted and H.B. No. 1683, entitled: "A BILL FOR AN ACT ESTABLISHING A STATE COMMISSION ON HIV/AIDS," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 2077, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Cachola, seconded by Representative Chang and carried, the report of the Committee was adopted and H.B. No. 2077, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM TRAINING," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 2331, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Cachola, seconded by Representative Chang and carried, the report of the Committee was adopted and H.B. No. 2331, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI HISTORICAL/CULTURAL PROGRAMS IN PUBLIC PLACES," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 750 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 750, entitled: "A BILL FOR AN ACT RELATING TO FISHPONDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 1067, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 1067, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 2006 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 2006, entitled: "A BILL FOR AN ACT RELATING TO THE SPORT FISH SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 1484, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 1484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 1877 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 1877, entitled: "A BILL FOR AN ACT RELATING TO GUARANTEE OF COMMERCIAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 1881 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 1881, entitled: "A BILL FOR AN ACT RELATING TO THE SPACE INDUSTRY," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 1913 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 1913, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INFORMATION NETWORK CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 191) recommending that H.B. No. 63, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chun Oakland, seconded by Representative Pepper and carried, the joint report of the Committees was adopted and H.B. No. 63, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A REPRESENTATIVE PAYEE SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep.

No. 192) recommending that H.B. No. 1039 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chun Oakland, seconded by Representative Saiki and carried, the report of the Committee was adopted and H.B. No. 1039, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT THE HAWAII PUBLIC EMPLOYEES HEALTH FUND LONG-TERM CARE INSURANCE BENEFITS PLAN," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 1686 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Yonamine, seconded by Representative Suzuki and carried, the report of the Committee was adopted and H.B. No. 1686, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 1995, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Yonamine, seconded by Representative Suzuki and carried, the report of the Committee was adopted and H.B. No. 1995, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE WORKERS' COMPENSATION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 1665, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 2300, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 2300, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Human Services.

On motion by Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 1579, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 1579, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 1582, as amended in HD 1, pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1582, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

SUSPENSION OF RULES

On motion by Representative Amaral, 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.

THIRD READING

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

H.B. No. 181, HD 1:

Representative Tom moved that H.B. No. 181, HD 1, having been read throughout, pass Third Reading, seconded by Representative White.

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

"Mr. Speaker, while I readily acknowledge the public's concern of juvenile crime, I must support House Bill 181 with reservations. I believe that this bill just goes too far.

"Under House Bill 181, fingerprints taken of children, age twelve and over, will be included in the State's automatic fingerprint identification system upon their arrest for allegedly committing a felony or for breaking and entering into a motor vehicle.

"This bill is unfair because it does not give children who are innocent a realistic opportunity to purge their fingerprints from the system.

"House Bill 181 allows for expungement of fingerprints in only three situations. First, where the juvenile reaches age 20; second, where the court finds the child not guilty and the child has no prior record of adjudication or conviction; and third, pursuant to a court order.

"Under this scheme, innocent children will find it very difficult to remove their fingerprints. A significant percentage of arrested juveniles never make it to court for two reasons. First, the police discover that they are innocent and release them; and second, the police opt to divert them to community-based programs for treatment. In such situations, the burden is entirely upon the child. An innocent juvenile who wishes to remove his or her fingerprints must hire an attorney to do so, assuming, of course, that the juvenile is aware of this option.

"House Bill 181 will be appropriate if it authorizes the inclusion of a juvenile's fingerprints only upon his or her adjudication, that is, upon the Family Court's finding of guilt. Such language was acceptable to the Honolulu City Prosecutor and also conforms to the American Bar Association's Juvenile Justice Standards.

"While it is imperative that the Legislature take necessary steps to curb juvenile crime, our sense of fairness must override provisions which stigmatize and criminalize innocent children.

"For these reasons, Mr. Speaker, with all due respect, I express my reservations on House Bill 181.

"Thank you."

Representative M. Oshiro then rose and stated:

"Mr. Speaker, I would like to concur with Representative Saiki in the observations he has made on this House bill. I will be voting in favor of the bill, with reservations, Mr. Speaker.

"In a nutshell, I have concerns that if a child is arrested and the Prosecutor's Office chooses not to submit a formal court proceeding in the Family Court, that this child's record will never even get into the system whereby if they are found not guilty, they are expunged by the court.

"I think the subsequent legislators need to look at this concern that we have raised this morning and make the appropriate amendments to the statutes.

"Thank you, Mr. Speaker."

Representative Takumi then rose and requested that Representative Saiki's remarks be entered into the Journal as his own, "and also with the hope that as the bill goes through the process that those concerns are taken into account.

"Thank you."

The Chair "so ordered."

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

"I just want to very briefly state that all we are asking here is for a data base, an inputting of fingerprints of minors, age twelve or older, into the AFIS system. The AFIS system is the Automatic Fingerprint Identification System.

"It is my understanding that they are fingerprinted anyway. But the system ... there is no requirement that the fingerprints be placed in the AFIS system, and the reason they wanted it in the AFIS system is so that if there are felonies committed, many of which are committed, like burglaries, by minors, or if they are breaking and entering into cars -- a lot of tourists' cars -- and we depend on tourism, then at least there is a data base of fingerprints. They can be compared with those lifted from the crime scene or from the automobile that the theft occurred, many of which are committed by minors, age twelve up to eighteen.

"Mr. Speaker, this bill provides a whole host of ways that the fingerprints can be purged, can be taken out of the system. It can be done by further order or by the court; it can be done when the child automatically reaches twenty; and it can be done if a child comes to court and in any way is determined not to have committed that crime and that child has no prior record. And maybe

there is some wording that we have to clarify which I believe is there already.

"But the bill is clear on its face, and it provides a delicate balance between the right of a child, or minor, to have his fingerprints purged if he has a clean record; that is to say that the court shall notify the Attorney General of that fact. It strikes a delicate balance between the right of the child and the right of the citizenry in this State to be protected from unwarranted burglaries, car thefts and other crimes by juveniles.

"Remember, this is only a data base. It is not placing a stigma on a child. It is merely a data base of information, of fingerprint records, committed by all persons who are minors who commit crimes, and that is all it is.

"Thank you, Mr. Speaker."

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

"I fully support the intent of the bill as described by Representative Tom, Chair of the Committee, though I do want to make sure that in this delicate balance, that we do pay attention to the details. I know the Committee has been clear in its intent, but I want to make sure that the wording is clear that when juveniles are not brought to court that, in fact, the onus is not on the juveniles to remove their fingerprints from the system, that many of the juveniles won't even know that their fingerprints are in the system, let alone know that they have to take proactive action to take it off.

"I just wanted to make sure that in future work on this bill that that point is clarified, so I will be voting in favor, with reservations.

"Thank you, Mr. Speaker."

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

"It is quite succinct, Mr. Speaker, as I understand the explanation, that these prints are kept as a data base and for the purpose of reference by law enforcement officers to check against the fingerprints that are in fact found at the scene. If our juveniles are in fact so innocent, it doesn't matter whether those fingerprints are in the data base or not in the data base. If they're innocent, they're not going to have a 'hit.' That juvenile is not going to be discovered and then later adjudicated. Quite frankly, you can have the prints of both my kids and stick them in the AFIS data base because I trust that my kids are not ripping off cars, but if they are, then I want to give the tool to the law enforcement officer to be able to identify those juveniles.

"I think there are sufficient protections in this bill, Mr. Speaker, and therefore, I am wholeheartedly in support of it.

"Thank you."

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

"Mr. Speaker and colleagues, it is indeed a sad day that we've gotten to when we have to even introduce a bill like this, but it's a reflection of what's going on in our society. The sad commentary is that juvenile crimes are up one hundred percent.

"I just returned from Washington and in talking to a representative from Missouri, he said the biggest issue in

their state is twelve and thirteen year olds killing people and then not knowing what to do with them ... like we're going to handle lotteries and gambling as the biggest issue in this State. If you're in Missouri, it's what to do with juveniles who are killing people. These are young kids who, unfortunately, shouldn't really even know what they're doing.

"So it's sad that we have to pass this, but the whole point is that it is very simple ... it is the old adage -- prevention is worth a pound of cure. Let's prevent it, let's get them in this system. If they're the ones who are the repeat offenders, they'll be found otherwise, and as the other speakers have said, let's cull out those who are innocent. But let's say, let us work on the kids of this society so, in effect, we're not going to have to get a teenage prison, so we've not raised a generation of thieves.

"Thank you, Mr. Speaker."

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

"In the past few days we've read about gang-style muggings and assaults in the Halawa area. They do these and then they run back into the Halawa housing area with no means of finding out who they are, and the only means by which this can be done is through fingerprints at the scene of the crime. If they have not committed the crime, they will not be used at all. The only time the trigger is when the fingerprints are found at the scene of the crime. That is the only trigger so if they are innocent, as some have brought up this afternoon, then they will never be brought into the system.

"I think it is imperative and with the testimonies that we've heard as part of the Judiciary Committee, as we've gone to the other islands and listened to people talk about their concerns, I am assured that the people support this as the only means by which we can really get to the core of the problem.

"Thank you very much."

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

"I do so only to make a point. As we begin to discuss this issue of juvenile crime, I would like all the members and everyone to also include in that discussion that we not deal with symptoms and that we deal with causes. As we begin to look at the number of programs that are supposed to be and are effective in dealing with juvenile crime and all of the other problems that go along with that, I ask that that be included in every discussion and that we not continue simply thinking that deterrent is going to work.

"Thank you."

Representative Pepper then rose and stated:

"Mr. Speaker, I join those who have spoken in support of this bill with reservations.

"I believe that the mechanisms are in place for appropriate expungement of the fingerprints of innocent individuals. But I hope that as we go through the rest of the process with this bill, we make sure that the burden of expungement will fall upon the system rather than upon the innocent individuals.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUTOMATIC FINGERPRINT IDENTIFICATION SYSTEM," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 181 had passed Third Reading at 12:56 o'clock p.m.

H.B. No. 2053:

On motion by Representative Hiraki, seconded by Representative Nakasone and carried, H.B. No. 2053, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION DEMAND MANAGEMENT," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 2053 had passed Third Reading at 12:57 o'clock p.m.

H.B. No. 251, HD 1:

On motion by Representative Santiago, seconded by Representative Garcia and carried, H.B. No. 251, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE CERTIFICATION," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 251 had passed Third Reading at 12:58 o'clock p.m.

H.B. No. 264, HD 1:

On motion by Representative Tom, seconded by Representative White and carried, H.B. No. 264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Third Reading by a vote of 51 ayes.

H.B. No. 1273:

On motion by Representative Tom, seconded by Representative White and carried, H.B. No. 1273, entitled: "A BILL FOR AN ACT RELATING TO STADIUMS," passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 264 and 1273 had passed Third Reading at 12:59 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 34 and 35) and concurrent resolutions (H.C.R. Nos. 31 and 32) were referred to Printing and further action was deferred:

H.R. No. 34, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was offered by Representative Souki, by request.

H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN ADDITIONAL PROGRAM FOR ITS ATHLETIC PROGRAMS UNDER THE LUMP SUM BUDGET PLAN," was offered by Representative P. Oshiro, by request.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE

THE PRACTICE OF RESPIRATORY CARE," was jointly offered by Representatives Kawakami, Pepper and Menor.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AN ADDITIONAL PROGRAM FOR ITS ATHLETIC PROGRAMS UNDER THE LUMP SUM BUDGET PLAN," was offered by Representative P. Oshiro, by request.

ANNOUNCEMENTS

At this time, Representative Santiago, on behalf of the members of the House, extended birthday greetings to Representative Garcia.

Representative Shon: "Your Committee on Energy and Environmental Protection will be having a hearing this evening at 7:00."

ADJOURNMENT

At 1:01 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 14, 1995.

EIGHTEENTH DAY

Tuesday, February 14, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Elder Denton Grady, Director of Youth Ministries, Hawaii Conference of Seventh Day Adventist, after which the Roll was called showing all members present with the exception of Representative Shon, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Seventeenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Seventeenth Day was approved.

At this time, Representative Arakaki introduced to the members of the House Pastor John Boaz, President, Hawaii Association of Evangelicals, and Pastor of Kalihi Union Church; Mrs. Carolyn Winston, Executive Director, Woman's Board of Missions; Reverend Paul Kamanu, Pastor of Grace Christian Church; Mr. Keith Ryder, Assistant Pastor of Grace Christian Church; and Mr. Leon Siu, State Director of the Christian Voice of Hawaii. "They are here because they received the Proclamation from the Governor regarding Christian Heritage Week, February 12 to the 22nd. It notes the 175th anniversary of the first Hawaiian Christian, Henry Opukahaia, who inspired the first American Board of Missions to Hawaii and brought Christianity to Hawaii."

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
420	Committee on Education, then to the Committee on Finance
653	Committee on Water and Land Use Planning
654	Committee on Water and Land Use Planning
757	Committee on Education, then to the Committee on Finance
921	Committee on Labor and Public Employment, then to the Committee on Finance
931	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
1099	Committee on Finance
1110	Committee on Finance
1132	Committee on Agriculture, then to the Committee on Judiciary
1133	Committee on Agriculture, then to the Committee on Finance

1155	Committee on Water and Land Use Planning
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1456	Committee on Education, then to the Committee on Finance
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2077	Committee on Tourism, then to the Committee on Finance
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2251	Committee on Education, then to the Committee on Finance
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2331	Committee on Tourism, then to the Committee on Finance
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The following resolution (H.R. No. 33) and concurrent resolution (H.C.R. No. 29) were re-referred as follows:

H.R. No. Re-referred to:

33	Committee on Finance
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H.C.R. No.

29	Committee on Finance
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At 12:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

H.R. No. 36, entitled: "HOUSE RESOLUTION HONORING AND COMMENDING LIANE NANEKA KANANI MARK, HAWAII'S JUNIOR MISS, 1995," was jointly offered by Representatives McMurdo, Jones, Marumoto, Souki and Tarnas, and was read by the Clerk.

On motion by Representative McMurdo, seconded by Representative Tarras and carried, H.R. No. 36 was adopted.

At this time, Representative McMurdo rose and proceeded to introduce the honoree, stating:

"Mr. Speaker and members of this honorable body, it gives me a great deal of pleasure to introduce to you three people, the first of whom is Liane Nanea Kanani Mark who is Hawaii's Junior Miss.

"This year marks the 36th anniversary of this outstanding program, and the interesting part about this program is as the resolution says ... this is not just for beauty, and we do see a lot of beauty up there; it's for scholarships and a very, very wonderful, well-rounded personality.

"Miss Mark is the daughter of Mr. Herbert Mark who is here. He is a retired planner. Liane is a 17-year old senior at Iolani School where she ranks sixth out of a class of two hundred twenty-seven students, and as you have heard, maintains a 4.14 grade point average.

"She is also an active participant in other school activities, including tennis, swimming, government, and is an avid singer and dancer as well. She has performed in numerous school musicals.

"Liane aspires to attend Harvard University, and hopes to become a medical doctor specializing in pediatrics. She will represent Hawaii in the forthcoming America's Junior Miss contest this summer in Mobile, Alabama."

Representative McMurdo then asked Ms. Liane Mark to stand to be recognized.

Representative McMurdo continued:

"Our next sweetheart is Kimberly Linnell Mahealani Taylor. She is the daughter of Carroll and Nancy Taylor. Her mother is familiar with the Legislature because she worked for former Speaker of the House, Tadao Beppu, and she is here with us today.

"Kimberly is a senior at Punahou School and hopes to attend Yale, Georgetown or the University of Pennsylvania to pursue a career as a lawyer."

Representative McMurdo then asked Kimberly Taylor to stand to be recognized.

Accompanying the honorees was Ms. Corlis Chang, "who is responsible for the Junior Miss Pageant in Hawaii," who then rose to be recognized.

Representative McMurdo then asked Mrs. Nancy Taylor and Mr. Herbert Mark to stand to be recognized.

A Certificate of Recognition was presented to Ms. Liane Mark by Representative McMurdo while floral leis were presented to the honorees by Representatives Saiki, Kawanakoa and M. Oshiro.

At 12:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 111, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 111, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," passed Second Reading and was referred to the Committee on Judiciary.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 112, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE STATE ETHICS CODE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 115, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 115, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR INCREASED PUBLIC ACCESS OF LEGISLATIVE PROCEEDINGS," passed Second Reading and was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 1502 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1502, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATES' FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 1875 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1875, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN-TRADE ZONES," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 1879 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 303, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 303, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO STIMULATE TOURISM ACTIVITY IN WEST HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 442, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 442, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST DESTINATION HILO IN ITS EFFORTS TO STIMULATE TOURISM ACTIVITY

IN EAST HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 702, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 702, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE BIG ISLAND CHAMBER OF COMMERCE FOR MAINTAINING AND DEVELOPING MARKET SHARES," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM ON MOLOKAI," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 1759, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1759, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM ON LANAI," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 1326, as amended in HD 1, pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPISTS," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 1558 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1558, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 1940 pass Second Reading

and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1940, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 1971 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1971, entitled: "A BILL FOR AN ACT RELATING TO ADULTERATION OF DRUGS AND MEDICAL DEVICES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 109, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Finance.

Representatives Lee and Stegmaier, for the Committees on Higher Education and the Arts and Education, presented a joint report (Stand. Com. Rep. No. 215) recommending that H.B. No. 694, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 694, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE COLLEGE OF EDUCATION AT THE UNIVERSITY OF HAWAII TO FUND VACANT POSITIONS," passed Second Reading and 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. 216) recommending that H.B. No. 1203 be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO NURSING," was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 2061, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMING OF STATE HIGHWAY FACILITIES," passed

Second Reading and was placed on the calendar for Third Reading.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No. 354, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and 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. 219) recommending that H.B. No. 650 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 650, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 854 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 854, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 1041, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 1045 pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1045 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

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

"It's just too important to let it go by with the same status as all the other bills even though the other bills are important. This one is really revolutionary, and the Labor Chair should be commended for that.

"This bill says ... every ten years, let's clean out our closets, let's look at government, let's have an evaluation and an analysis of what we're doing is correct. I think it gives us a chance to re-examine government every ten years rather than fighting brush fires and kind of putting them on the spot. It's a very long-ranged, well thought out bill, Mr. Speaker.

"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. 1045, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE HAWAII CONSTITUTION TO ESTABLISH A COMMISSION ON GOVERNMENT ORGANIZATION AND EFFICIENCY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 1586, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1586, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 1588 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1588, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT FOR PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 1687, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and 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. 226) recommending that H.B. No. 1697 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1697, entitled: "A BILL FOR AN ACT RELATING TO THE SIZE OF GOVERNMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 1175, as amended in

HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS AND MAINTENANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 1404, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 1505, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1505, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII OF THE HAWAII CONSTITUTION TO REQUIRE NOT LESS THAN THIRTY PERCENT OF ALL SOURCES OF STATE REVENUE BE APPROPRIATED FOR THE PUBLIC SCHOOL SYSTEM," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 390, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 390, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"This bill calls for voluntary environmental audits, Mr. Speaker. The Energy and Environmental Protection Agency believes that these voluntary environmental audits should be done anyway.

"My concern is that the information obtained from the voluntary environmental audit will be privileged in certain circumstances. I don't think this is in the best interest of our environmental protection for the State of Hawaii, so I will ask the Clerk to cast a no vote for me on this."

Representative Meyer then rose and stated:

"Mr. Speaker, I, too, would like the Clerk to register a no vote, not for exactly the same reasons as Representative Thielen, but because the parties to this bill, while they were in agreement on some important measures, they were very far apart on others. The bill, in its present form, I think is unworkable. I believe that in the interest of this body, we'd be better off not to pass it along.

"Thank you."

Representative Yoshinaga then rose and stated:

"I rise to speak in support of this measure as a member who voted in favor in the Committee hearing.

"The reason that I support this measure is that I think, as a public policy of the State, we want to encourage environmental audits by private individuals. This is a bill that would facilitate that kind of voluntary disclosure as opposed to adversarial proceedings within which the State would have to expend monies to enforce such environmental audits.

"I believe that this is a step in the right direction for such cooperative efforts.

"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. 390, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Meyer and Thielen voting no.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 392, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 392, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTS," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 400, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 400, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 518, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Hiraki, for the Committees on Energy and Environmental Protection and Transportation, presented a joint report (Stand. Com. Rep. No. 234) recommending that H.B. No. 73, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 73, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION IN TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Arakaki, for the Committees on Energy and Environmental Protection and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 235) recommending that H.B. No. 76, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 76, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Arakaki, for the Committees on Energy and Environmental Protection and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 236) recommending that H.B. No. 396, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 1380, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1380, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COUNTY ECONOMIC DEVELOPMENT BOARDS AND CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 1684, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1684, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAUI RESEARCH AND TECHNOLOGY CENTER," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 1876, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 407, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE AND FAMILY CAREGIVERS," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 589 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO CHORE SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 1036, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1036, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER PARENTS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 1986 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1986, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES, REAL PROPERTY LIENS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 1987 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1987, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 1991 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1991, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE

COUNCIL ON INDEPENDENT LIVING," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 2265 pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2265 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Kawanakoa rose and stated:

"Mr. Speaker, I would like to have the Clerk register a nay vote for me on this particular bill.

"While I am in favor of the particular project, I am concerned about the creation of new civil service positions at a time when we are holding down government. I think it would be wiser for us to hold off for another year and take a look at this program in the future when we have more fiscal ability to create such civil service positions.

"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. 2265, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF CERTAIN CIVIL SERVICE-EXEMPT POSITIONS WITHIN THE DEPARTMENT OF HUMAN SERVICES TO CIVIL SERVICE STATUS," passed Second Reading and was referred to the Committee on Finance with Representative Kawanakoa voting no.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 2266 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2266, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 248) recommending that H.B. No. 1113, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1113, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH QUEST," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 581, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM MARKETING," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com.

Rep. No. 250) recommending that H.B. No. 921, as amended in HD 1, be recommitted to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," was recommitted to the Committee on Labor and Public Employment.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 251) recommending that H.B. No. 1914 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1914, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 502, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 502, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROMOTE HAWAII-GROWN AGRICULTURAL PRODUCTS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 1150, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1150, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF STATEWIDE AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 1151, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1151, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MARKETING AND PROMOTION ON THE PART OF THE HAWAII TROPICAL FLOWER COUNCIL OF FOUR MAJOR TROPICAL COMMODITY GROUPS TO RETAIL FLORISTS WITHIN THE UNITED STATES," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 1319, as amended in

HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1319, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FUNDING OF PINEAPPLE RESEARCH," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 1435 pass Second Reading and be referred to the Committee on Education.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCHESES," passed Second Reading and was referred to the Committee on Education.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 257) recommending that H.B. No. 1132, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1132, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Agriculture.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 1133, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Agriculture.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 1188 pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ETHICS COMMISSION," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 1268 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1268, entitled: "A BILL FOR AN ACT RELATING TO COURTS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 261)

recommending that H.B. No. 1270 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1270, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 1353, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1353, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 1355, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1355, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAREER CRIMINAL PROSECUTION UNITS, SPECIAL PROSECUTION UNITS, AND VICTIM WITNESS PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 264) recommending that H.B. No. 1568 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1568, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 265) recommending that H.B. No. 1663, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1663, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL POLICE OFFICERS FOR COMMUNITY POLICING IN THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 1732 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1732, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS,"

passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 2021 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2021, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 2090, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2090, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 2119, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2119, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY VISITATION," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 1274 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1274, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC IMPROVEMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Stegmaier and Lee, for the Committees on Education and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 271) recommending that H.B. No. 2280, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 2280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1778, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1778, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED PROPERTY," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 1392, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1392, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 2176, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki, Pepper and Chun Oakland, for the Committees on Hawaiian Affairs and Housing; Health; and Human Services, presented a joint report (Stand. Com. Rep. No. 275) recommending that H.B. No. 970, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 970, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A VIABLE ALTERNATIVE TO LIVING AT THE AIRPORT," passed Second Reading and was referred to the Committee on Finance.

SUSPENSION OF RULES

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

THIRD READING

H.B. No. 750:

On motion by Representative Santiago, seconded by Representative Garcia and carried, H.B. No. 750, entitled: "A BILL FOR AN ACT RELATING TO FISHPONDS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Shon being excused.

The Chair directed the Clerk to note that H.B. No. 750 had passed Third Reading at 12:59 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 37 to 39) and concurrent resolutions (H.C.R. Nos. 33 to 35) were referred to Printing and further action was deferred:

H.R. No. 37, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO UTILIZE THE HONOLULU POLICE DEPARTMENT PAWAA ANNEX BUILDING FOR A TEMPORARY SHELTER FOR HOMELESS WOMEN AND CHILDREN," was jointly offered by Representatives Arakaki, Kahikina, Chun Oakland and Saiki.

H.R. No. 38, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO REDUCE SEXUAL INVOLVEMENT," was jointly offered by Representatives Arakaki, Kahikina, Stegmaier, Chun Oakland and Saiki.

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL, IN CONJUNCTION WITH THE LAW ENFORCEMENT COALITION, TO STUDY THE FEASIBILITY OF REQUIRING ADULT RESIDENTIAL CARE HOME PATIENTS TO WEAR IDENTIFICATION BRACELETS OR BADGES AT ALL TIMES," was jointly offered by Representatives Cachola, Menor, Garcia and Alcon.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO UTILIZE THE HONOLULU POLICE DEPARTMENT PAWAA ANNEX BUILDING FOR A TEMPORARY SHELTER FOR HOMELESS WOMEN AND CHILDREN," was jointly offered by Representatives Arakaki, Chun Oakland, Saiki and Kahikina.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO REDUCE SEXUAL INVOLVEMENT," was jointly offered by Representatives Arakaki, Kahikina, Stegmaier, Chun Oakland and Saiki.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL, IN CONJUNCTION WITH THE LAW ENFORCEMENT COALITION, TO STUDY THE FEASIBILITY OF REQUIRING ADULT RESIDENTIAL CARE HOME PATIENTS TO WEAR IDENTIFICATION BRACELETS OR BADGES AT ALL TIMES," was jointly offered by Representatives Cachola, Menor, Alcon and Garcia.

ANNOUNCEMENTS

Representative Lee rose and requested waiver of the 48-hour hearing notice requirement for decision-making on H.B. 784 relating to the Research Corporation of the University of Hawaii, at 2:30 p.m. today in Room 1206, and the Chair "so ordered."

Representative M. Oshiro rose and requested waiver of the 48-hour hearing notice requirement for the Committee on Energy and Environmental Protection to hear H.B. 2085 relating to environmental protection, tomorrow evening at 7:00 p.m. in Room 1008, and the Chair "so ordered."

Representative Pepper rose and requested waiver of the 48-hour hearing notice requirement to hear H.B. Nos. 1260, 1976, 1979, 2076 and 2191 on Thursday, February

16, 1995, at 9:00 a.m. in Room 1111, and the Chair "so ordered."

Representative Stegmaier: "Just a reminder to the members of the Education Committee that we will be holding a hearing with decision-making this afternoon at 3:00 p.m."

Representative White: "I would like to remind the Judiciary Committee members that we will have decision-making promptly at 1:30 p.m. in Room 802."

ADJOURNMENT

At 1:01 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 15, 1995.

NINETEENTH DAY

Wednesday, February 15, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by The Reverend Lee R. Kiefel of The Church of the Epiphany, after which the Roll was called showing all members present with the exception of Representatives Anderson and Menor, who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Eighteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Eighteenth Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 158, transmitting copies of the following: Maluhia Waitlist Demonstration Project: 1995 legislative Report, was read by the Clerk and was placed on file.

SENATE COMMUNICATION

Sen. Com. No. 8, transmitting Senate Bill No. 1770, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on February 14, 1995, was read by the Clerk and was placed on file.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. No. 1770 passed First Reading by title and further action was deferred.

At this time, the Speaker introduced to the members of the House Mr. Barry Brown, a realtor from Lahaina, Maui.

At 12:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
582	Committee on Tourism, then to the Committee on Water and Land Use Planning
784	Committee on Higher Education and the Arts, then to the Committee on Finance
2143	Committee on Water and Land Use Planning, then to the Committee on Finance

The following resolution (H.R. No. 26) and concurrent resolution (H.C.R. No. 23) were re-referred as follows:

<u>H.R. No.</u>	<u>Re-referred to:</u>
26	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

<u>H.C.R. No.</u>	<u>Re-referred to:</u>
23	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Lee and Stegmaier, for the Committees on Higher Education and the Arts and Education, presented a joint (Stand. Com. Rep. No. 276) recommending that H.B. No. 790, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS," passed Second Reading and 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. 277) recommending that H.B. No. 1517 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1517, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII ATHLETIC DEPARTMENT," passed Second Reading and 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. 278) recommending that H.B. No. 1740 be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1740, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CENTRAL OFFICE AND FOUNDATION OF THE POLYNESIAN LANGUAGES FORUM," 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. 279) recommending that H.B. No. 1743, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1743, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A MASTER OF ARTS PROGRAM IN HAWAIIAN LANGUAGE AND LITERATURE," 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. 280) recommending that H.B. No. 784, as amended in HD 1, be recommitted to the Committee on Higher Education and the Arts.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was recommitted to the Committee on Higher Education and the Arts.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 958 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 958, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE C.O.R.E. PROGRAM AT THE UNIVERSITY OF HAWAII - MANOA CAMPUS," passed Second Reading and 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. 282) recommending that H.B. No. 1304, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1304, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-WEST HAWAII EDUCATION CENTER," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 974, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 974, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIANS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 1313, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 298, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 298, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 582, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 582, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 1685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1685, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF TOURISM SPORTING EVENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 1807, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS PERTAINING TO OCEAN RECREATION AND MARINE RESOURCES," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 2014 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2014, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 523 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 523, entitled: "A BILL FOR AN ACT RELATING TO WELFARE FRAUD," passed Second Reading and was referred to the Committee on Judiciary.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 1985 pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1985 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

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

"Mr. Speaker, this is one of those bills that has both good and bad features to it, and I just wanted to point out my concerns to my colleagues.

"First of all, the bill requires that a person who is receiving public assistance for a physical disability seek treatment for that physical disability, and that provision seems eminently fair to me and I support that provision.

"There is, however, another provision which deletes the requirement in the current law that a person who provides a diagnosis is, under current law, ineligible to provide the treatment. This provision removes any possibility of conflict of interest relative to determining that treatment is needed and then having a financial interest in actually providing that treatment.

"This provision will be deleted under the bill as proposed, and this is what I wanted to call to my colleagues' attention as my concern. I think that the separation of diagnosis and treatment is, in fact, a useful cost containment method, and I would hope that as this bill goes through the rest of the procedures, we will look at the possibility of restoring that feature to the law.

"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. 1985, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 1989, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF FOSTER CARE LICENSING TO THE OFFICE OF YOUTH SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 513, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 513, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Finance.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 294) recommending that H.B. No. 595 be referred to the Committee on Finance.

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

Committees was adopted and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE REPORTING OF SCHEDULE II CONTROLLED SUBSTANCES," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 659, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 1004, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1004, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1857, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1857, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 2149 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2149, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS AND OTHER ELECTION DAY OFFICIALS," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 2254 pass Second Reading and be referred to the Committee on Intergovernmental Relations and International Affairs.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2254, entitled: "A BILL FOR AN ACT RELATING TO EXPORT TRADE," passed Second Reading and 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. 300) recommending that H.B. No. 1049, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1049, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOURISM TRAINING COUNCIL," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 291 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 291, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 269, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 269, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KONA COFFEE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 303) recommending that H.B. No. 441, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 441, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SURVEILLANCE OF FARMS AFFECTED BY THE PAPAYA RINGSPOT VIRUS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 1847 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1847, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 159, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 1512, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1512, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1527, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1527, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPLEMENT FEDERAL COST-SHARE PROGRAM ALLOTMENTS FOR WATER QUALITY MANAGEMENT PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 155, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 155, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF PUBLIC ACCESS TELEVISION AND TRANSMITTER IN KAU, ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 992 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 992, entitled: "A BILL FOR AN ACT RELATING GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 1429, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1429, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REGISTRAR POSITIONS AT INTERMEDIATE SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 1520, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1520, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC TRAINER POSITIONS IN THE PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 312) recommending that H.B. No. 1541, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1541, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE EDUCATIONAL TSUNAMI EXHIBIT," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 1550, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK TRANSITION CENTER PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 1667 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1667, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PERSONNEL FOR MAUI HIGH SCHOOL," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 315) recommending that H.B. No. 1965 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1965, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 2072, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2072, HD 1, entitled: "A BILL FOR AN ACT REDUCING THE STUDENT-TO-VICE-PRINCIPAL RATIO IN PUBLIC SCHOOLS," passed Second Reading and 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. 317) recommending that H.B. No. 242, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC LANDS," passed Second Reading and 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. 318) recommending that H.B. No. 486, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 1766 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1766, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 2017 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," passed Second Reading and 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. 321) recommending that H.B. No. 2108, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 2129, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

HISTORIC PRESERVATION," passed Second Reading and 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. 323) recommending that H.B. No. 2143, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2143, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE OF CAMPSITES," passed Second Reading and was referred to the Committee on Human Services.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 1996, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1996, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 1997, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1997, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 1998 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1998, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH PROGRAMS FOR STATE CONSTRUCTION CONTRACTS," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 2089 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2089, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 1980 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1980, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

SUSPENSION OF RULES

On motion by Representative Amaral, 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.

THIRD READING

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

H.B. No. 1484, HD 1:

On motion by Representative Santiago, seconded by Representative Garcia and carried, H.B. No. 1484, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Menor being excused.

The Chair directed the Clerk to note that H.B. No. 1484 had passed Third Reading at 12:37 o'clock p.m.

H.B. No. 1274:

On motion by Representative Tom, seconded by Representative White and carried, H.B. No. 1274, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC IMPROVEMENTS," passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Menor being excused.

The Chair directed the Clerk to note that H.B. No. 1274 had passed Third Reading at 12:38 o'clock p.m.

ANNOUNCEMENTS

Representative Morihara rose and requested waiver of the 48-hour hearing notice requirement to hear H.B. Nos. 1132, HD 1, and 1133, HD 1, and reconsideration of H.B. No. 1378 on Thursday, February 16, 1995, at 8:30 a.m., and the Chair "so ordered."

Representative Arakaki: "Your Committee on Hawaiian Affairs and Housing will be reconvening at 12:45 p.m. in Room 1206 to complete the agenda."

Representative Arakaki continued:

"Also, I want to make note that tomorrow evening at the Governor's dinner, we have been called upon in the past to provide some kind of entertainment and usually it has been the freshmen that have been appointed to do that, so just so they can be prepared for tomorrow evening."

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 16, 1995.

TWENTIETH DAY

Thursday, February 16, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:08 o'clock p.m., with the Vice Speaker presiding.

The invocation was delivered by Lieutenant Mark Nelson of the Salvation Army, after which the Roll was called showing all members present with the exception of Representative Souki, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Nineteenth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Nineteenth Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 159, transmitting copies of the Hawaii Paroling Authority's Annual Report, July 1, 1993 - June 30, 1994, prepared pursuant to Chapter 353, Hawaii Revised Statutes.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 10 from Yukio Naito, Chairman, Public Utilities Commission, State of Hawaii, submitting Dennis Thomas & Associates' report reviewing the relationship between Hawaiian Electric Industries and Hawaiian Electric Company, in response to House Concurrent Resolution No. 46 adopted by the 1993 Legislature, was read by the Clerk and was placed on file.

SENATE COMMUNICATION

Sen. Com. No. 9, transmitting Senate Bill No. 559, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," which passed Third Reading in the Senate on February 15, 1995, was read by the Clerk and was placed on file.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. No. 559, SD 1, passed First Reading by title and further action was deferred.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 34, 35, 37 to 39) and concurrent resolutions (H.C.R. Nos. 31 to 35) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
34	Committee on Water and Land Use Planning, then to the Committee on Finance
35	Committee on Education, then to the Committee on Finance
37	Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Human Services, then to the Committee on Intergovernmental

Relations and International Affairs, then to the Committee on Finance

38 Committee on Health, then to the Committee on Education, then to the Committee on Finance

39 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

H.C.R. Nos.

31 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management

32 Committee on Education, then to the Committee on Finance

33 Jointly to the Committee on Hawaiian Affairs and Housing and the Committee on Human Services, then to the Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance

34 Committee on Health, then to the Committee on Education, then to the Committee on Finance

35 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
920	Committee on Finance
1140	Committee on Finance
1328	Committee on Education, then to the Committee on Judiciary
2217	Committee on Finance

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

H.R. No. 40, entitled: "HOUSE RESOLUTION CONGRATULATING ALU LIKE, INCORPORATED, ON ITS TWENTIETH ANNIVERSARY," was offered by Representative Amaral and was read by the Clerk.

On motion by Representative Amaral, seconded by Representative Kahikina and carried, H.R. No. 40 was adopted.

Representative Amaral proceeded to introduce the honorees, stating:

"It truly is a pleasure to be able to introduce to you, Mr. Speaker and to my colleagues, some of the members who are seated on the floor here today representing Alu Like, Inc.

"May I say that over the past twenty years, Alu Like has done an exemplary job in providing assistance to Hawaii's native people, most notable is some of the

awards that they have received both statewide as well as nationally. They have received the Native Hawaiian Substance Abuse Prevention Project award from the U.S. Department of Health and Human Services in 1994, and this was one of only eight projects recognized in the nation.

"In 1991, Alu Like received special recognition from the Child Welfare League of America for outstanding leadership, contributions and dedicated service to the children, youth and families. Also in 1991, Alu Like received a national award from the IBM Corporation in competition with 63 other centers, naming the Hawaii Computer Training Center as an outstanding job training center.

"Here in the State, Alu Like received awards and recognition from the Judiciary in 1991 and 1994 for its Community Service Sentencing Program. After Hurricane Iniki, Alu Like was recognized by the Hawaii Carpenter's Market Recovery Program for outstanding service to the Kauai community through its Ke Ola Pono No Na Kupuna project.

"Today, Mr. Speaker, I am privileged to present to this honorable body Alu Like's movers and shakers -- past, present, and maybe future."

Representative Amaral then asked the following honorees, who were seated on the House floor, to stand to be recognized:

Winona Kealamapuna Ellis Rubin, co-founder and the first Executive Director of Alu Like, "a person well known to all of us. It was Mrs. Rubin's guiding hand that firmly established Alu Like as a strong, credible agency that it has come to be known as."

Ms. Haunani Apoliona, the present President and Executive Director of Alu Like. "Ms. Apoliona, as successor to Mrs. Rubin, carries on the good work in her own inimitable management fashion."

Kupuna Marge Kauka and Kupuna Jeannette Anderson of the Ke Ola Pono No Na Kupuna program, "who have done outstanding work in the Kauai community as just one example of their good work."

William Kuamoo. "Mr. Kuamoo is one of the students of that remarkable Hawaii Computer Training Program in which we take national recognition. I know this program very well because it was my sister, Estelle Liu, who headed it the first time that this program opened up. It truly is a remarkable program."

"We are grateful to have all of you here with us today."

Representative Amaral then asked the following persons who were seated in the gallery to stand to be recognized: Jimmy Moikeha, Director of the Business Development Center; Harriet O'Sullivan, Oahu island representative; Kehau Lum, research development officer; and Geraldine Eli, student from the Computer Training Center.

Representative Arakaki then rose and stated:

"I would like to start with the words of the current director who wrote this song which has become an anthem I think, not just for Alu Like but for the Hawaiian people, and I would sing it for everyone but I didn't bring my guitar. I will say the first verse because it has a lot of meaning:

E Alu Like Mai Kakou
E Na O Iwi O Hawai'i
Na Pua Mae Ole

E Alu Like Mai Kakou
E Na O Iwi O Hawai'i
Na Pua Mae Ole
Na Pua Mae Ole.

And it translates to:

"Let us work together, natives of Hawaii
The beautiful handsome descendants.
Let us work together, natives of Hawaii
The descendants that never fade
The flowers that never fade.

"And the song goes on to describe about working together in humility and sincerity. I think that's the heart of what Alu Like is all about, and as we continue to discuss sovereignty it's really important to keep in mind that we really need to look at how the Hawaiian people will benefit, especially in terms of their health and the services that they need. I think Alu Like embodies what is needed -- the kinds of services that are needed for the people of Hawaii and the native Hawaiians.

"I am especially grateful to Ms. Apoliona for really showing leadership in developing the Hui Imi Task Force. And the Hui Imi Task Force, the bill which we passed yesterday, called for a continuing role in bringing together all the health and human services programs that serve Hawaiians to work together for a common good, and they have done that in the area especially for children, for early childhood education. And so I wanted to personally say 'Mahalo' to Haunani for her leadership as we continue to work in that area.

"I also want to, as a former Chair and Vice Chair for Human Services, thank Miss Rubin for all the work that she did, not just for Hawaiians but for all the people of Hawaii. We'll miss your leadership and your heart full of compassion. I want to thank you for that, too.

"Mahalo."

Representative Swain then rose and stated:

"Mr. Speaker, I would be remiss if I also didn't stand, being that I am a member of the Kauai Alu Like Advisory Council, and I have first-hand seen the work that Alu Like does on the island of Kauai. I have seen what they have done for the kupuna of the island; I have seen what they have done to the at-risk youth by putting them into the youth programs; I have seen their job training program and the amount of people that they have put into the job market and has raised the level of pay of many of the Hawaiian people by the programs that they have initiated and started.

"I have seen the work of Haunani. As an entertainer myself, I worship the woman as far as her music. But also as a CEO, she has done an amazing job for Alu Like, and I support the work that she has done and the effort that she has put into this company.

"Also, Mrs. Rubin used to chase me around Kamehameha Schools a few years ago -- I guess more than a few years ago -- and I know what she has done for the State.

"So, I would like to express my gratitude to them also for the work that they have done.

"Mahalo."

Representative Kahikina then rose and stated:

"I would also be remiss if I did not stand and say my 'Mahalo' to Alu Like and to Mrs. Rubin who I've worked

with and who've known me through the Waianae Rap Center, the Kaala Farm Project, Opelu Project, and the Queen Liliuokalani Children's Center. I would like to extend my 'Mahalo' for all the support that you've given me, given Waianae, especially the work with the adolescent and the opio in the Waianae area.

"But more so, as a testimony because it was back in 1988 that Alu Like gave me the opportunity to go back to school. It was a time when they were saying ... 'you know, brother, we no like give you because most of the Hawaiians they say are flunking out.' So I had a hard time to convince them that, no, this Hawaiian going make 'um and I see the goal already, and thank God, somebody believed me and they gave me the opportunity, and in 1990, I graduated with a bachelor's degree in public administration.

"So I am a legacy of Alu Like that gave me an opportunity, and I am one of those strand of hair that's going to continue the Alu Like cause, and I want to stand here and say that Alu Like helped not only myself and my family, but many opios that we worked with, many that we cried with, many we lost, many that are successful.

"Mahalo, and God bless you."

Representative Ward then rose and stated:

"I also stand to join in commending Alu Like for twenty years of fantastic service to the Hawaiian community. But generally, when people are involved in the affairs of the Legislature, they say ... conflict of interest. But I proudly announce that my company has done a number of things with Alu Like, primarily in its entrepreneurial training program. We have to evaluate it, to refine it, and, in fact, we even did some joint ventures with the Office of Hawaiian Affairs and the Hawaiian Home Lands. I know, Mr. Speaker and colleagues, they have produced millionaires under their programs. The record stands for itself.

"The ex-offender program is another example of Alu Like. You want to talk about cost benefit, Representative Say, in the Finance Committee? If you go to the ex-offender program of Alu Like, 70 percent of the people never go back to jail. If you don't go into the Alu Like ex-offender program, only 16 percent of the people don't go back to jail. That's cost benefit analysis. I would like to say Alu Like is the best and the brightest of the non-profits.

"Winona, you've been a pioneer. You've given to your community, you've been an exemplary leader.

"Haunani, I understand you're going off to the White House in June as a delegate to the White House Conference on Small Business. We're proud of you, we congratulate you, and I hope in twenty years we can come back and say the same things for the second power.

"Thank you."

Representative Chun Oakland then rose and stated:

"Mr. Speaker, I would also like to say 'Thank You' to Mrs. Rubin and to Haunani. Under their capable leadership, not only in Alu Like but many community causes, we have much to thank you for.

"I wanted to also thank the other members that are here along with Jim and Harriet. I appreciate their work as well.

"Thank you for all you have done for Hawaii."

Representative Kanoho then rose and stated:

"As with Representative Swain, I, too, serve on the Alu Like Board in Kauai and for a while pondered whether that affiliation might be a conflict of interest because we have supported so strongly many of its programs, and especially the ex-offender program, as Representative Ward ridiculed.

"I would just like to add my mahalo and best wishes for continued successes to Alu Like and to its leadership because we can all be very proud of what they have done for our Hawaiian people in providing much hope and much assistance, jobs, and independence.

"Because I have personally known Winona Ellis Rubin because she is like me -- from Kauai -- and because I have also known Haunani Apoliona for a long time as well as admired her for her contributions in Hawaiian music, I would also like to congratulate them on their personal successes, and for demonstrating in that way the example that they have established for all of our Hawaiians, especially our Hawaiian youth, to emulate. For that, we are very grateful.

"Mahalo, aloha ke akua."

Representative Kawakami then rose and stated:

"I would also be remiss if I did not extend my congratulations to all of you. Winona -- the Ellis family -- has been part of my family for many, many years. And Haunani, I've known through all the programs that you have been trustering.

"I would like to congratulate all of you for the work well done for our Hawaiian community.

"Thank you."

At this time, Certificates of Recognition and floral leis were presented to the honorees by Representatives Amaral, Kawakami, Swain, Kanoho and Yamane.

At 12:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:46 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 329) recommending that H.B. No. 2159, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT SYSTEM MEMBERS," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 657, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 657, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

RETIREMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 331) recommending that H.B. No. 1254, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 1999 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1999, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and 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. 333) recommending that H.B. No. 1542 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1542, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LABOR EDUCATION," passed Second Reading and 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. 334) recommending that H.B. No. 1543 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 686, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AID TO FAMILIES WITH DEPENDENT CHILDREN," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 578, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 580, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 580, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII VISITORS BUREAU," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 1237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 2123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2123, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 2152 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2152, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 1208, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 342)

recommending that H.B. No. 1827, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1827, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1835, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1835, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF GOVERNMENT FUNDS FOR GRANTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 1984, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 344 and H.B. No. 1984, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1984, HD 1, were made available to the members of the House at 12:00 o'clock noon.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 1992, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 345 and H.B. No. 1992, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1992, HD 1, were made available to the members of the House at 12:00 o'clock noon.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 114, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAMPAIGN SPENDING COMMISSION," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 929, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 929, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 348) recommending that H.B. No. 973, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 973, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HO'OPONOPONO," was referred to the Committee on Finance.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 349) recommending that H.B. No. 1859, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIRING OF ATTORNEYS," passed Second Reading and was referred to the Committee on Finance.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 350) recommending that H.B. No. 1869, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and 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. 351) recommending that H.B. No. 2137, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2137, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIKIKI AQUARIUM," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 1020, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1020, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS FOR PUBLIC SCHOOL EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 353) recommending that H.B. No. 1428, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1428, HD 1,

entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1468 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1468, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE TEACHER EDUCATION AND GRADUATE LEVEL OUTREACH PROGRAMS ON KAUAI," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 1519 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1519, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 1580, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1580, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE SENIOR CITIZEN ADULT EDUCATION PROGRAM OF THE DEPARTMENT OF EDUCATION'S COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 2212, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and 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. 358) recommending that H.B. No. 131 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 131, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," passed Second Reading and 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. 359) recommending that H.B. No. 488, as

amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 488, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 565, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 565, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, I'm rising to ask the Clerk to cast a 'no' vote for me on House Bill 565.

"What this bill would do, Mr. Speaker, is set up the Waiialua Community Development District under HCDA. I would ask the members to take a look outside their windows and take a look at Kakaako, and think if we really did a good job for our business community and for the residents by establishing a special district and letting the State take over and run the operations. I don't think that the small businesses that were forced out of business in Kakaako would clamor to say, set up another special district.

"I don't think HCDA did a good job here on this island. The island is urbanized enough, and the City and County has enough expertise with land use issues to continue its role, and I don't think we should take over that role. It's basically a home rule issue, Mr. Speaker.

"On this one, I side with the City and County of Honolulu and say that they can do a better job than our State intervention has shown it does on this island.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 565, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 769 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 769, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A LAND AGENT FOR THE WEST HAWAII AREA," passed Second Reading and 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. 362) recommending that H.B. No. 1463 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1463, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 2018 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2018, entitled: "A BILL FOR AN ACT RELATING TO THE AINA HOOMALU STATE PARKS PROGRAM," passed Second Reading and 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. 364) recommending that H.B. No. 752, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 752, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES BENEFICIARY WATER RIGHTS," 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. 365) recommending that H.B. No. 1563, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1563, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CULTURAL IMPACT STATEMENTS," 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. 366) recommending that H.B. No. 1789, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1789, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOWER HAMAKUA DITCH," was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 935 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 935, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 1323, as amended in

HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1323, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPEDITING SCHOOL CONSTRUCTION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 1473 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1473, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 1903 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1903, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1581 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1581, entitled: "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

SUSPENSION OF RULES

On motion by Representative Amaral, 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.

THIRD READING

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

H.B. No. 2061, HD 1:

Representative Hiraki moved that H.B. No. 2061, HD 1, having been read throughout, pass Third Reading, seconded by Representative Nakasone.

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

"I commend the freshmen who introduced this bill. I commend them for their efforts. However, I do have concerns with it. They may not know that it was just last

year when we passed a resolution in this body requesting that the H-3 tunnel be named after the retiring Director of Transportation, Tets Harano. He served in the State for 52 years. Upon the dedication ceremony of the tunnel, one speaker mentioned that he was not even in grade school when Tets started working for the Department of Transportation. Governor Waihee also remarked that he wasn't even born when Tets went to work.

"Mr. Speaker, it looks like this bill might preclude the Legislature from naming highway facilities, and I am not so sure that's a good idea. I think the Legislature does some good things, and I just wanted to express my reservations.

"Thank you very much."

Representative Hiraki then rose and stated:

"Mr. Speaker, I just wanted to clarify this bill. It just formalizes what has been done since 1991.

"Last year, the Legislature did express an intent to name a certain tunnel and that was done by resolution. So it's just formalizing what has actually been done since 1991. It doesn't change anything.

"Thank you."

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

"Mr. Speaker, this bill could probably be better crafted if, in effect, it formalizes what's been done, being that last year, Mr. Speaker, I led the floor debate for Tets Harano's nomination which I believe, Mr. Speaker, when you were the Chair of the Transportation Committee. I believe it was Representative Beirne who stood up and said, no, it should not be Tets Harano. That's the point of it -- it was a public-aired issue.

"What this bill says is ... if you're an appointed head of a division called the Department of Transportation, you get to name things that are significant -- like airports, tunnels, hopefully not another highway -- but things of significance. Even if we wanted to name the 'Joe Souki Ship' or whatever we're going to be doing, this would say it's in the appointed official's hands and not in the public discourse.

"The point is, Mr. Speaker, I think the public needs to be heard and if we are rocking what is otherwise tradition, I think it's incorrect. Cape Canaveral and other significant national monuments have always had the heart and the minds of the people in that discourse.

"I think this may be cutting this out of that, therefore, my reservations are rather strong.

"Thank you."

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

"In part, I think that the Committee has wisely made an attempt to continue to seek public input by asking the Director of the Department of Transportation to work in consultation with the Commission on Transportation when it comes to the naming of highways, bridges, tunnels, et cetera. I think also that they have wisely asked that wherever it is possible, to maintain the use of Hawaiian names, place names, for significance.

"I agree with the Chair of the Committee that the Legislature still remains in the loop and is still able to

have input through the use of resolutions, so the debate can continue here in this arena.

"Given that, I speak in strong support of the measure.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 2061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMING OF STATE HIGHWAY FACILITIES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Souki being excused.

The Chair directed the Clerk to note that H.B. No. 2061 had passed Third Reading at 12:56 o'clock p.m.

H.B. No. 291:

Representative Lee moved that H.B. No. 291, having been read throughout, pass Third Reading, seconded by Representative Takai.

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

"Mr. Speaker, this bill requires that the Governor appoint a University of Hawaii student or a recent graduate of the University system to the UH Board of Regents for a term of two years.

"Some issues that affect students at the University of Hawaii and are heard by the UH Board of Regents do not necessarily include student input. Presently, although the students may voice their concerns to the Board, they cannot reinforce what they say with a vote.

"Mr. Speaker, I strongly feel that the voting student member on the Board of Regents would help ensure that student concerns are heard and acted upon. By allowing a student member to vote as a bona fide Board member, we will be ensuring that students have a direct voice and participation in the process that ultimately revolves around the students in our system.

"A single student member on the Board of Regents, whose membership totals eleven voting members, would not undermine the efforts of the other more experienced Board members. Such a member would allow access to a wealth of information on the ramification of Board decisions on students, and will provide an essential element not presently available.

"Mr. Speaker and colleagues, it is for these reasons as well as many others, that I speak in favor of House Bill 291.

"Thank you."

Representative Lee then rose and requested that the words of Representative Takai be entered into the Journal as his own, and the Chair "so ordered."

Representative Lee continued:

"We've had a student member of the Board of Education now for a number of years. I was very pleased that I was part of the movement to have a member of the Board be a student and that took the constitutional amendment. Indeed, the participation of the student member of the Board of Education has immeasurably uplifted the intellectual quality and deliberation of that Board. I think the same situation would occur here, too.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 291, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Souki being excused.

The Chair directed the Clerk to note that H.B. No. 291 had passed Third Reading at 1:00 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 41 and 42) and concurrent resolutions (H.C.R. Nos. 36 and 37) were referred to Printing and further action was deferred:

H.R. No. 41, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERGOVERNMENTAL RELATIONS AND FISCAL BALANCE STUDY COMMISSION," was offered by Representative Souki, by request.

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATURE TO SUPPORT THE CONTINUATION OF COMMUNITY ACTION IN THE STATE OF HAWAII," was offered by Representative Souki, by request.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERGOVERNMENTAL RELATIONS AND FISCAL BALANCE STUDY COMMISSION," was offered by Representative Souki, by request.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO SUPPORT THE CONTINUATION OF COMMUNITY ACTION IN THE STATE OF HAWAII," was offered by Representative Souki, by request.

ANNOUNCEMENTS

Representative Chun Oakland rose and requested waiver of the 48-hour hearing notice requirement for the purpose of conducting a public hearing to reconsider prior decision-making on House Bill 590 tomorrow morning at 9:00, and the Chair "so ordered."

Representative Menor then rose and requested waiver of the 48-hour hearing notice requirement for the purpose of a joint hearing (CPC/JUD) on H.B. Nos. 1696, 1687, HD 1 and 1980 this afternoon, and H.B. No. 1959 at 5:00 p.m. in Room 802, and the Chair "so ordered."

Representative Okamura: "Just a reminder to the members that tomorrow, we will begin session at 12:00 noon, recessing, and reconvening at 8:30 p.m."

ADJOURNMENT

At 1:03 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 17, 1995.

TWENTY-FIRST DAY

Friday, February 17, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Corinne Wong of the Hope Chapel, Honolulu, after which the Roll was called showing all members present.

The Clerk proceeded to read the Journal of the House of Representatives of the Twentieth Day.

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twentieth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 160 to 175) were read by the Clerk and were placed on file:

Gov. Msg. No. 160, transmitting copies of the report prepared by the Department of Education in response to the proviso of the Appropriations Act of 1994, Act 252, Section 82.1 on Special Education Programs and School-based Health Centers.

Gov. Msg. No. 161, transmitting copies of the report prepared by the Department of Education in response to Act 272, Section 20(b), Chapter 296, Hawaii Revised Statutes, on Performance Standards and Implementation Plan.

Gov. Msg. No. 162, transmitting copies of the report prepared by the Department of Education in response to the proviso of the Appropriations Act of 1994, Act 252, Section 73.3 on transfers of funds out of the incentive and innovative grant funds.

Gov. Msg. No. 163, transmitting copies of the report prepared by the Department of Education in response to Act 272, Section 34, Chapter 296, Hawaii Revised Statutes, on the final implementation plan for facilities improvement.

Gov. Msg. No. 164, transmitting copies of the report prepared by the Department of Education in response to the proviso of the Appropriations Act of 1993, Act 289, Section 79 on the status of school-based budgeting in the Department of Education.

Gov. Msg. No. 165, transmitting copies of the report prepared by the Department of Education in response to Act 134, Section 3, Hawaii Revised Statutes, on the performance of the Hawaii Young Scholars Program.

Gov. Msg. No. 166, transmitting copies of the annual report prepared by the Department of Education on the Teacher Education Coordinating Committee (TECC) for 1993-94.

Gov. Msg. No. 167, transmitting copies of the report prepared by the Department of Education in response to HCR 461, HD 1, on the feasibility of using open-captioned television.

Gov. Msg. No. 168, transmitting copies of the report prepared by the Department of Education in response to

Act 364, Section 13, Chapter 296, Hawaii Revised Statutes, 1993 Legislature, on the operations of the incentive and innovation grant review panel.

Gov. Msg. No. 169, transmitting copies of the report prepared by the Department of Education in response to HCR 156, HD 1, on the acquisition of the new Kihei Elementary School.

Gov. Msg. No. 170, transmitting copies of the report prepared by the Department of Education in response to HCR 97, HD 2, on a comprehensive physical education program.

Gov. Msg. No. 171, transmitting copies of the report prepared by the Department of Education in response to Act 272, Section 25, Chapter 296, Hawaii Revised Statutes, on an educational status report.

Gov. Msg. No. 172, transmitting copies of the report prepared by the Department of Education in response to the proviso of the Appropriations Act of 1994, Act 252, Sections 78 and 78.1 on interprogram transfers of appropriated funds.

Gov. Msg. No. 173, transmitting copies of the report prepared by the Department of Education in response to the proviso of the Appropriations Act of 1994, Act 252, Section 84.1 on the School Repair and Maintenance (R & M) Program.

Gov. Msg. No. 174, transmitting copies of the report prepared by the Department of Education in response to Act 364, Section 22, Chapter 296, Hawaii Revised Statutes, 1993 Legislature, on SCBM schools' classroom cleaning projects.

Gov. Msg. No. 175, transmitting copies of the report prepared by the Department of Education in response to Act 272, Section 29, Chapter 296, Hawaii Revised Statutes, on the progress of the education restructuring effort.

SENATE COMMUNICATION

Sen. Com. No. 10, transmitting Senate Bill No. 1771, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF CHILD SUPPORT THROUGH INCOME WITHHOLDING," which passed Third Reading in the Senate on February 16, 1995, was read by the Clerk and was placed on file.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. No. 1771 passed First Reading by title and further action was deferred.

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

Representative Alcon, on behalf of Representatives Cachola, Garcia, Menor and himself, introduced guests from the Philippines -- Dr. Roberto P. Castro, President of the Ilocos Norte Medical Society, and his wife, Mrs. Linda Castro; and Thelma Ortac. They were accompanied by Mr. Chris and Mrs. Tessie Saladino.

Representative Tarnas introduced his student intern, Stephanie Decker, "who is leaving today. She is a student at Kalamazoo College in Michigan where she will continue her studies in international relations, concentrating in East Asian studies."

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1129	Committee on Higher Education and the Arts
1327	Committee on Finance
1378	Committee on Agriculture, then to the Committee on Finance
1625	Committee on Education, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

H.R. No. 43, entitled: "HOUSE RESOLUTION CONGRATULATING THE WINNERS AND SPONSORS OF THE 1995 DRUG FREE HAWAII POSTER AND MURAL CONTEST," was jointly offered by Representatives Arakaki, Pepper, Chun Oakland, Stegmaier, Amaral, Case, Okamura, P. Oshiro and Saiki, and was read by the Clerk.

On motion by Representative Arakaki, seconded by Representative Stegmaier and carried, H.R. No. 43 was adopted.

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

"You know, in Monday's **Star-Bulletin**, for those of you who saw it, it points to the tremendous cost of substance abuse and alcohol abuse. According to the study quoted, the cost to the federal treasury of substance abuse and addiction, including smoking, will be \$77.6 billion in federal entitlement payments this year. The cost estimated in the study represents twenty percent of the \$430 billion the federal government is spending on Medicaid, Medicare, social security disability insurance, veterans' health, and other programs. Their facts on substance abuse and addiction on federal entitlement programs are equivalent to more than forty percent of the federal deficit in 1995. The sad part of these statistics is that we are all losing ground on the war against illegal drugs. Billions of dollars in illegal drugs continue to pour into this country unchecked. The costs of illegal substances like alcohol and tobacco contribute vastly to our growing health care costs.

"When we talk about our young people though, the problem goes far beyond the user and the abuser because, left untreated, they are the future criminals, the future spouse abusers, the future child abusers, the future welfare recipients, the future homeless, and I can go on and on. What happens is we are then forced to build more prison cells, more shelters for abused women and children, more shelters for the homeless. We are forced to expend funds for substance abusing mothers and their drug-exposed babies. We are forced to fund treatment for substance abusing criminals.

"There are far too many of our youths who turn to drugs and alcohol to help ease the pain. The consequences are costly and leave too many without hope, and they terminate too many dreams. Too many of our young people have turned to alcohol and drugs to ease their pain -- the pain of living with a dysfunctional

family, the pain of living in poverty, the pain of living with abuse and neglect, the pain of low self-esteem and low expectation, the pain of living in despair without hope and without dreams. And whether we want to or not, we will all pay the price for our young people who choose drugs and alcohol to medicate their pain.

"Therefore, Mr. Speaker and members, we need to be consistent in the messages we send to our young people. And the vision of a drug-free school and a drug-free society can only happen if we care enough to make it happen. It's going to take our communities, our friends, our neighbors, our families, and our relatives to all pledge and promote a drug-free lifestyle.

"I don't know if our members realize it, but we are the sponsors of this program, this contest, and we are making a statement here today that we want to promote a drug-free and alcohol-free lifestyle, and that is why we are honoring the winners and the sponsors, Mr. Speaker.

"It is my pleasure to introduce our special guests on the floor."

"First of all, I think we, as members, have a wealth of ideas although when it comes to resources and time, we are very limited. So we're thankful for our corporate sponsors."

Representative Arakaki introduced and asked the following honorees to stand to be recognized:

Representing the corporate sponsors: Mr. Robert Fujii, Vice President, Bank of Hawaii, who was seated on the House floor; Mr. Paul Yamashige, Vice President, and Mr. Harold Kuwahara, Vice President, Central Pacific Bank; Mr. Kenneth Sabath and Mr. Ian Mattoch, Attorneys, who were seated in the gallery.

"To help us conduct the contest, we have the Coalition for Drug Free Hawaii and also the Department of Education who offered this program to all the schools statewide."

Representing the Department of Education: Mr. Stan Seki, Deputy Superintendent; Mr. John Sosa, Superintendent for the Honolulu District; Ms. Joan Yanagi, Office of Instructional Services; and Ms. Helen Matsui, Special Education, who were all seated in the gallery.

From the Department of Health, Alcohol and Drug Abuse Division: Ms. Elaine Wilson, Director.

Representing the winners: Jeffrey Patingan from Kalakaua Middle School (representing the First Place winners, Grades 4 to 6 Division); Lily Lam from Stevenson Intermediate School, and Cheri Nashiro from Maemae Elementary School (representing the Grades 7 to 8 Division), who were all seated on the House floor.

The winners from Highlands Intermediate School and their teacher, Valerie Maeshiro; Kalakaua Middle School and their teacher, Karen Miura; Melanie Wong from Maemae Elementary School and teacher, Dana Yoshioka; Manoa Elementary School and their teacher, Lisa White; Momilani Elementary School and their teacher, Pat Miyahira; Stevenson Intermediate School and their teacher, Kathy Mitsuda, and Mr. Dennis Manalili, Principal, who were seated in the gallery.

Representative Arakaki then asked the poster contest winners who were seated in the gallery to stand to be recognized.

Representative Ward then rose and stated:

"I stand to join in commending the sponsors, particularly the corporate sponsors which I am familiar with one -- Bob Fujii, a very corporate citizen, but also one who is more civic-minded in his off hours. Bob, I know you as a small business advocate. It's good to see that your drug-free position is equally vehement.

"Thank you, Mr. Speaker."

Representative Chun Oakland Oakland then rose and stated:

I would also like to lend support to this resolution commending the corporate sponsors, the Department of Education ... Bob and Stan personally have given a lot to this community ... to all the other corporate sponsors, and to all the winners of the mural and poster contests. I think this particular contest empowers children with the knowledge of how alcohol and substance abuse affect their bodies as well as others, and I think it also gives them life choices that are very important.

"I just wanted to recognize particularly Maemae School. Cheri and Melanie -- congratulations. And to Dana who is a schoolmate and teacher at Maemae School -- thank you for giving them the support that you have.

"On behalf of Representative Kawanakoa and the graduate from Maemae School, Representative Nekoba, I would like to congratulate all of you.

"Thank you."

At this time, certified copies of the resolution and floral leis were presented to the honorees by Representatives Cachola, Kanoho, Takai, Anderson, Okamura, Shon, Case and Kawanakoa.

At 12:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:22 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 80, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE HYDRANT SYSTEMS," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 1962 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1962, entitled: "A BILL FOR AN ACT RELATING TO GIFTS," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 374)

recommending that H.B. No. 1803, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1803, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID FUNDS FOR WAIMANO TRAINING SCHOOL AND HOSPITAL," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 1968, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1968, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

Representative Ward rose and stated:

"Mr. Speaker, I rise to speak against House Bill 1968 which is shifting rubella testing. When a couple gets married, it will tell you you no longer have to have rubella testing -- you have a prenatal test. Mr. Speaker, that upsets not only the tradition of the rubella test during marriage, but I think it jeopardizes the health of the population.

"For the sake of what I know is the intent of the bill, for those 25 percent who are not married who have children, this will catch that gap group. However, that jeopardizes the 75 percent in what otherwise is a public health issue. When you do get married, you have a rubella test.

"This bill came up last year -- it died. I would hope that my colleagues would feel the same way this year.

"Thank you."

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

"I would like to express my absolute ignorance if there was anything involved in the tradition of marriage like rubella testing. I didn't know that that was a fine American tradition, but now I have learned that.

"We have had the best scientific advice possible available to the Health Committee in making our decision on this bill. We feel that this bill, in fact, reflects the latest scientific opinion which the previous speaker usually respects.

"I urge my colleagues to support this measure."

Representative Ward then rose and stated:

"I would correct the speaker that I had no sense of the marriage tradition because that's a different bill of which we touched on last year.

"However, it was public health protocol that I was referring to -- a long held tradition such as when you work for a restaurant, you have a TB test. This is as common and is acceptable as that very test. That was my protocol point, Mr. Speaker."

Representative Pepper then rose and stated:

"Mr. Speaker, the latest scientific protocol, in fact, recommends rubella testing prenatally, not premaritally.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1968, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RUBELLA TESTING," passed Second Reading and was referred to the Committee on Judiciary with Representative Ward voting no.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 268, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 268, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1748, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 378) recommending that H.B. No. 1255, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1255, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERDEPARTMENTAL CLUSTER FOR SERVICES TO CHILDREN," passed Second Reading and was referred to the Committee on Finance.

Representatives McMurdo and Tom, for the Committees on Public Safety and Military Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 379) recommending that H.B. No. 140, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 2027 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2027, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY

APPROPRIATION FOR PUBLIC SAFETY," passed Second Reading and 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. 381) recommending that H.B. No. 293 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 293, entitled: "A BILL FOR AN ACT RELATING TO STUDENT HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 408, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS PERTAINING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 1828, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1828, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

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

"Knowing your disdain for discussion on Second Reading, I simply wanted to note that I am not advocating, at this point, for this bill, but to let the other members of this body know that our particular committee, Hawaiian Affairs and Housing, had much opportunity to have public hearings and informational hearings. And in my studies at the University of Hawaii, I also studied this Act and part of the process have been ongoing for the last six/seven years. If there's any member that has any doubts or misunderstandings or would like to have any clarification, I would like to extend an open door to my office and help to answer any questions you might have.

"Thank you."

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

"I also feel, as a Hawaiian and growing up on Hawaiian home land, I think that I am well aware of the problems that have occurred and the problems that have taken place in the past, and I think we must somehow find the means of financing this.

"Thank you very much."

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

"It is just to echo the previous speakers. I would just like to say this is not a political rhetoric anymore -- it is a matter of right and wrong.

"I would encourage your full support.

"Thank you."

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

"I would like to point out that it is not a Hawaiian issue. It's a statewide issue that involves all of us.

"I strongly urge my colleagues to vote for it.

"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. 1828, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 529, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY INSURANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 1267, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 386) recommending that H.B. No. 1919 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1919, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 1950, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1950, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL WITHIN THE DIVISION OF CONSUMER ADVOCACY," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 2034 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2034, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 2219, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Finance.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 250, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE HELIPAD PERMITS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 1265, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1265, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 1491, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 2324 pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2324 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, it took my wife two years before she learned how to pump her own gas. This bill is going to make her a claims adjuster because she has to figure out, if she's in an accident, should I call the police or should I not call the police, because this bill says you don't have to call the police unless it's \$3,000 of damage.

"I think, as policymakers and as lawmakers and as people who are 'to hold up the Constitution to protect or promote domestic tranquility,' we should have at every accident, if there's damage, a police person. If we don't, I think we are derelict in our duty. And this bill says ... look if it's not \$3,000 worth of damage, you don't have to call the police.

"That's not good policy, Mr. Speaker, and it's more than just my wife who doesn't know how to judge damage. There's a lot of people out there who are going to be confused by the message that this bill is sending.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2324, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY," passed Second Reading and was referred to the Committee on Judiciary with Representative Ward voting no.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 1731, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1731, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PLANTS AND ANIMALS," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 5, HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 5, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1385, HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1385, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," was referred to the Committee on Legislative Management.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 1819, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1819, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE SCHOOLS," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 1921 be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1921, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 2275, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2275, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Shon rose and requested the Clerk to cast a no vote for him, saying:

"I've never supported the notion that we should go out of our way to promote the liquor industry.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Finance with Representative Shon voting no.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 57, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 57, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISABILITY INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 754, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 754, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Education.

Representatives Pepper and Chun Oakland Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 402) recommending that H.B. No. 230 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 230, entitled: "A BILL FOR AN ACT RELATING TO THE DISABLED," passed Second Reading and was referred to the Committee on Finance.

Representatives Pepper and Chun Oakland Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 403) recommending that H.B. No. 895 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 895, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 976, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 976, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 141, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 148, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 2024 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2024, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 2025

pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2025, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 825 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 825, entitled: "A BILL FOR AN ACT RELATING TO TELEPHONE SERVICE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 2184, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES," passed Second Reading and was referred to the Committee on Finance.

Representatives Herkes and Morihara, for the Committees on Economic Development and Business Concerns and Agriculture, presented a joint report (Stand. Com. Rep. No. 411) recommending that H.B. No. 2183, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 2183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 1878, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1878, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance.

Representatives Pepper and Arakaki, for the Committees on Health and Hawaiian Affairs and Housing, presented a joint report (Stand. Com. Rep. No. 413) recommending that H.B. No. 2190 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 2190, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE PATIENTS," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 897, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 897, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 1556, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 1959, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1959, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCILIATION PANELS," passed Second Reading and was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 417) recommending that H.B. No. 2093, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 2093, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," passed Second Reading and was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 418) recommending that H.B. No. 1918, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1918, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," was referred to the Committee on Finance.

At 1:32 o'clock p.m., Representative Thielen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:42 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 2303, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2303, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

The following representatives rose to cast their no votes: Representatives Isbell, Santiago, Garcia, Swain, Hiraki, Kahikina, Hamakawa, Nekoba, Takumi, Case, Anderson, Cachola, Shon, Halford, Tarnas, Saiki, Takai, Meyer and Chun Oakland Oakland.

Representative Kawanakoa rose and asked the Clerk to cast a no vote for him, saying:

"I would like to explain my reasons for doing so. I was fortunate enough to be a part of the Judiciary Committee on which I voted nay to this particular measure -- the passing of this bill, as amended. My concerns, I stated at that time, weren't on moral grounds but simply on the notion that I do not care to be held hostage to our poor financing and the financial condition of our government.

"More to the reason that this bill passed, as it was proposed, was on the basis that we needed to get it to Finance to see if we needed the money. I don't think that was the issue that should have been at hand, and it should simply have been whether or not gambling was appropriate for the islands.

"At this time, I think it would behoove us as a body to take a look at the mistakes, or perhaps the misspending, poor spending, the financial state that we're in, and fix up what's going on, what's going bad with our financial situation, as opposed to simply infusing our coffers with more money for which we will be throwing good money after bad.

"Thank you, Mr. Speaker."

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

"This is the first time I've seen this measure. I understand that the Judiciary Committee labored at length over it on a weekend, but just by flipping through the first few pages I notice that there is some very strange language in it. This Gaming Commission that is supposed to be established by this bill calls for some appointees by the Speaker of the House. Strangely enough, it calls for the Senate to advise and consent on appointees by the Speaker. I think this is a very poor idea.

"Also, the rules and regulations set up by this Commission are not subject to Chapter 91 -- Administrative Procedures -- and I think that is a terrible omission.

"Also, there is an exemption to the Procurement Code regarding the independent consulting management service and activities related to the establishment or implementation of a lottery operation, and I think this exemption is fraught with peril.

"Besides, the very concept of gambling that this bill brings apprehension to our State, there are probably several other reasons why we are very reluctant to vote for this measure and, indeed, I will have to vote no.

"Thank you very much."

Representative M. Oshiro then rose to speak in support of the bill, with reservations, stating:

"Mr. Speaker, I, too, share the concerns of the opponents of this bill as far as the damaging effects that this might bring upon our State and our community.

"However, as a member of the House Finance Committee, I believe I have a duty to my constituents and the people of Hawaii to look at another aspect of this bill. I believe that I deserve the opportunity and, more importantly, the people I represent deserve the opportunity to have it studied in that light. Whether or not I will lend my support to this bill in the Finance Committee is uncertain at this time.

"Thank you, Mr. Speaker."

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

"As you know, Mr. Speaker, traditionally I have stood against all forms of legalized gambling and if you recall, a few years ago that even went as far as casting a no vote on bingo which we considered.

"But this year, as Chair of the Education Committee, I've come face to face with the stark reality of our fiscal crisis. Just to meet the projected basic services, not to mention expensive new items such as adolescent mental health and services pursuant to federal court order, we must look to funding the source of which is not, at the present time, immediately apparent.

"I believe that those of us who are philosophically opposed to gambling and are just as strongly opposed to further tax increases, must be willing to take the lead in working with the Finance Committee to prioritize funding based upon our collective vision of what we want Hawaii to be, and then to make the difficult decisions to fund those programs and positions which are a priority in fulfilling that vision, and not to fund those programs that are not a priority to that vision. I believe that in this House, we have the courage and commitment to do this critical work in the remainder of the session.

"Mr. Speaker, while I will be voting to allow this bill to continue on to the Finance Committee, after all only a minority of members so far have had an opportunity to consider this measure, I do want to clarify that should we find that allowing a lottery is tantamount to eventually inviting other forms of gambling to Hawaii, and should we confirm that lottery, by their very nature, consume more and more of the revenues and advertising and that such advertising has deleterious effects on the younger generation, I will vote against this measure on Third Reading and will encourage my colleagues to do the same.

"Thank you."

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

"Mr. Speaker, I cite two reasons. One is, contrary to the previous speakers, gambling is not economic development. If gambling was economic development, as the world's oldest profession is prostitution, we would legalize it and the State will be making money. And I think there is something in the record, Mr. Speaker ... probably when you first served in the House, you heard one of your leaders -- the Governor -- say, and I quote: 'We've gotten through hard times before in the early 1970s. I became Acting Governor with more than \$200-million projected deficit and a rising clamor for tax

increases.' Governor Ariyoshi, Governor Waihee and all the previous governors have said that Hawaii can survive tight times without gambling. I think that's the message. We've gone through this before.

"What we're attempting to do at Second Reading is cut it off at the pass so we don't have to wrangle the anguish of going through what we otherwise do every year, time and time again.

"I would urge all of those on the Judiciary Committee who had WR's to come out to vote against this so we can get on with the other issues of the State and not look at the false hope of gambling as the savior for education or for human services, but real substantive priorities and accountability of government rather than a crapshoot by having gambling as the economic basis for our future funding.

"Thank you, Mr. Speaker."

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

"As the Finance Committee takes a look at this measure, I hope that they will closely review the level of net increases in taxation because while we're being told that it would generate substantial amounts of new revenues, it will be at the expense of revenues being generated by the rest of the economy. So I hope that the Finance Committee will look at that very closely.

"Mr. Speaker, I do have some concerns that by passing this type of measure that we really need to evaluate the impact of the message that we're sending out. In many cases, our society is becoming one that is looking for a quick fix and looking to get rich quick. I am just concerned by sending this message, we've got to be looked at possibly by looking for our own quick fix, and that the quick fix may be more costly than other ways of looking at this.

"So, I hope that the Finance Committee will take a very close look at this and help us understand the degree to which we are, in fact, gambling by voting on gambling.

"Mahalo."

Representative Morihara then rose and asked that the Clerk note his support, with reservations, and the Chair "so ordered."

Representative Thielen then rose to cast her no vote, stating:

"Mr. Speaker, a lot of people that had the courage to stand up today and cast their no votes had very good reasons for doing so. I think it's really rather ironic. Today, we honored young students for being part of a drug and alcohol free program, and today we're taking action to legalize gambling in the State. That sure is a mixed message, Mr. Speaker. I don't think it's a very positive one -- one that we're sending out to our students. I'm glad, frankly, that they've left and weren't here to see this.

"There is going to be a big impact upon our locally-owned businesses. I filed a Minority Report to bring that to the members' attention, and I want to highlight a few things from that.

"The money is going to come from our locally-owned businesses because people are going to be spending it in the hope that they're going to win that lottery ticket and win that multi-million dollar pot. In New Jersey, take a look at what has happened. Since legalizing gambling

there, the consumers stopped spending locally. My colleague, the Minority Leader, is consistently standing up and saying that we have to be taking care of our small businesses and protect them. Well, in New Jersey, the number of small businesses declined by one-third; the number of restaurants dropped from 243 to 146. How many of you have restaurants in your community? Take a look at what this can do to them.

Unemployment? Twice the State's average now after gambling was legalized. The rate of homelessness jumped to the highest in the nation, and the per capita crime rate soared to first in the nation, and the budget of the Police Department tripled.

"The cannibalism of gambling has been shown to be the most pronounced against restaurants, entertainment industries, movie theaters, and sports events. And 'mom and pop' stores in one locale that legalized gambling shrunk from 60 to 10 after gambling came in.

"Research has shown that the mean gambling-related debt of persons in therapy for compulsive gambling ranges from \$53,000 to \$93,000, excluding legitimate debts such as mortgage and auto loans. Studies have also shown unequivocally that lotteries end up acting as a regressive tax. What does that mean? The lower economic groups and the undereducated are going to be hit the most because they'll be buying the lottery tickets. That's a great message that we're sending as policymakers in this State.

"This is in your papers today. I would ask you to take a look at that. I would also ask you to take a look at the memo that I sent out to all of you that said, based upon a Supreme Court decision, there is absolutely no certainty that by taking this step, that we will be able to prohibit other forms of gambling in other locations, and some of those forms of gambling would not have to share the revenues with the State.

"I think this is a very bad step, Mr. Speaker. I think that this bill should be put to bed early and we can get on with the important things that we are facing this session. Gambling is not worthy of further consideration. It should have been able to be defeated today. I am sorry that we could not muster the votes to do that.

"Mr. Speaker, it's still a cliff-hanger. I am not a betting person, but I would like to ask each person, in her heart or in his heart, to look at ... is this the policy you want to establish for the State? So we encourage drug-free, alcohol-free, and gambling in the same day."

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

"Mr. Speaker, I would like to believe that many good comments in fact have been made this afternoon, and I want to simply note that I appreciate the information that has been provided by the previous speakers. I note that this information and a great deal more information is what's needed by some of us to make a reasonable and intelligent decision.

"I'll share with you, Mr. Speaker, that I do not have the luxury of knowing all the answers on the issue of gambling or on this issue of State lottery. I believe that's why we have a committee process so that we can seek more information and so that we can make responsible decisions. I applaud the system that allows that conversation to proceed.

"Based upon that, Mr. Speaker, I would encourage all of my colleagues to let this bill move on from Second

Reading to the Finance Committee and continue the discussion on this important measure.

"Thank you."

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

"I almost feel that the minority speaker over there, when she said it took courage to stand up and be against it, the way it sounded in here to me today, it takes more courage to stand up and say you're for it.

"Ten years ago, I put in a lottery bill in the Senate which did not pass, but it was earmarked for education and other social programs. I still think that's a good idea.

"And also, while we're on the subject of prohibiting gambling, we have not stopped cockfighting in this State one iota, and perhaps we should legalize that, too. Then, we could take the money from that and use that money for human services and education.

"Thank you very much."

Representative Arakaki then rose to speak in favor of the bill, but with very grave reservations, stating:

"Many of the sentiments have already been echoed. However, I'm supporting it because I think the issue that we need to look at here is the need for the State and for the policymakers to look at a way for the infusion of new dollars into the financial coffers. And I would like to be able to provide that to the Finance Committee as an option; hopefully not an option that we need to resort to. But the fact is, on a previous bill that we discussed on the settlement of claims, I would like to see us provide and honor that claim, and honor it with an immediate settlement and an immediate payment, hopefully with cash. That can only be done if we can provide some type of mass infusion into the system.

"My reservation I think, like some of the previous speakers mentioned, is ... what is the impact? That is the unknown. What is the impact, the long-term impact? I know it may bring immediate rewards, but what is the impact to our families and to our children?

"And I would agree with the Minority Floor Leader that we need to get the message out to our children that they can't medicate the pain that they feel inside with drugs and alcohol. We can't find quick fixes to any kind of financial problems that we have.

"Hopefully, as this measure moves for further discussion, we can look at this as how we do environmental impacts on buildings and other things, that we look at social impacts, and impacts that measures like this have on our families and our children.

"Thank you, Mr. Speaker."

Representative Yoshinaga then rose to speak in support of moving H.B. No. 2303 to the Committee on Finance, stating:

"As a freshman, I am supportive of the process by which I was elected to basically give discussion full and fair opportunities and debate. This issue of the lottery, I think, is a very serious matter for most of us. However, I think that we need to keep an open mind in terms of what again the process is, to debate such issues in a forum and fair manner, and for us in a very short time period, to learn as much as we can, collect data, and to analyze such data.

"For that reason, Mr. Speaker, I do support this bill."

Representative Thielen rose and called for a Division of the House for the purpose of a Roll Call vote on H.B. No. 2303, HD 1.

At 2:05 o'clock p.m., Representative Arakaki asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 2:07 o'clock p.m., the request by Representative Thielen for a Division of the House for the purpose of determining whether a Roll Call vote on H.B. No. 2303, HD 1, should be taken was put by the Chair and was defeated by a show of hands of 44 noes to 7 ayes.

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2303, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE LOTTERY," passed Second Reading and was referred to the Committee on Finance, with Representatives Anderson, Cachola, Case, Chun Oakland Oakland, Garcia, Halford, Hamakawa, Hiraki, Isbell, Kahikina, Kawanakoa, Marumoto, Meyer, Nekoba, Saiki, Santiago, Shon, Swain, Takai, Takumi, Tarnas, Thielen and Ward voting no.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 379, as amended in HD 1, pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

ANNOUNCEMENTS

Representative Yonamine rose and requested waiver of the 48-hour hearing notice requirement for the purpose of conducting a public hearing to reconsider action on H.B. No. 1613, HD 1, and the Chair "so ordered."

Representative Chun Oakland Oakland: "The Human Services Committee will be reconvening for the purpose of decision-making in Room 1006 right after session."

Representative Yonamine: "The joint Committees on Labor and Public Employment; Consumer Protection and Commerce; and Judiciary will reconvene in Room 1008 for decision-making right after session."

Representative Swain was permitted a late introduction and he introduced his mother, Mrs. Dawn Kiapo Swain, from Kauai.

At 2:11 o'clock p.m., the House of Representatives stood in recess until 8:30 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 8:42 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 1291, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Agriculture.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 1425, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 1658, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1658, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Kahikina rose to speak against the bill, stating:

"Mr. Speaker, this is relating to a medical incinerator that is already established in Waipahu that received their City permits. As time went by, the community had found out that this incinerator was really near to homes and businesses, and they protested the existence there. Through the mediation by some of our legislators and City officials, they have decided to put it in none other than my district -- the Barber's Point area -- which really got a lot of my community people very upset.

"There are major concerns of the need of another medical incinerator where myself and Representative Amaral was at this public meeting last night with other legislators, and we had other incinerator people there testifying that really there is no need for another incinerator. Although this certain project is five generations ahead of its time, as far as meeting the EPA's latest requirement to do with medical waste incinerators, the community still is concerned about the health and safety needs because these incinerators emit this very dangerous toxin called dioxin.

"I am concerned because, one, to float these bonds, I believe we need to establish a public need, and last night clearly didn't prove to me there was a public need.

"Secondly, I am concerned that this will be used as a political move to pit district against district with the attitude of 'not in my backyard.' And I am concerned about this move also.

"Also the concern that I have ... are we showing special interest to certain businesses now?

"With these concerns, I would like to cast my nay vote on this matter.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1658, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Finance with Representative Kahikina voting no.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 1977 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1977, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representatives Shon and Hiraki, for the Committees on Energy and Environmental Protection and Transportation, presented a joint report (Stand. Com. Rep. No. 425) recommending that H.B. No. 72 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 72, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION AND ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Hiraki, for the Committees on Energy and Environmental Protection and Transportation, presented a joint report (Stand. Com. Rep. No. 426) recommending that H.B. No. 398, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY MAINTENANCE," passed Second Reading and was referred to the Committee on Finance.

Representatives Shon and Hiraki, for the Committees on Energy and Environmental Protection and Transportation, presented a joint report (Stand. Com. Rep. No. 427) recommending that H.B. No. 491 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 491, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and 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. 428) recommending that H.B. No. 937 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 937, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 429) recommending that H.B. No. 1238 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1238, entitled: "A BILL FOR AN ACT RELATING TO HUNTER EDUCATION," passed Second Reading and 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. 430) recommending that H.B. No. 1486, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and 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. 431) recommending that H.B. No. 2019 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2019, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL PARK SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 432) recommending that H.B. No. 925, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 925, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 433) recommending that H.B. No. 2273, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 1838 pass Second

Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1838, entitled: "A BILL FOR AN ACT RELATING TO POULTRY INSPECTION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 1839 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1839, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 436) recommending that H.B. No. 1841 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1841, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 2008 pass Second Reading and be referred to the Committee on Ocean Recreation and Marine Resources.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2008, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed Second Reading and was referred to the Committee on Ocean Recreation and Marine Resources.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 438) recommending that H.B. No. 2107, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2107, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 439) recommending that H.B. No. 1133, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1133, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No.

440) recommending that H.B. No. 1378, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education and the Arts.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1378, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ANTHURIUM BREEDING FOR NOVELTY AND DISEASE RESISTANCE," passed Second Reading and was referred to the Committee on Higher Education and the Arts.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 441) recommending that H.B. No. 1523 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1523, entitled: "A BILL FOR AN ACT RELATING TO PLANT PESTS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 442) recommending that H.B. No. 1615 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1615, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 443) recommending that H.B. No. 1842 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1842, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 444) recommending that H.B. No. 1843 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1843, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 1844 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1844, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No.

446) recommending that H.B. No. 1846 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1846, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 447) recommending that H.B. No. 2033 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2033, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF CERTAIN PRODUCTS ENTERING INTERSTATE OR FOREIGN COMMERCE," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 448) recommending that H.B. No. 757 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 1415 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1415, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 1800 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1800, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 2299 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2299, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 1579, HD 1,

as amended in HD 2, be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1579, HD 2, be referred to the Committee on Finance, seconded by Representative Thielen.

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

"I just would like to note, Mr. Speaker, on page 2, that you will be authorized to appoint five people to this task force. I would encourage the Speaker to make that a bipartisan or multi-partisan appointment.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1579, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," was referred to the Committee on Finance.

At 8:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:24 o'clock p.m.

SUSPENSION OF RULES

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

THIRD READING

H.B. No. 1581:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1581, entitled: "A BILL FOR AN ACT RELATING TO ADULT AND COMMUNITY EDUCATION," having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 1581 had passed Third Reading at 9:25 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 288, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 288, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN THE WORKPLACE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 2076 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2076, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 2191 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2191, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 1386, as amended in HD 1, pass Second Reading and be referred to the Committees on Consumer Protection and Commerce and Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1386, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committees on Consumer Protection and Commerce and Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 255 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 255, entitled: "A BILL FOR AN ACT RELATING TO CANOE PADDLING," passed Second Reading and was referred to the Committee on Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 1786, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1786, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Judiciary.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 2102 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2102, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ORNAMENTAL FISH," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 252, as amended in HD 1, pass Second Reading and be

referred to the Committee on Ocean Recreation and Marine Resources.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ocean Recreation and Marine Resources.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 907, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 907, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 979, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENHANCEMENT OF CLASSROOM LEARNING THROUGH HOME PERSONAL COMPUTERS," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 1328, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 2151 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2151, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 466) recommending that H.B. No. 552 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 566 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 566, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 978, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 1776 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1776, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 1883 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1883, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 1885, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

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

Committee was adopted and H.B. No. 1885, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING REVOLVING FUNDS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 1988 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1988, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 2210 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2210, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki, Pepper and Chun Oakland Oakland, for the Committees on Hawaiian Affairs and Housing; Health; and Human Services, presented a joint report (Stand. Com. Rep. No. 474) recommending that H.B. No. 331 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 331, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOUSING THE HOMELESS," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 346, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 346, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF A PORTION OF THE PUBLIC SERVICES COMPANIES TAX TO THE COUNTIES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 476) recommending that H.B. No. 404 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE FEES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 648, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 648, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WINDWARD OAHU (KANEHOE) AND LEEWARD OAHU (WAIPAHA) STATE SATELLITE INFORMATION OFFICES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 1017, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 1023, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development and Business Concerns.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1023, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING ASIA-PACIFIC AS A STATE PLANNING PRIORITY," passed Second Reading and was referred to the Committee on Economic Development and Business Concerns.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 1870 pass Second Reading and be referred to the Committees on Judiciary and Public Safety and Military Affairs.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1870, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CORRECTIONAL CENTERS," passed Second Reading and was referred to the Committees on Judiciary and Public Safety and Military Affairs.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 2228, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety and Military Affairs.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AND EMERGENCY," passed Second Reading and was referred to the Committee on Public Safety and Military Affairs.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 2311 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2311, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CONTROL FINES AND FORFEITURES," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 483) recommending that H.B. No. 2322 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2322, entitled: "A BILL FOR AN ACT RELATED TO COUNTY CIVIL FINES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 484) recommending that H.B. No. 2323, as amended in HD 1, pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2323, HD 1, entitled: "A BILL FOR AN ACT RELATED TO COUNTY ZONING MAP ADJUSTMENT," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 485) recommending that H.B. No. 494 pass Second Reading and be referred to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 494, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 486) recommending that H.B. No. 1288 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1288, entitled: "A BILL FOR AN ACT RELATING TO TOURIST ACTIVITY PROVIDERS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 487) recommending that H.B. No. 50, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

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

Committee was adopted and H.B. No. 50, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 488) recommending that H.B. No. 501, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 489) recommending that H.B. No. 1773, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR THE INDIGENT," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 490) recommending that H.B. No. 1263, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1263, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII DRUG COURT," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 491) recommending that H.B. No. 1277, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Kawanakoa rose and stated:

"I stand to speak and to register a vote with the Clerk of nay on Stand. Com. Rep. 491, House Bill No. 1277, HD 1.

"I just raise this for the other members and the committee that will most likely be hearing this next with regard to the judicial salary increases. While I am not opposed necessarily to increasing the salaries of our judges and our jurists, I do have a concern with the methodology that will be implemented. As it stands now, we will be giving them a four percent increase on their base salary and every year that a jurist has sat on the bench, he/she will get another one percent increase to his/her salary to be frozen after this year.

"My concern is, with regard to this particular measure, that it won't necessarily achieve the purposes that were raised by the Judiciary of equity and fairness, number one; and number two, trying to attract the best and the brightest of our legal community to join the bench.

"And the reasons why I say that are, for example, with regards to the equity. If we take a look at this formula, one of our district court judges could make \$93,556,

whereas one of our intermediate court of appeals, the second highest court in the land, a judge there could only be making \$93,371. Therefore, a district court judge, issuing traffic citations or going to traffic court, could be making more than an intermediate court of appeals judge, and I think that is going to cause inherent problems with the personnel and their satisfaction working in the Judiciary. I am concerned with that particular aspect of this bill.

"I would also mention that the other problem with this for me is in future years. As we look to increase our jurists and the judicial salaries, how are we going to give them the next pay raise? In other words, in 1997, when they come back and say -- we're behind in the United States, we need a salary increase. If we give a one percent increase in the base salary, some judges will be getting a ten percent increase, others will be getting a one percent increase. A jurist who has been on the bench for five years -- he/she will be getting a five percent increase. I'm not sure how we're going to equitably approach this in future years. It could cause many difficulties in any future pay raises, and something I would prefer to avoid.

"I prefer to simply put it straight up. If we want to give them a four percent increase -- that's fine. And the second year, if we want to give them another four percent increase, let's call it as it is, and across the board raise the base salary, and do away with the methodology of giving percentages according to years of service.

"Thank you, Mr. Speaker."

Representative Thielen then rose to cast her no vote, saying:

Mine's a slightly different perspective. I think in today's tight budget times that we do not give an increase to those who already are receiving significantly higher salaries than probably 90 percent of the population."

Representative Ward then rose to cast his no vote and requested that the remarks of Representatives Kawanakoa and Thielen be entered into the Journal as his own, and the Chair "so ordered."

Representative Yamane then rose to cast his no vote, saying:

"I do this for personal reasons. I do believe the judges do deserve a raise but at this particular time, in this tight fiscal time, I don't think it's called for."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1277, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF JUSTICES AND JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Kawanakoa, Thielen, Ward and Yamane voting no.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 492) recommending that H.B. No. 2215, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2215, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

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

"I just want to say that this has the potential of becoming one of the highlight legislation in this session, and I would like to compliment Representative Cachola who has been brilliant in devising this concept which will enable the State to save all the assessments totaling \$80 million, and I think it's a great concept.

"Thank you very much."

Representative Cachola then rose and requested that his remarks, in favor of the bill, be inserted into the Journal, and the Chair "so ordered."

Representative Cachola's remarks are as follows:

"The purpose of House Bill No. 2215, HD 1, is to find a way for the State to assume \$500-million of risk for hurricane liability of the HHRF in order to stabilize rates. In addition, funds that homeowners would normally pay to the HHRF for hurricane coverage would instead remain in the fund and accumulate.

"Benefits of this proposal include:

- (1) A freeze in homeowner insurance rates.
- (2) When the fund balance reaches \$500-million, rates/thousand will be greatly reduced. If the fund level drops below \$400-million, rates will increase to replenish the fund.

"Some have raised concerns about risk, but during the establishment of the fund in 1993, the debate on this matter was settled. This bill would take action to reduce the heavy upward pressure on homeowners insurance rates. The administrator of the HHRF and the Insurance Commissioner support House Bill 2215, HD 1, and I urge your support as well."

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

"Again, I think that Representative Cachola is to be commended. However, I do have reservations which I expressed to the Committee, so I just would like to point it out to the full floor in terms of potential risks that ... yes, on the up side we could save premiums over time. However, I do believe, unless we muster some other source of funding, there is potential of exposure to the State.

"For that reason, I do have reservations 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. 2215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 1687, HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com.

Rep. No. 494) recommending that H.B. No. 564 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 564, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 1825 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1825, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 2330 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2330, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN EMERGENCY SHELTER FOR THE INCREASING NUMBER OF HOMELESS PERSONS IN WAIKIKI," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki and Stegmaier, for the Committees on Hawaiian Affairs and Housing and Education, presented a joint report (Stand. Com. Rep. No. 497) recommending that H.B. No. 102, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 102, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki and Stegmaier, for the Committees on Hawaiian Affairs and Housing and Education, presented a joint report (Stand. Com. Rep. No. 498) recommending that H.B. No. 419, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 419, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 499) recommending that H.B. No. 1242, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

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

Committee was adopted and H.B. No. 1242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 1260, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 1555, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEENAGE HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 502) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 149 pass Second Reading and be referred to the Committee on Labor and Public Employment.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Labor and Public Employment.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 1369, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1369, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CORRECTIONAL FACILITIES AND COMMUNITY CORRECTIONAL CENTERS," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand.

Com. Rep. No. 505) recommending that H.B. No. 2306, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2306, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DETENTION FACILITY," passed Second Reading and was referred to the Committee on Finance.

Representatives McMurdo and Tom, for the Committees on Public Safety and Military Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 506) recommending that H.B. No. 158, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 158, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ESTABLISHING A PILOT CRIME REDUCTION PROGRAM IN THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 1374, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1374, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was placed on the calendar for Third Reading.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 1920, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 509) recommending that H.B. No. 471, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 471, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Thielen.

Representative Kanoho rose and requested a conflict ruling, saying that he was associated with GTE Hawaiian Telephone for 39 years, and the Chair ruled "no conflict."

Representative Kanoho then spoke against the bill, stating:

"First of all, the Chair and the members of the Committee are to be complimented for their valiant and

good-faith effort to address this extremely complex subject. It is so involved and complicated that the best technical and administratively competent telecommunications minds have been working at the federal level for several years on this issue. Their work is targeted to be completed sometime in August of this year. Passing a state law which would be superseded in about two or three months makes no sense at all.

"But the real problem with this bill is that it contains nice-sounding language with near unlimited interpretation to its stated intent and meaning. For example, on page 6, paragraph 3, it states that a telecommunications entity shall provide 'nondiscriminatory and equal access to any carrier's telecommunications facilities, functions, and the information necessary to the transmission and routing of any telecommunications service and the interoperability of both carriers' networks.'

"Now, what does that mean? I'm not sure, and neither are the best telecommunications minds in Hawaii either.

"In paragraph 4, it refers essentially to nondiscriminatory access, where technically feasible and economically reasonable.

"Item 5 states that 'Nondiscriminatory access to the network functions of the carrier's telecommunications network, that shall be offered on an unbundled, competitively neutral, and cost-based basis.'

"I'm not too sure what that means either. It could mean a lot of things. It could mean this ... say that there are two lots adjacent to each other. One has residential service, one has business service, or an apartment building where adjacent units might have a telephone -- one for business and one for residence. We know that business services cost significantly much more than residence although it uses the same telephone lines in the same associated equipment.

"The entire rate structure was predicated on the basis that business, because of the value of service and because it does generate a revenue for that business, should pay more. So, the business telephone subsidizes the residential. The actual cost that this would suggest in this bill for anyone who would like to use that service in an unbundled capacity would probably end up paying somewhere in-between. I'm not too sure whether that is what it meant. It is difficult to determine. And this kind of example is very common throughout.

"We all know about the inter-island services and the reduction in prices. Similarly, the inter-island rates have been structured purposely high so that the income from those services can provide and accommodate local services to provide universal service to make it affordable. The same thing happened with the more lucrative and profitable business services.

"What this bill attempts to do, although in good faith, is it attempts to address some of these problems in such a piecemeal fashion that I think it has some long-range ramifications on the entire rate structure, and in the end it will hurt the regular customers.

"For that reason, and by way of trying to inform the Consumer Protection Committee that this is something that should be given very serious consideration, I am voting against this bill.

"Thank you."

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

"It has been said that the PUC is going to take care of this problem through Docket 7702. 7702 has 33 parties to it, all with right of appeal, all with banks of lawyers to make sure that the noncompetitive aspects of the telecommunications industry in Hawaii stay intact that benefit GTE Hawaiian Telephone and not the consumers. This docket is going to run for some five years, Mr. Speaker. Telecommunications are moving so rapidly that the regulatory system cannot keep up with it.

"Now, with all due respect to my esteemed colleague from Kauai, we have moved out of the stage of soup and cans tied by strings. We are moving into the communications superhighway which is still growing.

"This bill was crafted after lengthy, lengthy discussions with GTE Hawaiian Telephone, with AT&T, with Time Warner, with the consumer advocate, with other telecommunications experts, with all three commissioners from the PUC and with their staff. We have very, very carefully gone through this bill, section by section by section. We did it when we voted on this bill so that the Committee would understand all of the aspects of this bill. And we enabled all of the providers to make comments to the Committee before we voted on this.

"Now, some of the opponents say -- let the PUC handle it. But five years is too long to wait to get us into the main stream of telecommunications. The Legislature makes policy in this state, not the PUC. We are entitled to make policy on telecommunications issues. This bill leaves a lot of room for the PUC to manage, to regulate, and to rate. I found no objections to any other telecommunications providers. All those men, those whose ox have been gored -- that's where the objections came from.

"And what this bill says in effect is that we will have competition in telecommunications in the State of Hawaii. We are currently the only state with a single dial-tone provider. We have no competition -- meaningful competition.

"What this bill will do is, it says AT&T can interconnect with GTE at economically reasonable and technically feasible prices. What it means is that Time Warner is going to go hit the head with GTE on the Big Island and Maui. What it means is that McGraw is going to go head to head with GTE. What it means is establishing the Universal Service Fund to be administered by the PUC. What it means is that Alaska can come in and compete. What it means is that Pac-West can come into our rural districts and compete.

"Look what happened when they gave AT&T long distance service to put in the state. GTE dropped their rates. AT&T came right back and dropped their rates. We are going to see competition in the marketplace in telecommunications through this bill.

"This is a good bill. It is a consumer bill, Mr. Speaker, and I urge all of you to support it."

Representative Halford then rose and stated:

"Mr. Speaker, I would like to record my vote with reservations on this bill, and the Chair "so ordered."

Representative Kanoho then rose and stated:

"With all due respect to the Chairman, what will happen is that these non-regulated entities will be able to pick and choose, and the competitive area then becomes the profitable area. And the company that is left with the franchise with the responsibility of servicing all, especially the non-profitable and non-competitive areas, and that is

the problem for most of the people who will be left in that area so that services and the cost of the services will have to increase.

"While the local PUC may be addressing this issue, we expect that we will have it better responded to and answered by the Federal Communications Commission. It is my understanding that that work should be completed sometime in August.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce with Representative Kanoho voting no.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 1423, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1423, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAKIKI PARK DISTRICT LIBRARY," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 1607, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1607, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR A VOYAGING PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 224, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONPOINT SOURCE POLLUTION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 730, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA AINA EXTENSION SERVICE," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand.

Com. Rep. No. 514) recommending that H.B. No. 731, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 731, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 745, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 745, HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Tarnas rose and requested a conflict ruling, saying that his wife works for the program that would be receiving these funds, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 745, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPROVE EFFECTIVENESS OF THE NONPOINT SOURCE POLLUTION CONTROL PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 1108, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OIL SPILL PREPAREDNESS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 1045 be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1045, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE HAWAII CONSTITUTION TO ESTABLISH A COMMISSION ON GOVERNMENT ORGANIZATION AND EFFICIENCY," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 1851, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1851, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 1853, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1853, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 2038, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2038, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAX PENALTIES," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 2054, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2054, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT SECURITY," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 2094, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2094, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 2120, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2120, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE JUDICIARY FOR THE PREVENTION OF DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Finance.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 524) recommending that H.B. No. 1264, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1264, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER EDUCATION AND TRAINING FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 1557, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 1154, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1154, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PESTICIDE EDUCATION PROGRAM," was referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 1034, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1034, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 1995, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 528 and H.B. No. 1995, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1995, HD 2, were made available to the members of the House at 8:30 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 48, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 48, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was recommitted to the Committee on Finance.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 133, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was recommitted to the Committee on Finance.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 1834, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1834, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was recommitted to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 532) recommending that H.B. No. 921, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 921, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," passed Second Reading and was referred to the Committee on Finance.

Representatives Yonamine, Menor and Tom, for the Committees on Labor and Public Employment; Consumer Protection and Commerce; and Judiciary, presented a joint report (Stand. Com. Rep. No. 533) recommending that H.B. No. 1954, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1954, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REFORM," passed Second Reading and was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 1989, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1989, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF FOSTER CARE LICENSING TO THE OFFICE OF YOUTH SERVICES," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 1997, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1997, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," was referred to the Committee on Finance.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 2305 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2305, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1763, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1763, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS," was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 538) recommending that H.B. No. 108, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 108, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Thielen.

Representative Santiago rose and stated:

"Mr. Speaker, I would like to voice my reservations and concern on this bill.

"I am concerned about the many, many homeowners whom I represent along the coast who may be negatively impacted by this. I am hoping to monitor this bill through the Judiciary Committee and point out that the undue burden of going to get a variance from hereon may be difficult for many of the present homeowners.

"Thank you."

Representative Meyer then rose to register her no vote, stating:

"Like Representative Santiago, I represent a country district that runs along the coastline and many of my constituents have properties there.

"I feel that this bill, by changing the shoreline setback from 20 feet to 40 feet, will very negatively impact many of those people. Besides the people that have houses, if their houses should burn down or they have to do extensive renovations, it creates a hardship when they must go in and ask for a variance with no assurance that that would happen.

"In addition to that, there are people who have purchased properties -- these are small, private property owners who perhaps bought shoreline properties at the top of the market when the setback was 20 feet -- and they would possibly be in a position where their properties would be absolutely unusable.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE SETBACK," passed Second

Reading and was referred to the Committee on Judiciary with Representative Meyer voting no.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 704, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 704, HD 2, be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Meyer rose to speak against the bill, stating:

"With the loss of sugar as an economically viable industry, the State bodies as well as communities, have been examining the impact of such a change.

"The discussion on the uses of water diverted from its original natural course has engaged a large spectrum of Oahu communities -- from environmental and Hawaiian interests to small farmers and large landowners. Many of these interest groups have invested copious amounts of time and effort participating in the ongoing public discussions regarding the future of water resources. On Oahu, the public has been intensely watching the State Commission on Water Resource Management as it negotiates over various concerns in the matter of the Waiahole Ditch.

"House Bill 704, House Draft 2, would remove the public's ability to participate in open discussions of water resources as well as diminishing the possibility of objective negotiation through the Water Commission. I feel that this bill would impair such negotiations by mandating that the Department of Agriculture step in as overseer of such water resources when settlement seems eminent. The uses and allocation of water are not likely to be as constant and as stable in the future as they have in the past. In what situation will the Water Commission retain the power to negotiate disputes between concerned parties? Or will the Department of Agriculture make the determination of how water resources are allocated and used?

"House Bill 704, House Draft 2, does not provide enough clarification in such matters. I would like to echo the Office of Hawaiian Affairs' statement in their testimony on House Bill 704, that this bill is based on the 'unfair and unchallenged assumption that current agricultural and, more significantly, land use patterns will continue to be the dominant force in the outcome of future water use and management.'

"The Department of Agriculture's own projection presents a questionable future for agricultural business on Oahu and in the State. If the economy moves in another direction, such as urban development, will the Department of Agriculture really be the suitable manager and distributor of water resources? Do they have the right to be deciding what non-agricultural uses will be served? Most importantly, why should the Department of Agriculture take on such an unnecessary and costly expense?

"I oppose the notion of expanding government dominion and increasing government cost for questionable and unnecessary legislation. Whose interest will be served by such a situation? Not the general public, I think.

"Thank you."

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

"Mr. Speaker, I note on the Committee Report, the final paragraph, that it mentions that Kamehameha Schools/Bishop Estate offered comments. It may be that the Bishop Estate's comments didn't come in in time to be noted in the Committee Report, but I am holding their February 14th letter to our Committee and they state they are in opposition to House Bill 704. They feel that this is premature, it should not be done at this time, that it is important that sufficient information be developed and analyzed before a large and continuing financial commitment be made by landowners or the State of Hawaii. They are in the process, along with many others, in dealing with this situation, and a lot of which is going to be dealt with by the contested case before the Water Commission.

"I would note that the entity that we are turning over responsibility to in this bill is a member in that contested case. So what we would be doing by enacting this law is to give that Department of Agriculture a leg up where they should be going through the contested case like every other government entity, private individual, legislators who happen to be involved, like anyone else. They shouldn't be given a leg up in that whole process.

"This bill, unfortunately, would give them that leg up. I think it's unwise to do it at this point. I think we have a Water Commission and they are the ones that should be in charge as this goes through the process.

"Thank you."

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

"Mr. Speaker, as a member of this body who also represents a community that has long lived with sugar in our backyard and now we see that that is closing down very quickly; as a community that sits, waiting to see what decision will come out of the Waiahole water, the case is now before us; as a community that actually expects, desires, needs some justice from the Water Commission, I see this bill as a last bit of hope that some of us have in agricultural communities where sugar is going out of business.

"I strongly support this bill and believe that it can assist us and hope that the members will then support this measure.

"Thank you."

Representative Meyer then rose and stated:

"Mr. Speaker, just to respond to Representative Amaral, House Bill 704 was amended and the amendment that the Chairman put there was to make sure that this bill would not have anything to do with the Waiahole negotiations. And yet my personal feeling is that it still does, and that's why I have risen to speak against it.

"Thank you."

Representative Amaral, in rebuttal, stated:

"My comments were being made to you, Mr. Speaker. The issue of Waiahole was brought by a previous speaker. That's why I also raised the issue.

"I would hope that as we address ourselves, that we address ourselves to the Speaker rather than to one another since the quorum is maintained on the floor.

"Thank you."

At 10:01 o'clock p.m., Representative Thielen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:02 o'clock p.m.

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

"If my fellow members would look at the Committee Report, the Committee Report refers to the whole state, and I believe that the Department of Agriculture should be allowed to maintain the water systems that are needed to be repaired in more than just the island of Oahu.

"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. 704, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND PLANNING," was referred to the Committee on Finance with Representatives Meyer and Thielen voting no.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 772, as amended in HD 1, pass Second Reading and be referred to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 772, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHORELINE PROTECTION," passed Second Reading and was referred to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 1765, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1765, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGIONAL INFRASTRUCTURE FOR THE EWA PLAIN, OAHU," 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. 542) recommending that H.B. No. 1778, HD 1, be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1778, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED PROPERTY," was referred to the Committee on Judiciary.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 2239, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2239, HD 1, pass

Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, this bill appears to be a warm-body immunization bill. The point is that it exempts the Department of Labor from any of the hiring freeze. And the question is ... why only the Department of Labor?"

"Secondly, if they specify that if they have federal funds, that they should not be excluded or exited from that department. The bill does not specify whether it's partially federal funded -- 5 percent, 10 percent -- or it's fully federal funded.

"Therefore, it needs a little bit more work but until it does get there, I know five of us voted 'yes' and five voted 'with reservations,' so I think the next committee may have a second thought about this.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 2239, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 1169, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1169, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Thielen.

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

"While I am confident that most optometrists with the proper training can administer therapeutic pharmaceutical agents, therapeutic drugs, in a competent manner, I am queasy about the fact that the formulary, or the list of drugs, is yet to be established.

"According to the bill, the formulary will be established by the Board of Optometry. I don't know whether the Board alone should be given the discretion to establish the list of drugs that they are able to use so, therefore, my reservations.

"Thank you very much."

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

"I respect the concerns of the previous speaker but I would note for her that the Board of Optometry is to establish this formulary by rule, which means that it will be subject to a public process, and I hope that her concerns will be met at that point.

"I would also point out to the previous speaker and to all the rest of my colleagues that everyone of my Committee members voted 'eye' on this measure.

"Thank you."

At 10:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:06 o'clock p.m., Representative Pepper apologized to the Chair.

The Chair admonished:

"The members are getting tired, but please maintain decorum as we move on."

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

"There are good arguments on both sides of the issue with all being lobbied by optometrists and ophthalmologists, and all I do know is there is a significant difference in the level of training between both.

"If I am to err, I am going to err on the side of caution and hence my no vote.

"Thank you."

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

"I see that it goes to the Consumer Protection and Commerce Committee on which I sit, and I will then be able to hear the testimony.

"I was against this extension of therapeutic pharmaceutical agents practice to the optometrists before. I don't know if there's any information that would cause me to change my mind, but until that point, I will just wait to see what that is in Committee and be able to deal with it at that point.

"Thank you."

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

"Mr. Speaker, if you remember correctly, last year we granted prescription privileges for nurses, and so what is the difference between the training of nurses and, you know, what the heck to do with this bill. Next year, we will come across the chiropractic doctors coming over to ask for prescription ability, too, so we may as well take care of all of them.

"Thank you."

Representative Kawanakoa then rose and stated:

"Mr. Speaker, I rise to speak to note my reservations with reference to this measure for the same reasons as stated by the good representative from Kahala/Kaimuki.

"Thank you."

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

"My reservations lie in the fact that some of the findings and recommendations of this bill run contrary to the reports made by the Legislative Auditor's Office. Since this bill is going to CPC, expect maybe the Legislative Auditor to come before us and explain these recommendations and findings.

"I know that this issue has been a very emotional issue to the optometrists and ophthalmologists. You know that these two professions are working hand in hand in a lot of ways, and my recommendations to them is to find ways where they can compromise but it seems that they are still

poles apart. Hopefully, in CPC, we will find a compromise, if there be any. And, hopefully, we will find more about the findings and recommendations of the Legislative Auditor's Office.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce with Representative Kanoho voting no.

Representatives Pepper and Chun Oakland Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1340, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES IN COMMUNITY RESIDENTIAL CARE FACILITIES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representatives Pepper and Chun Oakland Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 546) recommending that H.B. No. 1495, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY CENTER PROJECT," passed Second Reading and was referred to the Committee on Finance.

Representatives Pepper and Chun Oakland Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 547) recommending that H.B. No. 1990 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1990, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and 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. 548) recommending that H.B. No. 784, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 784, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and 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. 549) recommending that H.B. No. 1258 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1258, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII LAW SCHOOL," passed Second Reading and was referred to the Committee on Finance.

Representative Pepper, for the Committee on Health, presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 1976, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1976, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS," passed Second Reading and was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 551) recommending that H.B. No. 931, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 931, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD," passed Second Reading and was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 552) recommending that H.B. No. 1582, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1582, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 1980, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was referred to the Committee on Finance.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 1926, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1926, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," passed Second Reading and 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. 555) recommending that H.B. No. 1257, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 556) recommending that H.B. No. 1882, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 557) recommending that H.B. No. 1696, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF HOISTING MACHINE OPERATORS," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 558) recommending that H.B. No. 967, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 967, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 559) recommending that H.B. No. 1394, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 560) recommending that H.B. No. 1946 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1946, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed

Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Arakaki, for the Committee on Hawaiian Affairs and Housing, presented a report (Stand. Com. Rep. No. 561) recommending that H.B. No. 1947, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1947, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representatives Arakaki and Stegmaier, for the Committees on Hawaiian Affairs and Housing and Education, presented a joint report (Stand. Com. Rep. No. 562) recommending that H.B. No. 1567, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1567, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A NATIVE HAWAIIAN EDUCATION PROGRAM FOR THE NI'HAU COMMUNITY ON NI'HAU AND KAUA'I," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki and Chun Oakland Oakland, for the Committees on Hawaiian Affairs and Housing and Human Services, presented a joint report (Stand. Com. Rep. No. 563) recommending that H.B. No. 1102, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1102, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance.

Representatives Arakaki and Chun Oakland Oakland, for the Committees on Hawaiian Affairs and Housing and Human Services, presented a joint report (Stand. Com. Rep. No. 564) recommending that H.B. No. 1681, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1681, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR HOMELESS PERSONS WHO ARE SEVERELY MENTALLY ILL," passed Second Reading and was referred to the Committee on Finance.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 565) recommending that H.B. No. 593 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 593, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO

VOTE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 566) recommending that H.B. No. 1625, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 567) recommending that H.B. No. 1627, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AFTER-SCHOOL PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 568) recommending that H.B. No. 1132, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1132, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 569) recommending that H.B. No. 1147 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1147, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 570) recommending that H.B. No. 1172, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 571) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 572) recommending that H.B. No. 840, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 840, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES," was referred to the Committee on Finance.

Representatives McMurdo and Tom, for the Committees on Public Safety and Military Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 573) recommending that H.B. No. 144, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Amaral moved that the joint report of the Committees be adopted and H.B. No. 144, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, there is a Minority Report that is attached to Stand. Com. Report 573 and I think you will find that in your packets -- it's a blue page. I would just like to reference that report.

"Mr. Speaker, by changing the bail amount from \$5,000 to \$10,000, effectively this will double the pool for persons who may be released pursuant to that statute. That's twice the risk, Mr. Speaker, and it will bring into that pool a large number of persons charged with class A felonies, the most serious crimes, since \$10,000 is the standard bail for such felonies.

"In the interest of time, Mr. Speaker, I would ask that our remaining remarks in the Minority dissenting report be read into the Journal, and the Chair "so ordered."

The remaining remarks are hereby inserted:

"The mere fact that the prisons are over-crowded is insufficient justification for this doubling of the risk to public safety. We should take advantage of the lesson learned by Michigan. Over a four-year period, that state released 20,000 inmates under emergency procedures designed to alleviate over-crowding only to see a twenty-five percent rise in violent crime. When in 1986 they began a crash prison-building program to double their bed space, the crime rate dropped.

"Opening the prison doors does not solve over-crowding. What it does is cause crime to rise, since more of those persons responsible for crime are on the streets and able to pursue their criminal pastimes. Bureau of Justice statistics indicate that sixty-two percent of all prisoners released are rearrested within three years. Ninety-five percent of those in prison are repeat or violent offenders. According to a study by The Rand Corporation, an average burglar who is not in jail will commit 76 to 118 burglaries in a year. An average drug dealer who is not in jail will participate in 880 to 1,299 drug deals in a year. To release these people to be able to carry on their business simply because the prisons are crowded is misguided.

"Therefore we oppose passage of HB 144."

Representative Kawanakoa then rose to register his "nay" vote "for the same reasons as given in the dissent in the Minority Report."

Representative Meyer then rose to register a "nay" vote.

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

"We must note that the pre-trial people are innocent unless convicted, and if there is a problem the judge can set a higher bail amount. So the problems that are cited by the previous speakers are taken care of at that time.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Kawanakoa, Meyer and Thielen voting no.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 574) recommending that H.B. No. 1613, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1613, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Finance.

Representatives Yonamine, Menor and Tom, for the Committees on Labor and Public Employment; Consumer Protection and Commerce; and Judiciary, presented a joint report (Stand. Com. Rep. No. 575) recommending that H.B. No. 2133, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the joint report of the Committees be adopted and H.B. No. 2133, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Takamine rose to speak against the bill, stating:

"With due respect to the Chairman of the Labor and Public Employment Committee, I must vote down on House Bill 2133, House Draft 1, and would request that the Journal reflect that."

The Chair "so ordered."

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

"I want to compliment our Labor Committee Chairman and the Committee for passing out this measure with very salient points for further discussion. This measure does indicate that this House intends to pass meaningful workers' compensation reform, and I would like to emphasize that without unjustly affecting workers' benefits.

"Thank you very much."

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

"I would like to commend again the Labor Chair and all the people that were involved in the process. It's quite a product.

"My concern is with the maximum medical improvements section of the bill where it says that employees cannot get medical care after two years. It just seems that for a worker with a serious injury such as being a quadriplegic or having a serious back injury, that to give up medical care after two years just seems a little unfair.

"So I hope that the Finance Committee can look at that section of the bill.

"Thank you."

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

"I also share the concern concerning the maximum medical improvements section as shared by the previous speaker.

"I would also like to point out that on page 22 of the bill, they have repealed Act 67 which many of you who were here in 1992 voted for it, and basically what that Act did was impose a measure of fairness for workers who suffer from permanent partial disability.

"I would also like to commend the Labor Chair, however, for the effort that he put into the bill. I think, overall, it is a very good vehicle for further discussion and, hopefully, the Finance Committee can take a hard look at those two particular sections and do something about it.

"Thank you, Mr. Speaker."

Representative M. Oshiro then rose to speak in support of the bill, with reservations, stating:

"My reservations center around the question of due process in the appeals process.

"I, too, congratulate the committees and the committee members for their hard work.

"Thank you, Mr. Speaker."

The following representatives rose in support of the bill, with reservations: Representatives Hamakawa, Saiki, Nekoba and Takai.

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

"I want to commend the Labor Chair, and I would like to remind all my fellow colleagues, although I am a freshman, that we came here and one of the major points of why we're here this year is for insurance reform, and workers' compensation being the leading cause of this.

"Now, nobody is going to make a bill that's going to be perfect for everyone, but this bill is a major step forward. And for those legislators who were here in the past and even the new ones, if you look at the last eight years, there's nothing even close to this bill that's come out of this Legislature. So I would just like to remind the legislators of that.

"Thank you very much, Mr. Speaker."

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

"Mr. Speaker, I would be a bit remiss if I didn't rise to speak in support of this bill. I was unable to attend the various meetings and to vote, and I would like the Journal to reflect my support for this bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION REFORM," passed Second Reading and was referred to the Committee on Finance with Representative Takamine voting no.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 576) recommending that H.B. No. 1148, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1148, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 577) recommending that H.B. No. 104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LONG-TERM CARE TRUST FUND," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 578) recommending that H.B. No. 1073, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1073, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 579) recommending that H.B. No. 590, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR CHILDREN AND FAMILIES," passed Second Reading and was referred to the Committee on Finance.

Representatives Chun Oakland Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 580) recommending

that H.B. No. 1643 pass Second Reading and be referred to the Committee on Finance.

Representative Amaral moved that the joint report of the Committees be adopted and H.B. No. 1643 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Thielen.

Representative Marumoto rose and requested the Clerk to cast a no vote for her, and the Chair "so ordered."

Representatives Shon and Thielen then rose and requested the Clerk to cast no votes for them, and the Chair "so ordered."

Representative Kawanakoa then rose to register his nay vote, stating:

"I was present for the Committee hearing on this particular bill, and it seemed a bit unfair to me that we're strapping our nursing home facilities with a six percent tax and extending the sunset on this particular statute for another two years."

The motion was put by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 1643, entitled: "A BILL FOR AN ACT RELATING TO NURSING FACILITY TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Kawanakoa, Marumoto, Shon and Thielen voting no.

Representatives Morihara and Herkes, for the Committees on Agriculture and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 581) recommending that H.B. No. 1318, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 1318, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARKETING," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 582) recommending that H.B. No. 283 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 283, entitled: "A BILL FOR AN ACT RELATING TO CREDITORS' RIGHTS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 583) recommending that H.B. No. 836, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 836, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTIES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 584)

recommending that H.B. No. 1225 pass Second Reading and be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1225, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water and Land Use Planning.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 585) recommending that H.B. No. 1485, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR COMMISSION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 586) recommending that H.B. No. 1717, as amended in HD 1, be referred to the Committee on Water and Land Use Planning.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1717, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was referred to the Committee on Water and Land Use Planning.

Representative Takumi, for the Committee on Intergovernmental Relations and International Affairs, presented a report (Stand. Com. Rep. No. 587) recommending that H.B. No. 2254 be referred to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2254, entitled: "A BILL FOR AN ACT RELATING TO EXPORT TRADE," was referred to the Committee on Finance.

Representatives Takumi and Yonamine, for the Committees on Intergovernmental Relations and International Affairs and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 588) recommending that H.B. No. 2333 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 2333, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REPRESENTATION OF COUNTY OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary.

INTRODUCTION OF RESOLUTION

H.R. No. 44, entitled: "HOUSE RESOLUTION COMMENDING HAWAII'S TRAVEL PARTNERS," was offered by Representative White.

By unanimous consent, H.R. No. 44 was placed on the Clerk's desk.

ANNOUNCEMENTS

Representative White rose and stated:

"I would just like to mention that for our floor presentation on Tuesday, we are honoring on this side ten members of the wholesale travel partners and ten members on the Senate side. I would just like to point out to the members so they can be thinking about whether they would like to provide 'mahalos' to these folks.

"The twenty individuals that we'll be recognizing on Tuesday represent parts of our visitor industry, that just these twenty companies bring 2.4 million visitors. Those 2.4 million visitors generate roughly \$3.9 billion in direct expenditures and \$6.8 billion in indirect and direct expenditures. They generate \$2.3 billion in household income, and they generate roughly \$400 million in State tax revenues.

"So I think they deserve a big 'mahalo,' and I hope you all share in our honoring of them on Tuesday.

"Thank you."

At this time, Representative Ward rose and wished all the members of the House a very "Happy Presidents' Day."

ADJOURNMENT

At 10:25 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Tuesday, February 22, 1995.

TWENTY-SECOND DAY**Tuesday, February 21, 1995**

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Pastor Darrell Rott of the Aiea Seventh Day Adventist Church, after which the Roll was called showing all members present with the exception of Representatives Halford and Morihara, who were excused.

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

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twenty-First Day was approved.

GOVERNOR'S MESSAGE

Gov. Msg. No. 176, transmitting copies of a summary report showing all operating funds transferred to the Department of Accounting and General Services from other agencies during the period of July 1, 1994 to December 31, 1994, pursuant to Section 126 of Act 289, SLH 1993, was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 11 and 12) were read by the Clerk and were placed on file:

Sen. Com. No. 11, transmitting Senate Bill No. 87, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," which passed Third Reading in the Senate on February 17, 1995.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. No. 87, SD 1, passed First Reading by title and further action was deferred.

Sen. Com. No. 12, transmitting S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH LAWS TO ALLOW STATES TO SHARE IN THE REVENUES FROM THE FEDERAL COMMUNICATIONS COMMISSION AUCTION OF RADIO FREQUENCY SPECTRUM FOR EDUCATIONAL PURPOSES," which was adopted by the Senate on February 17, 1995.

By unanimous consent, further action on S.C.R. No. 20 was deferred.

At this time, Representative Ward introduced to the members of the House Professor Dan Boylan, a professor at the University of Hawaii known as a political pundit, and a fellow Peace Corps volunteer from North Borneo.

ORDER OF THE DAY**INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)**

H.R. No. 44, entitled: "HOUSE RESOLUTION COMMENDING HAWAII'S TRAVEL PARTNERS," was offered by Representative White and was read by the Clerk.

Representative White moved that H.R. No. 44 be adopted, seconded by Representative Cachola.

Representative White rose to speak in support of the resolution, stating:

"It gives me, of course, great pleasure to honor these individuals today. Many of you are probably wondering what a travel wholesaler does, and I will try to be succinct. They provide a mechanism through which we are able to extend our marketing efforts to many, many markets in a very competitive marketplace. And they provide us with a substantial level of exposure for the destinations through their advertising in newspapers, on radio, television, billboards, and various other methods. They combine the air travel, accommodations, ground transportation, and activities in such a way that our visitors enjoy all that Hawaii has to offer. They're also there to greet the visitors at the airport and to make sure that they are sent off in the right way to their destinations, whether by rental car or by motor coach. They play a very integral role in how we not only market, but deliver our products.

"The visitors brought to these islands by the twenty companies being represented here in the House and in the Senate today generate \$19 million of expenditures each day throughout the State of Hawaii, and they generate \$1.1 million in state tax revenues each day. So the twenty companies that we are recognizing today generate 15.7 percent of the state's general fund revenues. The visitor industry, as a whole, generates about \$45 million in expenditures per day, and about \$2.6 million per day in state tax revenues.

"Therefore, I think we should honor folks such as these that play such a major role in providing benefits to this state and all the residents here. Most of these companies serve destinations that we compete with and they, therefore, have a very good perspective on how we measure up against these other destinations in the way of products, whether it's our facilities, our aloha, whether it's our activities, or safety, or cleanliness, so they have a very unique position to grade our ability to deliver.

"So, Mr. Speaker, as we honor these individuals and their companies today, I encourage the members of the House to take this opportunity to speak with and learn from these experts in marketing. We have a lot to learn from them, and let's give them a wonderful warm aloha, and let's learn from them today.

"Mahalo, Mr. Speaker."

Representative Herkes then rose to speak in support of the resolution, stating:

"Mr. Speaker, I want to add my thanks to Representative White on the contributions that these wholesalers have made to Hawaii's economy.

"In the some 35 years that I spent in the hotel business in Hawaii, I have probably dealt with all of these companies. Let's face it, if you didn't deal with Ed Hogan, you're really out of luck. He was a major supplier as were MTI, United Vacations, Ed Jackson, and the rest.

"There is one company that is not here today, Mr. Speaker, that I would like to add to the record, and that is Classic Hawaii. The founder of Classic Hawaii, Ed Murison, who is known to most of these fine people, passed away about a year ago. Ed and his wife, Beverly, were very, very strong supporters of Hawaii, together with their Vice President, Jo-Anna Mohun. They were players in Hawaii, and in honor of Ed's memory I want to add their names to this distinguished list.

"Again, my congratulations to all of you.

"Thank you, Mr. Speaker."

Representative Lee then rose to speak in support of the resolution, stating:

"I would like to address other aspects of the tourism industry because we tend to forget, or we tend to focus too much on economic benefits. We owe a great deal of gratitude to the tourism industry for some intangible benefits, one of which is the shift in the composition of people visiting Hawaii. In the beginning, they were Americans, then the Japanese, and now the Europeans, the Germans, the French, and also the Taiwanese and the Koreans are coming behind them.

'What does this mean for Hawaii?

"If we need to take care of our tourist visitors, we need to understand them. The growth of the Japanese market has meant a growth in the knowledge of Japanese language and custom, and so is it with the other countries. We are brought back to a point whereby by serving all these tourists, we begin to discover ourselves, our great diversity. The Chinese, the Koreans, Filipinos, and let's also say the Germans, and perhaps one day the Portuguese, Mr. Speaker -- they helped us to learn about ourselves, about our culture and about our languages.

"Besides the number of people from all over the world who are now coming to Hawaii, the greater number of tourists that calls us to question certain premises and begin to examine how we could better preserve our environment, how to interpret our culture, are our environmental visitors. Therefore, we have a rise in eco-tourism, in culture, in the languages of Hawaii, and all the intangible benefits will come when we examine ourselves. And above all, let me say when we examine ourselves, we like to think we should keep the aloha spirit, and we would like to welcome all our visitors with a smile. As much as we like your dollars, yens and marks, we would also appreciate that you bring your own country, your own culture, that we can also participate, that we can also question, and find ourselves in the renewal.

"So, thank you very much, and please come again."

Representative Swain then rose to speak in support of the resolution, stating:

"Mr. Speaker, I want to also take this opportunity to thank these leaders in the tourist industry for being here today and for what they've done to our island. As one who started in tourism when I was eighteen, I was dependent upon them and continue to be as a small businessman whose business on the island of Kauai is dependent upon the tourist industry. And I want to thank some of those that are here today because they did not give up on Kauai. After our latest disaster on Kauai, they continued to send their people to the island. They also continued to communicate through the travel agents that they work with that Kauai was open and ready to work with them, and that Kauai was working towards the

re-establishment of its industry. And so I thank them right now for their continuing patronage to our island.

"I might throw in one little plug here though. If we can get a little bit more Japanese tourists to stay overnight on Kauai, that would be wonderful also for the economy of our island. But I thank them for their commitment and for all they've done also.

"Thank you very much."

Representative Ward then rose and stated:

"Mr. Speaker, I rise to join in the commendations of these gentlemen and the industry, and to thank Representative White who, I believe, even though I'm in my third term already, is the first ever to bring the visitor industry before us because, gentlemen, let's face it, you are the subject of many pejorative economic slights and future not so good prognostications.

"However, in commending you, I put you in the context of the world's largest industry. The visitor industry hospitality is the world, even above oil, Mr. Speaker ... the world's largest industry of which is driven by you wholesalers. I was, like others, impressed that one-sixth of our economy stands or sits before us here, one-sixth of our general fund which also is a first -- I've never seen five people represent one-sixth of the general fund. By the way, we need \$250 million more to get through the problems of this year.

"But in commending you, I would say ... keep up the good work, keep Hawaii number one, and never let us slip into just being another place to visit.

"Thank you, Mr. Speaker."

Representative Stegmaier then rose to support the resolution, stating:

"I, too, want to take time to honor these industry leaders today, both gentlemen and gentlewomen, and to specifically mention to the representatives of the Japanese travel companies today -- yookoso irasshaimashita. Omedeto o gozaimasu."

Representative Cachola then rose and stated:

"You know, my role today is to introduce our guests. However, I will be remiss if, as Chairman of your Committee on Tourism, I am not going to say a few words of thanks and honor these gentlemen and ladies before us.

"Representative White spoke about the economic impact. Let me just put these things in perspective.

"In 1994, the total visitor count was 6.45 million visitors. These twenty wholesalers brought in 2.4 million. That is over one-third of the number of visitors that came to Hawaii in 1994. These twenty wholesalers, Mr. Speaker, in my mind, are just part of the many, like hundreds or thousands of wholesalers, who are bringing business to Hawaii. I think that by honoring the top twenty personally, Mr. Speaker, we are honoring all the wholesale operators that are bringing visitors to Hawaii.

"Mr. Speaker, knowing that these twenty wholesalers are bringing over one-third of the visitors to Hawaii, and there are only twenty, I consider the wholesaler business as the lifeblood of Hawaii's visitor industry as well as Hawaii's economy. For that reason, Mr. Speaker, I am rising to speak in support of this resolution."

The motion was put by the Chair and carried, and H.R. No. 44 was adopted.

Representative Cachola then rose to introduce the honorees, stating:

"They will be introduced ... first by company (in alphabetical order); the name of the representative seated before us; the ranking by the number of businesses brought in (approximate); and where their major market area is," and proceeded with the introduction, as follows:

First, All About Hawaii; Mr. Brandt Mayes, Vice President; ranked number 13; bringing in over 60,000 visitors; major market area -- Pacific Northwest.

Second, Aloha 7 Travel; Mr. Fukuyoshi "Lucky" Kawazoe, Executive President, "a personal friend of mine"; ranked number 10; bringing in over 90,000 visitors; major market area -- Osaka and Tokyo.

American Airlines Fly-AAway Vacations; Mr. Kevin Short, President; ranked number 14; bringing in approximately 60,000 visitors; major market area -- Midwest and South, and has programs across the United States.

GoGo Tours; Mr. Paul Unger, Vice President, Marketing; ranked number 16; bringing in over 50,000 visitors; major market area -- East Coast.

JTB Hawaii, Inc., "the valedictorian of the group"; Mr. Kenji Ito, Vice President; ranked number 1; over 350,000 visitors; major market area -- Tokyo and Osaka.

Kinki Nippon Tours; Mr. Masaki Ono, General Manager; ranked number 5; over 150,000 visitors; major market area -- all of Japan.

MTI Vacations, Inc.; Ms. Betty Prahler, Group Manager; ranked number 19; over 30,000 visitors; major market area -- Midwest.

Pleasant Holidays; Mr. Ed Hogan, Chairman; ranked number 3; over 200,000 visitors; major market area -- West Coast.

Runaway Tours; Mr. Edmond Jackson, President; ranked number 17; over 50,000 visitors; major market area -- West Coast.

United Vacations; Ms. Camilla Aluli; ranked number 9; over 100,000 visitors; major market area -- strongest in Midwest USA and also has international programs in Europe and Asia.

The honorees all rose to be recognized and received a standing ovation from the members of the House.

At this time, Certificates of Recognition and floral leis were presented to the honorees by Representatives Cachola, Amaral, Marumoto, White, Yoshinaga, Chun Oakland, Isbell, Kawakami, Anderson and Thielen.

At 12:03 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Amaral, 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. 344 and H.B. No. 1984, HD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1984, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Kawanakoa rose and stated:

"Mr. Speaker, I would just like to note the reservations I had at the committee hearing on these Stand. Com. Reports 344 and also 345.

"I was just concerned about the notion of emergency appropriations. I would like to bring the body's awareness that these costs are increasing, and the underlying problem is that we have more and more people coming on to AFDC as our economy begins to slump, or continues to slump, and we can expect that higher numbers in future years.

"The budgets that were given to me, as I asked the questions in the committee, is that they've increased from \$35-million to \$50-million, and which we will increase again to \$75-million or somewhere along those lines. I don't have the exact numbers, however, I wanted to raise that concern that we can't continue to appropriate these emergency appropriations in such a fashion. As we continue, we need to get to the root of the problem which has much to do with our economy and the state of affairs we're in.

"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. 1984, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 1984 had passed Third Reading at 12:43 o'clock p.m.

Stand. Com. Rep. No. 345 and H.B. No. 1992, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1992, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 1992 had passed Third Reading at 12:44 o'clock p.m.

Stand. Com. Rep. No. 528 and H.B. No. 1995, HD 2:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1995, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE WORKERS' COMPENSATION PROGRAM," having been read throughout, passed Third Reading by a vote of 49

ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 1995 had passed Third Reading at 12:45 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:

H.B. No. 1208, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

H.B. No. 1827, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1827, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. Nos. 1208 and 1827 had passed Third Reading at 12:46 o'clock p.m.

H.B. No. 1835, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1835, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF GOVERNMENT FUNDS FOR GRANTS," passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 1835 had passed Third Reading at 12:47 o'clock p.m.

H.B. No. 1374, HD 1:

Representative Amaral moved that H.B. No. 1374, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

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

"I would like to note that as we enthusiastically pursue the health care industry as an industry which I think is the proper thing to do, we should also be very mindful that, particularly on our neighbor islands, the mixture of providers, money, and clients can be very delicate. In fact, my understanding is that the Maui Memorial Hospital is now losing money. And so we want to be very careful as we proceed that the promotion of new health care industries do not become competition to so-called 'skim the cream off' of the health care dollar and leave the existing facilities, the hospitals, the primary care centers, with only the lower-paying Medicaid or QUEST reimbursement scheme.

"Secondly, it's very important that this bill proceeds with a lot of discussion with our Department of Health which is still the main action on the neighbor islands, and

our State health planning and development agencies as well.

"Finally, that one aspect of health tourism, if you want, is the training of professionals in health from around the Asian Pacific Basin here in Hawaii. A significant amount of this is going on already with the Center for Asian Pacific Exchange, and other hospitals, and the University, and this is clearly one of the areas of growth -- health education in a professional sense -- that we should pursue as well as this high-tech notion.

"So, with those three ideas in mind, I hope this bill will develop and envelop those concepts.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 1374, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 1374 had passed Third Reading at 12:48 o'clock p.m.

H.B. No. 144, HD 1:

Representative Amaral moved that H.B. No. 144, HD 1, having been read throughout, pass Third Reading, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"In hard budget times, we mistake what's economically expedient for public safety, and I think we have a real issue here where everybody thinks because this bill says we're going to save money, that we're actually going to save money, whereas the facts and the realities out on the streets of the criminals are otherwise.

"For example, Mothers Against Drunk Driving (MADD) says that it takes almost one hundred to two hundred offenses before someone is caught driving drunk. SHOPO says for every person who does sex offense, there's fifty to a hundred women who may be offended in the process of their being released. For the property offender, for every time they're kept behind bars, they are preventing another fifty to a hundred burglaries from being done that would cost the women, the taxpayers, the people of their money when, in fact, we just see our accounting that we are ahead of the game.

"Another example is what Mayor Jeremy Harris said ... that there are twelve people who do 80 percent of the crimes in Waikiki. They go in and they come out and there's nothing but a slap on the hand. They can't even put them away.

"This bill, under the guise of saving money, is actually endangering the public, and that's not a good precedence. Even though we've got \$250 million to save and find out, we know statistically that 45 percent of all the people who are not the heavy hitters, when they're released, 45 percent are going back and committing a crime. That's right in your bill digest, ladies and gentlemen.

"The cure is not in the state saving money but in protecting the public safety, and I think that's really the trade-off there. We think we're going to save money, it's actually going to cost the public much more money.

"It's not a good bill, and it's not a good social policy, Mr. Speaker.

"Thank you."

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

"Mr. Speaker, we know that the prisons are overcrowded and so there are a number of measures before us, including this one, that are trying to deal with that overcrowding. I would like to suggest that the prisons are overcrowded because the people that belong in the prisons are there, and this keeps our streets safer and our communities safer. I don't think that we should allow people that are subject to bail of \$10,000 to be released out on the street before their hearing and their trial.

"The reason that I don't think that this will work, Mr. Speaker, is that right now, we know that 45 percent of those people that are released on bail -- pretrial -- violate the provisions of the bail. This will double the risk to the community. I know that the bill does not permit the release of people who have committed crimes against people, but we are permitting class A felons -- drug dealers -- to be released under this bill. You might say ... well, drug dealers don't really commit crimes against people. I would say they're back out on the streets, Mr. Speaker, to continue selling drugs to people who do take drugs and then do commit crimes against people. So I think that what we are doing is endangering our community by this, and I don't think the justification that the prisons are overcrowded justifies the risk.

"My colleague from across the island district might rise and say ... but everyone is presumed innocent before they have a trial. Well, our Criminal Justice System provides that when there is sufficient evidence to arrest someone, that person can be placed in prison, pending trial, and can be released upon bail. Up until now, we were safeguarding matters by saying that only those who were subject to bail of \$5,000 could be released. We're now doubling the risk and raising that to \$10,000.

"Frankly, Mr. Speaker, I don't know how many would qualify. I do know that the police records have shown that many of those people who do qualify for that release on bail are back out on the streets doing the drug deals, and doing the other activities that do not help our public safety.

"So I am against this bill, Mr. Speaker.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, the purpose of this bill is to ease prison overcrowding. It seeks to deal with this issue by, one, increasing the amount of non-violent pretrial inmates who may be eligible for release by increasing the bail ceiling from \$5,000 to \$10,000; by making permanent a program to release pretrial inmates; and finally, by requiring that the Director of Public Safety provide written reports on the program's effectiveness to the Legislature over the next two years.

"The bill is part of a package of legislation developed to implement the recommendations of the Corrections Population Management Commission. It's part of an overall plan that brings with it other recommendations, including the development of new programs as well as some prison construction. It's directed at a prison population which we have already been told has not yet been adjudicated, a population that is incarcerated simply for being poor, for not being able to afford the bail to remain out of prison until trial, as all other pretrial

detainees can do. These offenders are also offenders that are charged with non-violent offenses -- offenses relating to property crimes, crimes against public administration, crimes against public order, crimes against public health or morals. These are alleged offenders -- not tried, not violent -- and we are asked to balance the issue of public safety against them and violent offenders presently incarcerated.

"The issue before us remains that we are, in fact, under federal court order which has already established the prison population caps. Those caps are legally enforceable and they limit the number of inmates that we can hold in our prisons. To violate this order is to place this state in contempt of court. To violate this order is to risk, not only huge fines but also that the adjudicated violent offenders will, in fact, be released. It is to risk giving up control of our facilities. This is the balancing act we have performed. The choice is to release the non-violent person charged with a crime, not yet found guilty, whose greatest crime at this immediate instance is not having money to bail out ... to balance that against all other similarly situated persons who can put us at greater peril if released inappropriately.

"Further, we can make this decision. When we make this decision, we make it very carefully, assuring that the Legislature will receive a report each year on how this program is working and to evaluate the impact of our decision.

"This is a responsible piece of legislation, one of many other pieces of legislation, when taken in its totality can be viewed as reasonable and effective, and I urge my colleagues to support this measure as I would."

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

"Regardless of the short shrift that the minority member may give, the fact is that these people are not yet guilty and that doesn't seem to be terribly important. It is important to me because it is one of the strongest tenets in our Penal Code in this country today that a man or woman is innocent until proven guilty.

"Now, one of the other parts of this is to see if we can get a handle on the overcrowding in the prison.

"This is not an idle bill. This came out of the recommendations by the Corrections Population Management Commission. After the Minority Report came out, I checked again with Bambi Weil. She assured me of the various safeguards which were within this. We feel that we have given the proper attention to this, and I urge my colleagues to vote for this because right now, we must find ways to get our overcrowding down in these prisons.

"Thank you very much."

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

"I'll feel quite remiss if I didn't stand to speak in opposition to this particular bill.

"I was elected to address the tough questions before us. Overcrowding is the underlying issue that we must address, and I am not for releasing prisoners, or releasing potentially troublesome, potentially detrimental persons in our society, back on the streets in the name of reducing the crowding in our prisons. When it comes to public safety, I am not willing to put our public at further peril, and I must vote in opposition to this bill.

"Thank you, Mr. Speaker."

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

"I think we should remind ourselves of the essential points of this bill. If we are to put violent offenders behind bars, even if pre-detention, pre-trial, that we have to make room for them. So let us release those who are not violent and who meet the criteria, and put those who are violent offenders behind bars."

Representative Thielen, in response to the last speaker, stated:

"If the last speaker could guarantee me that those drug dealers that are put out on the streets again will not sell to people that are then going to commit violent crimes, I'd feel a lot better about it. Right now, I think the answer to prison overcrowding is not to open up the doors to the prison."

"Thank you."

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

"I guess it's a very safe position, a very easy position to take, that you want to keep these people locked up and off the streets, and I think all it would take is one mistake by one person committing a crime who is released to say that, hey, it doesn't work. But it still doesn't repeat the point that we do have a problem of overcrowding; we do have a consent decree over our heads. I haven't heard any solutions, any recommendations from that side."

"The fact is we need to deal with these issues and I know the people in Kalihi, they've come to us many times before in the past few years to ask us if it's okay to renovate the OCCC to increase the bed capacity. But we won't stand for it because we know there are alternatives, and they want to continue to build more beds but that's not the solution."

"So the question I ask is ... are these people speaking out in favor of keeping these people locked up? Are they willing to put the prison in their neighborhoods? And the other question is ... do we build more prisons and have more prison beds at the sacrifice of more classrooms?"

"I choose classrooms over prison cells, Mr. Speaker, and if we need to look at alternatives such as these, then we need to go ahead and move forward and see to it that it works."

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I feel compelled to rise at this point to clarify why I am not going to support this bill."

"In discussions, and I don't have the benefit of the discussions in committee, but my problem is with allowing for the release of felony A drug offenders who apparently are a very small number of individuals. I am just wondering whether that far really addresses the problem that this bill is supposed to address, which is overcrowding."

"I would be more comfortable and perhaps if this bill goes forward with further discussions, before the end of session if we could look at whether we really want to be releasing the felony A arrestees prior to their trials, it would be better to look at the numbers of individuals

arrested for those more unacceptable crimes versus those who will be released for possibly having committed less acceptable crimes."

"I guess that is my quarrel with the bill as it stands right now, and for that reason I will ask that a vote against the bill be cast for me."

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," having been read throughout, passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Anderson, Kawanakoa, Marumoto, Meyer, Stegmaier, Thielen and Ward voting no, and Representatives Halford and Morihara being excused.

The Chair directed the Clerk to note that H.B. No. 144 had passed Third Reading at 1:02 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 45) and concurrent resolution (H.C.R. No. 38) were referred to Printing and further action was deferred:

H.R. No. 45, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO CONSIDER RELOCATING ITS SAND ISLAND COAST GUARD FACILITIES," was jointly offered by Representatives Hiraki, Nakasone, Suzuki, Isbell, Case and Ito.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO CONSIDER RELOCATING ITS SAND ISLAND COAST GUARD FACILITIES," was jointly offered by Representatives Hiraki, Nakasone, Suzuki, Isbell, Case and Ito.

ANNOUNCEMENTS

Representative Herkes rose and stated:

"Mr. Speaker, this is the 50th anniversary of the battle of Iwo Jima. Earlier during the floor presentation, I made some remarks about Ed Murison who was very active in Hawaii tourism."

"Mr. Speaker, he was also a veteran of Iwo Jima. May I be allowed to enter a few remarks to expand my earlier comments on this issue."

The Chair "so ordered."

Representative Herkes remarks are hereby inserted:

"Mr. Speaker, this is also the 50th anniversary of the battle of Iwo Jima. Ed Murison was one of those fresh faced young marines that went ashore there 50 years ago. In all the years that I knew Ed Murison, Mr. Speaker, he never talked about that experience. About 18 months ago, when I learned that Ed did not have long to live, I flew to San Jose to spend a little time with him. We talked, relived old times, played some cribbage and I asked him about Iwo Jima. He showed me a picture of his company taken before the battle. Over 90 percent of those young men died in that battle. Ed was one of the few that survived."

"Mr. Speaker, it is fitting that we honor the travel industry during the anniversary of one of the world's great battles. It is through travel, Mr. Speaker, international travel, that the peoples of the world will get to know each other and prevent the agonies of war.

"Thank you, Mr. Speaker."

Representative Say then rose and requested waiver of the 48-hour hearing notice requirement for decision-making only on H.B. 902 today at 5:00 p.m. in Room 908, and the Chair "so ordered."

ADJOURNMENT

At 1:05 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, February 22, 1995.

TWENTY-THIRD DAY

Wednesday, February 22, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 11:38 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Alison Dingley, an Episcopalian Priest, after which the Roll was called showing all members present with the exception of Representatives Menor and Yonamine, who were excused.

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

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Second Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 13 to 35) were read by the Clerk and were placed on file:

Sen. Com. No. 13, transmitting S.B. No. 1682, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 14, transmitting S.B. No. 1680, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR HEALTH," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 15, transmitting S.B. No. 1596, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE WORKERS' COMPENSATION PROGRAM," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 16, transmitting S.B. No. 1594, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 17, transmitting S.B. No. 1690, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 18, transmitting S.B. No. 85, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 19, transmitting S.B. No. 304, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 20, transmitting S.B. No. 305, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX CREDIT," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 21, transmitting S.B. No. 310, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS AND THE AUTHORIZATION FOR ISSUANCE THEREOF," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 22, transmitting S.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JUDGES," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 23, transmitting S.B. No. 886, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROLS TO BE EXERCISED IN THE EXECUTION OF THE BUDGET AND OTHER PROGRAM APPROPRIATIONS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 24, transmitting S.B. No. 887, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO SECTION 11 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 25, transmitting S.B. No. 893, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SERVICE FEES," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 26, transmitting S.B. No. 1566, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 27, transmitting S.B. No. 1567, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 28, transmitting S.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO UNDERESTIMATION OF NET INCOME TAX," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 29, transmitting S.B. No. 1577, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 30, transmitting S.B. No. 1578, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 31, transmitting S.B. No. 1645, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 183C," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 32, transmitting S.B. No. 1762, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 33, transmitting S.B. No. 1763, 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 February 21, 1995.

Sen. Com. No. 34, transmitting S.B. No. 1773, entitled: "A BILL FOR AN ACT RELATING TO EXTRADITIONS," which passed Third Reading in the Senate on February 21, 1995.

Sen. Com. No. 35, transmitting S.B. No. 1912, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD TENANT CODE," which passed Third Reading in the Senate on February 21, 1995.

On motion by Representative Amaral, seconded by Representative Thielen and carried, S.B. Nos. 1682; 1680, SD 2; 1596, SD 1; 1594, SD 1; 1690; 85, SD 1; 304; 305; 310, SD 1; 426; 886; 887; 893, SD 1; 1566; 1567, SD 1; 1575; 1577, SD 1; 1578, SD 1; 1645, SD 1; 1762, SD 1; 1763, SD 1; 1773; and 1912, SD 1, passed First Reading by title and further action was deferred until later in the calendar.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
85	Committee on Judiciary
87	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Judiciary
304	Committee on Finance
305	Committee on Finance
310	Committee on Health, then to the Committee on Finance
426	Committee on Judiciary
559	Committee on Economic Development and Business Concerns, then to the Committee on Finance
886	Committee on Finance
887	Committee on Judiciary, then to the Committee on Finance
893	Committee on Higher Education and the Arts, then to the Committee on Finance
1566	Committee on Finance
1567	Committee on Finance
1575	Committee on Finance
1577	Committee on Finance
1578	Committee on Finance
1594	Committee on Public Safety and Military Affairs, then to the Committee on Finance
1596	Committee on Labor and Public Employment, then to the Committee on Finance
1645	Jointly to the Committee on Water and Land Use Planning, the Committee on Energy and

Environmental Protection, and the Committee on Ocean Recreation and Marine Resources

1680 Committee on Health, then to the Committee on Finance

1682 Committee on Human Services, then to the Committee on Finance

1690 Committee on Human Services, then to the Committee on Finance

1762 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance

1763 Committee on Judiciary, then to the Committee on Finance

1770 Committee on Judiciary

1771 Committee on Judiciary

1773 Committee on Judiciary

1912 Committee on Consumer Protection and Commerce

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 41, 42 and 45) and concurrent resolutions (H.C.R. Nos. 36 to 38 and S.C.R. No. 20) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
41	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
42	Committee on Labor and Public Employment, then to the Committee on Finance
45	Committee on Economic Development and Business Concerns, then to the Committee on Public Safety and Military Affairs
<u>H.C.R. Nos.</u>	
36	Committee on Intergovernmental Relations and International Affairs, then to the Committee on Finance
37	Committee on Labor and Public Employment, then to the Committee on Finance
38	Committee on Economic Development and Business Concerns, then to the Committee on Public Safety and Military Affairs
<u>S.C.R. No.</u>	
20	Committee on Finance

COMMITTEE REASSIGNMENTS

The following House Bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1096	Committee on Health
1240	Committee on Health

**INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)**

H.R. No. 46, entitled: "HOUSE RESOLUTION HONORING KAILUA INTERMEDIATE SCHOOL FOR BEING ONE OF THREE HAWAII BLUE RIBBON SCHOOLS SELECTED STATEWIDE TO COMPETE NATIONALLY IN THE UNITED STATES DEPARTMENT OF EDUCATION 'BLUE RIBBON SCHOOLS RECOGNITION PROGRAM'," was jointly offered by Representatives Thielen, Meyer and Anderson and was read by the Clerk.

On motion by Representative Thielen, seconded by Representative Nekoba and carried, H.R. No. 46 was adopted.

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

"I would like this body to join me in honoring Kailua Intermediate School for demonstrating excellence in education. Kailua Intermediate School competed statewide to become one of the three Hawaii Blue Ribbon Schools. The others are Waiakea on the Big Island and Dole Intermediate on Oahu. Now, the school will go on to compete in the national 'Blue Ribbon Schools Recognition Program.'

"Kailua Intermediate School has an outstanding administrative team, extremely committed teachers, and tremendous student, parent, military, and community support. Everyone works as a team and gains enrichment and pride from their participation in school decisions.

"I would like you to join me in welcoming some of the people who have made it possible for Kailua Intermediate School to become a Hawaii Blue Ribbon School."

Representative Thielen then asked the following honorees to stand to be recognized:

Ruby Hiraishi, District Superintendent for Windward Schools.

Dr. Lorraine Henderson, Principal of Kailua Intermediate School. "She has made the most significant difference in bringing a school from the doldrums around to being one of national recognition."

Ms. Irene Peters. "She is on the Parent/Teacher Association Board and has been a parent/community networker for Kailua Intermediate School for the last three years. She is responsible for coordinating the parent and community volunteers at Kailua Intermediate School, and the volunteers, with her help and direction, have raised almost \$90,000 for the school. That's pretty impressive. Most of this money has primarily gone to support the installation and maintenance of the telecommunications program at Kailua Intermediate School. The use and integration of this new technology is one of the reasons Kailua Intermediate was selected statewide as a Blue Ribbon School."

Ms. Billie Piianaia. "She has been a resource teacher at Kailua Intermediate for five years. She coordinates the curriculum, teacher training, and the telecommunications at the school. She worked closely with Ms. Peters in organizing the installation of the telecommunications program. Last year, she worked here in the Public Access Room as a facilitator of the Hawaii State Student Council Electronic Network."

Phouthasone Chounthirath "is an extraordinary thirteen year old seventh grader from Laos. He is now the Student Body President for Kailua Intermediate. From the time Phouthasone arrived from Laos and started at this school, he has been a 4.0 student, as well as a starter on the school basketball team. Phouthasone approached his teacher, Kristine Giannasio, who is seated in the audience, and in broken English said, 'School has given so much to me, I would like to give to school.' With that, he stood before one thousand students and delivered his campaign speech for Student Body President. I was told that the students were mesmerized with his energy. He has the wisdom and maturity of an adult, and I hope that someday he will be here on the floor as a State representative, representing his district."

Representative Thielen then asked the following persons who were seated in the gallery to stand to be recognized: Mr. Stanley Seki, Deputy Superintendent of the Department of Education; Mr. Winston Sakurai, Windward District Board of Education; and Kristine Giannasio, English as a Second Language Teacher at Kailua Intermediate School. "Kristine works with students from Russia, Vietnam, Samoa, the Philippines, China, El Salvador and Laos, and all of these students are on the honor roll or have received some form of recognition from Kailua Intermediate School."

Representative Nekoba then rose and stated:

"Mr. Speaker, I would just like to add my congratulations to Kailua Intermediate School, my alma mater. One thing that I didn't realize when I went to the Blue Ribbon Panel meeting was that, at the time that they were sitting at the table and we were all talking story, they were actually taking notes of what people were saying. I had no idea until afterwards when Dr. Henderson said, 'Thank you very much for your testimony in support of our school.'

"But I think it was helpful for me because it really made it clear to me the family atmosphere that they have brought to the school, the sense of purpose that Kailua Intermediate School now has that wasn't there before, and it is something that is very special. It brings people into the school more than any other school I've ever seen, and that's why this honor is so deserved, but it was also kind of a moot point for those of us who represent the school.

"I want to thank you very much, Dr. Henderson, and everyone else who was involved, especially at the school, for giving us one more thing to be proud of in Kailua.

"Thank you, Mr. Speaker."

Representative Anderson then rose and stated:

"Mr. Speaker, I would just like to add my congratulations to the team from Kailua Intermediate School. It's very exciting when you set your goals and work for them over a long period of time, and to encourage many students to reach out to those goals. And now that you have reached your goal -- you are there, you are a success, and you're a winner. You're now reaching out for the next goal at the national competition.

"So I am just very excited, and I just want you to take back from this body our warmest congratulations on your success.

"Thank you very much."

Representative Ward then rose and stated:

"I would like to add two brief comments about two people sitting in front of us.

"First, congratulations to Phouthasone, the heir-designate of my colleague, Representative Thielen's seat. I've never heard her designate anyone to get in here. . . I assume he lives in your district, so you are assuming that he will someday take your seat. We look forward to your joining us at that time.

"Secondly, to commend one of the Kailua Intermediate Blue Ribbon team members. She is a 'Blue Ribbon' lady -- Dr. Henderson. She is a past member of an East Honolulu Education Task force that I put together before. I know her as a committed, intelligent, active, get-the-job done, educational lady. She was only a Vice Principal then and now she's the Principal. I want to wish you and Kailua Intermediate School to stay in the fast track and show the state how it's done.

"Congratulations to all of you.

"Thank you, Mr. Speaker."

Representative Kahikina then rose and stated:

"I also want to extend my congratulations to Kailua Intermediate School and offer them the next challenge ... would you come out to Waianae?"

At this time, a Certificate of Recognition was presented to Dr. Henderson by Representative Thielen while floral leis were presented to the honorees by Representatives Nekoba, Stegmaier, Tarnas and Anderson.

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

Upon reconvening at 12:04 o'clock p.m., the following late introductions were made to the members of the House:

Representative Shon introduced a "very prestigious group" of 20 high school students from the island of Cheju-Do in Korea. "As many of you know, I went to Cheju-Do in the Peace Corps in 1970," and spoke in Korean ... "Even a schoolhouse dog will learn something in three years," and further remarked in Korean ... "It would be very good if we could create a sister/state relationship with Hawaii and Cheju-Do. The environments are so close." They were accompanied by Mr. Kim Hee Jin, Supervisor, Cheju Province Seogwipo Office of Education, and Mr. Kil-Do Hyun, high school English teacher and President of Cheju Seta.

Representative Arakaki then introduced Mr. Eric Chang of the Department of Education, chaperone for the above group.

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 12:52 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Amaral, 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.

STANDING COMMITTEE REPORTS

Representative Cachola, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 589) recommending that H.B. No. 1373, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TOURISM PROMOTION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 590) recommending that H.B. No. 920, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 920, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was recommitted to the Committee on Finance.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 591) recommending that H.B. No. 295 pass Third Reading.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 295, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT LOAN ASSISTANCE PROGRAM," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Menor and Yonamine being excused.

The Chair directed the Clerk to note that H.B. No. 295 had passed Third Reading at 12:54 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 592) recommending that H.B. No. 821 pass Third Reading.

On motion by Representative Chang, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Menor and Yonamine being excused.

The Chair directed the Clerk to note that H.B. No. 821 had passed Third Reading at 12:55 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 593) recommending that H.B. No. 837, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 593 and H.B. No. 837, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 837, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 594) recommending that H.B. No. 2031, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2031, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 595) recommending that H.B. No. 2037, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERESTIMATION OF NET INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 596) recommending that H.B. No. 2040, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 597) recommending that H.B. No. 2041, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPROMISES," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 598) recommending that H.B. No. 176, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 599) recommending that H.B. No. 313 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 600)

recommending that H.B. No. 806 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and H.B. No. 806, entitled: "A BILL FOR AN ACT RELATING TO TORT REFORM," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 601) recommending that H.B. No. 1498, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING CONTRIBUTIONS AND EXPENDITURES STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 602) recommending that H.B. No. 1499, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INTERESTS DISCLOSURES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 603) recommending that H.B. No. 1937, as amended in HD 1, be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1937, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE BANKING," was recommitted to the Committee on Consumer Protection and Commerce.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 47 to 49) and concurrent resolutions (H.C.R. Nos. 39 to 41) were referred to Printing and further action was deferred:

H.R. No. 47, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO ADOPT PROCEDURES AND RECOMMEND LEGISLATION THAT WOULD REDUCE THE AMOUNT OF TIME NEEDED TO FUND AND PREPARE AN ENVIRONMENTAL IMPACT STATEMENT," was jointly offered by Representatives Kanoho and Shon.

H.R. No. 48, entitled: "HOUSE RESOLUTION URGING THE HAWAII DEPARTMENT OF EDUCATION TO CONTINUE HAWAIIAN IMMERSION PROGRAMS AND TO ESTABLISH CULTURAL SENSITIVITY PROGRAMS FOR ALL OF ITS EMPLOYEES," was offered by Representative Kawanakoa.

H.R. No. 49, entitled: "HOUSE RESOLUTION SUPPORTING THE PAI OHANA'S EFFORTS TO PROTECT AND PRESERVE THE TRADITIONAL AND CUSTOMARY PRACTICES OF THEIR KUPUNA ON THEIR ANCESTRAL LANDS," was offered by Representative Kawanakoa.

H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADOPT PROCEDURES AND RECOMMEND LEGISLATION THAT WOULD REDUCE THE AMOUNT OF TIME NEEDED TO FUND AND PREPARE AN ENVIRONMENTAL IMPACT STATEMENT," was jointly offered by Representatives Kanoho and Shon.

H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII DEPARTMENT OF EDUCATION TO CONTINUE HAWAIIAN IMMERSION PROGRAMS AND TO ESTABLISH CULTURAL SENSITIVITY PROGRAMS FOR ALL OF ITS EMPLOYEES," was offered by Representative Kawanakoa.

H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE PAI OHANA'S EFFORTS TO PROTECT AND PRESERVE THE TRADITIONAL AND CUSTOMARY PRACTICES OF THEIR KUPUNA ON THEIR ANCESTRAL LANDS," was offered by Representative Kawanakoa.

ANNOUNCEMENTS

Representative Shon rose and requested waiver of the 48-hour hearing notice requirement to hear H.B. No. 272 jointly by the Committees on Energy and Environmental Protection and Agriculture tomorrow morning at 8:30, and the Chair "so ordered."

Representative Morihara then rose and requested waiver of the 48-hour hearing notice requirement to hear H.B. No. 1291, HD 1, tomorrow, Thursday, February 23rd, and the Chair "so ordered."

ADJOURNMENT

At 1:00 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Thursday, March 2, 1995.

TWENTY-FOURTH DAY

Thursday, March 2, 1995

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1995, convened at 11:44 o'clock a.m., with the Speaker presiding.

The invocation was rendered in song by Representatives Kanohe, Amaral, Kawakami and Swain, after which the Roll was called showing all members present with the exception of Representative Hiraki, who was excused.

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

On motion by Representative Amaral, seconded by Representative Thielen and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Third Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 177 to 189) were read by the Clerk and were placed on file:

Gov. Msg. No. 177, transmitting copies of the following: PACE Hawaii at Maluhia Annual Report to the Eighteenth Legislature.

Gov. Msg. No. 178, transmitting copies of the following: Annual Report: 1994 by the State Council on Mental Health.

Gov. Msg. No. 179, transmitting copies of the following: Annual Report to the Eighteenth Legislature, State of Hawaii, in Compliance with Act 41 Establishing the Primary Health Care Incentive Program and the Primary Care Roundtable.

Gov. Msg. No. 180, transmitting copies of the Summary of Insurance Business for the Year 1993, Report of the Insurance Commissioner of Hawaii 1994, pursuant to Section 431:2-211, Hawaii Revised Statutes.

Gov. Msg. No. 181, transmitting copies of the 1994 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, pursuant to Sections 672-12 and 671-20, Hawaii Revised Statutes.

Gov. Msg. No. 182, transmitting copies of the 1994 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 183, transmitting copies of the Summary of Insurance Business for the Year 1993, Report of the Insurance Commissioner of Hawaii 1994, pursuant to Section 431:2-211, Hawaii Revised Statutes.

Gov. Msg. No. 184, transmitting copies of the following: Report to the Legislature, State of Hawaii, on S.C.R. No. 79, Requesting the Department of Health to Recommend a Definition of Qualified Nutritionist and a Way to Protect the Public from Nutrition Fraud.

Gov. Msg. No. 185, transmitting copies of the following: Perinatal Services Annual Report, Calendar Year 1992.

Gov. Msg. No. 186, transmitting copies of the Report to the Legislature entitled: "Hawaii Real Estate Commission 1994 Annual Report."

Gov. Msg. No. 187, transmitting copies of the following: The Waikiki Youth Outreach Demonstration Project Annual Report, July 1993 to June 1994.

Gov. Msg. No. 188, transmitting copies of the report entitled, **Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act**, prepared pursuant to Section 712A-16, Hawaii Revised Statutes.

Gov. Msg. No. 189, transmitting a report with information on State positions assigned to salary ranges SC-1, SC-2 and SC-3, in compliance with Section 77-13(d), Hawaii Revised Statutes.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTION
(FLOOR PRESENTATION)

H.R. No. 57, entitled: "HOUSE RESOLUTION CONGRATULATING THE KAILUA HIGH SCHOOL GIRLS' SOFTBALL TEAM ON WINNING THE 1994-1995 STATE CHAMPIONSHIP," was jointly offered by Representatives Nekoba, Thielen and Anderson, and was read by the Clerk.

Representative Nekoba moved that H.R. No. 57 be adopted, seconded by Representative Thielen.

Representative Nekoba rose to speak in support of the resolution, stating:

"This is kind of a two-fold honor for me because through the years, in going to school and even after I left school, Kailua High School has always been known for having one of the best softball teams in the state. Every year we'd always get to the finals and not quite make it, but this year we finally broke through with a 4 to 1 win over Iolani, so sorry Iolani graduates, if you're out there, but we were victorious.

"Many of the accolades, I think, also should go to the coach, Mr. Bernard Victor, a very low-key man. I came to my office today, getting ready for the presentation -- kinda rushing around -- and he was just kinda sitting there in the chair. I said, 'Hello, Coach!' 'Hello' and he just went about his business. And it's amazing that he was able to be that calm during the state championship. I know I wouldn't have been able to. He also has two assistant coaches -- Gerald Almeida and Jim Dymond -- who were not able to be with us today.

"The girls' softball team was successful on February 5, 1995, led by their pitcher, Pomai Kapule. Before you today, ladies and gentlemen, are four members of the State Softball Championship Team from Kailua High School, three of whom are seniors. By the way, I might mention that they are the only seniors on this squad. Next year they're all going to return so I'm looking forward to, hopefully, being in front of you again next year and congratulating them again -- tweekat.

Now, I'll talk about Pomai Kapule, who is, I guess, renowned throughout the state for her arm in pitching. She was in the three games that we played through the championships. All three games -- three complete games -- and winning those games by a score of 7 to 0, 4 to 0, and 4 to 1. With that in mind, I'm hoping that we can get them to coach us when we play the Senate in our

softball game this year, or at least put on House clothes and come out and play for us.

"On behalf of the House of Representatives, I congratulate you on your most profound achievement and I look forward to many more to come. Thank you very much for honoring our school, our alma mater.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"As a Kailua resident and mother of four children who grew up there, I want to also congratulate all of you on your wonderful win and to congratulate, particularly your coach. Because of your teamwork, it's the teamwork that makes the whole team pull together and work. I used to be on my high school softball team. I would say that if I were to go and try out in today's world, I probably wouldn't make the team.

"I certainly give you all a lot of credit for your athletic skill, for the training that goes into this, and for your dedication. All of us are very proud of you today.

"Thank you."

Representative Kanoho then rose and stated:

"I would like to add my congratulations to the youngsters for ascending to the championship, but I would especially like to compliment their coach, Mr. Bernard Victor. Bernard and I worked together at Hawaiian Telephone Company for several years, and he served in a managerial capacity.

"But it was also in his day when commercial competition in baseball was very prominent -- very popular. He was the best underhand fastball pitcher that existed in the State of Hawaii, and he was responsible for Hawaiian Telephone becoming champions year after year.

"So, my congratulations to the youngsters and to Bernard Victor."

Representative Meyer then rose and stated:

"As a Windward representative, I, too, want to congratulate the Kailua team. I was an athlete in high school and I know the thrill of victory. You must feel wonderful about it. I want to encourage all of you to go on and compete because you can go to even higher heights.

"And Coach Victor -- congratulations for a job well done.

"Thank you."

Representative Anderson then rose and stated:

"I just want to add my congratulations to a team that has worked very hard for this success and you all know what it takes to win and the sadness of losing. This time, you're at the top of the line.

"I hope our senior players will look towards the University of Hawaii Women's Softball Team. We'd love to have you aboard so if you're not looking to go to the mainland to continue your education, the University of Hawaii is waiting for you.

"Congratulations!"

The motion was put by the Chair and carried, and H.R. No. 57 was adopted.

Representative Nekoba, prior to introducing the honorees, stated:

"Sorry that I didn't get to this before but Sommer Kutaka, who is also on the Kailua High School Softball Team and who plays third base, is Representative Takumi's niece. Unfortunately, she was unable to be with us today," and proceeded with the introduction, asking the following honorees to stand to be recognized:

Pomai Kapule, sophomore pitcher; Star Perry, senior catcher; Jennifer Cloutier, senior shortstop; Brandi Yarnell, senior outfielder; and Bernard Victor, Head Coach.

Representative Nekoba then presented a Certificate of Recognition to Mr. Bernard Victor while floral leis were presented to the honorees by Representatives Takamine, Thielen, Anderson, Suzuki and P. Oshiro.

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

Upon reconvening at 12:03 o'clock p.m., the following late introductions were made to the members of the House:

Representative Tarnas introduced Sally and Ted Waitt, former President of HSTA, and now residing in Kona, accompanied by their extended family -- Janice, Kristin and Courtney DeMattos, and Kai Hoover. "Sally is a wonderful supporter and has helped me out a great deal with advice on education. And some of you would be interested in knowing that Sally was also Marcus Oshiro's fifth grade teacher at Wahiawa Elementary School."

Representative Tarnas continued:

"Today we have visiting us, the Agriculture Leadership Training Program, Class 6. I'm an alumni of that program and it taught me a great deal about agriculture in Hawaii as well as leadership skills," and introduced Mr. Garrett Webb, a landscape contractor (Kalaoa Gardens) in Kona, and his "shadow" for today.

Representative Morihara then introduced his "shadow", Eleanor Enos, a part-time coffee grower from Kona.

Representative White then introduced his "shadows" -- Jimmy Duvauchelle, supervisor for Molokai Ranch; and Collette Machado, Executive Director of Ke Kua'aina Hanauna Hou.

Representative Say then introduced Win Bui, his "shadow", an engineer with HSPA, who developed the drip irrigation system for the State of Hawaii.

SUSPENSION OF RULES

On motion by Representative Amaral, 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. 593 and H.B. No. 837, HD 2:

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 837, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES,"

having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 837 had passed Third Reading at 12:06 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 604) recommending that H.R. No. 18 be adopted.

On motion by Representative Kanoho, seconded by Representative Say and carried, the report of the Committee was adopted and H.R. No. 18, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE ACCESS CABLE TELEVISION PILOT PROJECT FOR THE EIGHTEENTH LEGISLATURE," was adopted.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 605) recommending that H.B. No. 759, HD 1, pass Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the joint report of the Committees was adopted and H.B. No. 759, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW ENFORCEMENT," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 759 had passed Third Reading at 12:08 o'clock p.m.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 606) recommending that H.B. No. 1188 pass Third Reading.

Representative Kanoho moved that the report of the Committee be adopted and H.B. No. 1188 pass Third Reading, seconded by Representative Say.

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

Representative Takai's remarks are as follows:

"Mr. Speaker, the Ethics Commission must be above reproach and epitomize the highest degree of integrity before the public. Therefore, the care and selection of the members of this Commission must also reflect the highest standards and not have any appearance of being tainted by internal or external politics.

"House Bill 1188 prohibits any member from holding office for more than 90 days after the expiration of their term and requires the Commission to select a person to fill the vacant office if the Governor fails to do so within 60 days.

"This will allow the full membership of the Commission to preserve the integrity of the body should the executive fail in giving timely attention to the appointment of a new member.

"While this is a 'housekeeping' measure, this is a critical element in helping to restore public confidence in

their government, of which we are only temporary custodians.

"I wish to thank the Committees on Judiciary and Legislative Management for their support of this bill and urge my colleagues to do the same.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ETHICS COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 1188 had passed Third Reading at 12:11 o'clock p.m.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 607) recommending that H.B. No. 1333, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Herkes, seconded by Representative Jones and carried, the report of the Committee was adopted and H.B. No. 1333, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 608) recommending that H.B. No. 1497, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, and notwithstanding the recommendation that H.B. No. 1497, HD 1, pass Second Reading and be placed on the calendar for Third Reading, Stand. Com. Rep. No. 608 and H.B. No. 1497, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," were recommitted to the Committee on Judiciary.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 609) recommending that H.B. No. 874, as amended in HD 1, be recommitted to the Committee on Energy and Environmental Protection.

On motion by Representative Shon, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.B. No. 874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was recommitted to the Committee on Energy and Environmental Protection.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 610) recommending that H.B. No. 1626, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1626, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Pepper and Chun Oakland, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 611) recommending

that H.B. No. 612, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Pepper moved that the joint report of the Committees be adopted and H.B. No. 612, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Chun Oakland.

Representative Kawanakoa rose and asked the Clerk to register a nay vote, saying:

"My concern with regard to this bill is that it puts the Department of Health at a disadvantage from inspecting various care facilities without having to give warning.

"As it currently stands, the Department of Health goes out to tell the care facility that they will be coming to inspect the premises on any Thursday in the month of September. That's the current policy. I don't think that's too over-burdensome on the various care facilities, and it does afford some sort of spot inspection. I know that the Committee Report reflects that at any time the Department of Health can do that by a spot inspection.

"However, I am concerned that with their limited manpower and resources, they really don't have the opportunity, and they use this annual inspection somewhat as a spot inspection to ensure that our home care facilities are kept up to standards that we've regulated.

"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. 612, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSPECTIONS OF ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was placed on the calendar for Third Reading with Representative Kawanakoa voting no.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 612) recommending that H.B. No. 1963 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1963, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading.

At 12:16 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:20 o'clock p.m.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 613) recommending that H.B. No. 1127 pass Third Reading.

On motion by Representative Stegmaier, seconded by Representative Tarnas and carried, the report of the Committee was adopted and H.B. No. 1127, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF SCHOOL CHILDREN," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 614)

recommending that H.B. No. 1785, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1785, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE COUNSELING, TRAINING, AND OTHER SERVICES TO DISLOCATED WAIALUA SUGAR COMPANY WORKERS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 615) recommending that H.B. No. 2039, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Say moved that the report of the Committee be adopted and H.B. No. 2039, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Kawakami.

Representative Ward rose to speak against the bill, stating:

"We have a saying in America that you cannot escape death nor taxes, and this bill raises the issue ... can you escape electronic taxes?"

"It's basically a good bill but it's got bad wording. It suffers from being too inclusive and I'll give you an example. On line 5, it says, 'Payment by electronic transfer. The Director of Taxation is authorized to require every person who files a tax return for any tax. . . . The problem being that every person who files any tax can be required to file electronic transfer.'

"Now I think it's commendable that we're getting high tech, we're getting into the 21st century, we're letting electronic transfers and basically this is what the IRS did ten years ago to get the 'big boys' to get their money in quicker, but this says, 'every person.'

"Mr. Speaker, this is a bit too inclusive high tech, too much 'big brother.' I think it needs to be honed down a bit.

"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. 2039, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER," passed Second Reading and was placed on the calendar for Third Reading with Representative Ward voting no.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 616) recommending that H.B. No. 2028 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2028, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 617)

recommending that H.B. No. 39, HD 1, pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDING AND DOCKAGE FEES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 39 had passed Third Reading at 12:24 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 618) recommending that H.B. No. 1466, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 618 and H.B. No. 1466, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1466, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 619) recommending that H.B. No. 1833 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1833, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 620) recommending that H.B. No. 1840 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1840, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 1833 and 1840 had passed Third Reading at 12:25 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 621) recommending that H.B. No. 1841, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 621 and H.B. No. 1841, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1841, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 622) recommending that H.B. No. 1857, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 622 and H.B. No. 1857, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B.

No. 1857, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 623) recommending that H.B. No. 1919, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 623 and H.B. No. 1919, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1919, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 624) recommending that H.B. No. 1921 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1921, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 1921 had passed Third Reading at 12:26 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 625) recommending that H.B. No. 1959, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 625 and H.B. No. 1959, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1959, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 626) recommending that H.B. No. 1965, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 626 and H.B. No. 1965, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1965, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 627) recommending that H.B. No. 1996, HD 1, pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1996, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 1996 had passed Third Reading at 12:27 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 628) recommending that H.B. No. 2017, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 628 and H.B. No. 2017, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2017, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 629) recommending that H.B. No. 2018, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 629 and H.B. No. 2018, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2018, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 630) recommending that H.B. No. 2021, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 630 and H.B. No. 2021, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2021, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 631) recommending that H.B. No. 2022 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 2022 had passed Third Reading at 12:28 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 632) recommending that H.B. No. 1221 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 633) recommending that H.B. No. 1855 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1855, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCESS FOR CHILD SUPPORT ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 634) recommending that H.B. No. 1863 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1863, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 635) recommending that H.B. No. 1868 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1868, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 636) recommending that H.B. No. 2023 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 637) recommending that H.B. No. 2026 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 2026, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Shon, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 638) recommending that H.B. No. 397 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shon, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.B. No. 397, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 639) recommending that H.B. No. 2035, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2035, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER REFERENCES IN CHAPTER 231, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 640) recommending that H.B. No. 894, HD 1, pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 894 had passed Third Reading at 12:29 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 641) recommending that H.B. No. 1133, HD 2, pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1133, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 642) recommending that H.B. No. 1658, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 642 and H.B. No. 1658, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1658, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 643) recommending that H.B. No. 1842 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1842, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 1133 and 1842 had passed Third Reading at 12:30 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 644) recommending that H.B. No. 1844, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 644 and H.B. No. 1844, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1844, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 645) recommending that H.B. No. 1846, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 645 and H.B. No. 1846, HD 1, was deferred,

and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1846, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 646) recommending that H.B. No. 1847 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1847, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 1847 had passed Third Reading at 12:31 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 647) recommending that H.B. No. 1851, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 647 and H.B. No. 1851, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1851, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 648) recommending that H.B. No. 1853, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 648 and H.B. No. 1853, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1853, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 649) recommending that H.B. No. 1869, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 649 and H.B. No. 1869, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1869, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 650) recommending that H.B. No. 1875 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1875, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN-TRADE ZONES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 651) recommending that H.B. No. 1877 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1877, entitled: "A BILL FOR AN ACT RELATING TO GUARANTEE OF COMMERCIAL LOANS," having been read throughout,

passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 1875 and 1877 had passed Third Reading at 12:32 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 652) recommending that H.B. No. 1878, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 652 and H.B. No. 1878, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1878, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 653) recommending that H.B. No. 1914, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 653 and H.B. No. 1914, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1914, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 654) recommending that H.B. No. 1920, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 654 and H.B. No. 1920, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1920, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 655) recommending that H.B. No. 1962, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 655 and H.B. No. 1962, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1962, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 656) recommending that H.B. No. 1980, HD 1, pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1980, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 657) recommending that H.B. No. 1987 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1987, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE

SERVICES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 1980 and 1987 had passed Third Reading at 12:34 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 658) recommending that H.B. No. 1988, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 658 and H.B. No. 1988, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1988, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 659) recommending that H.B. No. 1991, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 659 and H.B. No. 1991, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1991, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 660) recommending that H.B. No. 2024 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2024, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 661) recommending that H.B. No. 2025 pass Third Reading.

On motion by Representative Say, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2025, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 2024 and 2025 had passed Third Reading at 12:36 o'clock p.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 662) recommending that H.B. No. 2027, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 662 and H.B. No. 2027, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2027, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 663) recommending that H.B. No. 2034, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 663 and H.B. No. 2034, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2034, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 664) recommending that H.B. No. 2050, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 664 and H.B. No. 2050, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2050, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 665) recommending that H.B. No. 664 pass Second Reading and be placed on the calendar for Third Reading.

Representative Tom moved that the report of the Committee be adopted and H.B. No. 664 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative White.

Representative Thielen rose and requested the Clerk to cast a no vote for her, and the Chair "so ordered."

Representative Yoshinaga then rose and stated:

"Mr. Speaker, I would just like to raise to the other members the concern I have with regard to Stand. Com. Rep. 665, House Bill No. 664.

"I did vote in favor of this bill because I do believe it's a program to give the Criminal Justice System a tool in terms of expedited sentencing for incest that warrants such a program.

"My reservation with regard to this bill is that we have adequate resources that are earmarked such that if such a program goes forward, that we have adequate probation services with respect to ensuring the safety under that program.

"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. 664, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading, with Representative Thielen voting no.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 666) recommending that H.B. No. 722, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 722, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY COUNSEL AND PROCEEDINGS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 667) recommending that H.B. No. 1858, as amended in HD 1,

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

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1858, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTRADITIONS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 668) recommending that H.B. No. 2237, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 2237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTIONS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 669) recommending that H.B. No. 1067, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 669 and H.B. No. 1067, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1067, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 670) recommending that H.B. No. 1502, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 670 and H.B. No. 1502, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1502, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 671) recommending that H.B. No. 1968, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 671 and H.B. No. 1968, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1968, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Lee, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 672) recommending that H.B. No. 820 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Takai and carried, the report of the Committee was adopted and H.B. No. 820, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 673) recommending that H.B. No. 1770 pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1770, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 674) recommending that H.B. No. 1849, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Morihara, seconded by Representative Swain and carried, the report of the Committee was adopted and H.B. No. 1849, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Morihara, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 675) recommending that H.B. No. 1291, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 675 and H.B. No. 1291, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1291, HD 2, were made available to the members of the House at 11:30 o'clock a.m.

Representative Santiago, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 676) recommending that H.B. No. 1709, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Santiago, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 1709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading.

Representatives Chun Oakland and Pepper, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 677) recommending that H.B. No. 337 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chun Oakland, seconded by Representative Pepper and carried, the joint report of the Committees was adopted and H.B. No. 337, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 678) recommending that H.B. No. 813, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 679) recommending that H.B. No. 1011, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STALKING," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 680) recommending that H.B. No. 1864, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1864, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 681) recommending that H.B. No. 1865, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tom, seconded by Representative White and carried, the report of the Committee was adopted and H.B. No. 1865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was placed on the calendar for Third Reading.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 682) recommending that H.B. No. 2324, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 682 and H.B. No. 2324, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2324, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 1682, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chun Oakland, seconded by Representative Saiki and carried, the report of the Committee was adopted and S.B. No. 1682, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE PAYMENT PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 1690, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chun Oakland, seconded by Representative Saiki and carried, the report of the Committee was adopted and S.B. No. 1690, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR OPERATING

EXPENSES FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance.

Representative McMurdo, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 1594, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative McMurdo, seconded by Representative Case and carried, the report of the Committee was adopted and S.B. No. 1594, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance.

THIRD READING

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

H.B. No. 1373, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE TOURISM PROMOTION," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

H.B. No. 2031, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 2031, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 1373 and 2031 had passed Third Reading at 12:42 o'clock p.m.

H.B. No. 2037, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 2037, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERESTIMATION OF NET INCOME TAX," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

H.B. No. 2040, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 2040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

H.B. No. 2041, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 2041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPROMISES," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

H.B. No. 176, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 176, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 2037, 2040, 2041 and 176 had passed Third Reading at 12:44 o'clock p.m.

At 12:44 o'clock p.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 12:45 o'clock p.m.

H.B. No. 313:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 313, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANTS," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

H.B. No. 806:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 806, entitled: "A BILL FOR AN ACT RELATING TO TORT REFORM," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. Nos. 313 and 806 had passed Third Reading at 12:46 o'clock p.m.

H.B. No. 1498, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING CONTRIBUTIONS AND EXPENDITURES STATEMENTS," was recommitted to the Committee on Judiciary.

H.B. No. 1499, HD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 1499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INTERESTS DISCLOSURES," passed Third Reading by a vote of 50 ayes, with Representative Hiraki being excused.

The Chair directed the Clerk to note that H.B. No. 1499 had passed Third Reading at 12:47 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 50 to 56, 58 to 60) and concurrent resolutions (H.C.R. Nos. 42 to 52) were referred to Printing and further action was deferred:

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE APPLICABILITY OF LAWS TO LEGISLATURE AND GOVERNMENT," was offered by Representative Ward.

H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PLACE MORE EMPHASIS ON HIGHWAY AESTHETICS AND BEAUTIFICATION," was offered by Representative Ward.

H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A 'POSTPONE SEXUAL INVOLVEMENT PROGRAM'," was offered by Representative Ward.

H.R. No. 53, entitled: "HOUSE RESOLUTION REQUESTING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TO PLACE TSUNAMI WARNING STATIONS ON THE FLOOR OF THE PACIFIC OCEAN TO MONITOR THE MOVEMENT OF TIDAL WAVES THAT MAY STRIKE THE HAWAIIAN ISLANDS," was offered by Representative Ward.

H.R. No. 54, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO CONDUCT A VISITOR CARRYING CAPACITY STUDY OF THE WAIKIKI SPECIAL DISTRICT," was offered by Representative McMurdo.

H.R. No. 55, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH IN COLLABORATION WITH THE DEPARTMENT OF HUMAN SERVICES TO DEVELOP A LONG-TERM PLAN TO CARE FOR HANSEN'S DISEASE PATIENTS," was jointly offered by Representatives Arakaki, Pepper and White.

H.R. No. 56, 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," was jointly offered by Representatives Tom and White.

H.R. No. 58, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A SPECIAL INVESTIGATING COMMITTEE WITHIN THE HOUSE OF REPRESENTATIVES TO INVESTIGATE THE EXPENDITURE OF AIRPORT SPECIAL USE FUNDS BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF LANDS AND PROPERTIES, OSTENSIBLY, FOR THE PURPOSE OF EXPANDING THE HONOLULU INTERNATIONAL AIRPORT," was offered by Representative Ward.

H.R. No. 59, entitled: "HOUSE RESOLUTION CONCERNING CHILDREN'S RIGHTS AS VICTIMS OR WITNESSES IN CRIMINAL CASES," was jointly offered by Representatives Marumoto, Chun Oakland, Amaral, Isbell, Meyer, Anderson, Thielen, McMurdo, Kawakami and Yoshinaga.

H.R. No. 60, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE PROBLEM OF LIABILITY EXPOSURE OF VOLUNTEERS, NON-PROFIT ORGANIZATIONS, AND GOVERNMENT AGENCIES THAT RELY ON THE SERVICES OF VOLUNTEERS," was jointly offered by Representatives Thielen, Ward, Amaral, Anderson, Arakaki, Cachola, Case, Chang, Chun Oakland, Garcia, Halford, Hamakawa, Herkes, Hiraki, Isbell, Ito, Jones, Kahikina, KanoHo, Kawakami, Kawanakoa, Lee, Marumoto, Menor, Meyer, Morihara, Nekoba, Okamura, M. Oshiro, P. Oshiro, Pepper, Saiki, Santiago, Shon, Souki, Stegmaier, Suzuki, Swain, Takai, Takumi, Tarnas, White, Yamane and Yoshinaga.

H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE

APPLICABILITY OF LAWS TO LEGISLATURE AND GOVERNMENT," was offered by Representative Ward.

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO PLACE MORE EMPHASIS ON HIGHWAY AESTHETICS AND BEAUTIFICATION," was offered by Representative Ward.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO DEVELOP A 'POSTPONE SEXUAL INVOLVEMENT PROGRAM'," was offered by Representative Ward.

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TO PLACE TSUNAMI WARNING STATIONS ON THE FLOOR OF THE PACIFIC OCEAN TO MONITOR THE MOVEMENT OF TIDAL WAVES THAT MAY STRIKE THE HAWAIIAN ISLANDS," was offered by Representative Ward.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO CONDUCT A VISITOR CARRYING CAPACITY STUDY OF THE WAIKIKI SPECIAL DISTRICT," was offered by Representative McMurdo.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH IN COLLABORATION WITH THE DEPARTMENT OF HUMAN SERVICES TO DEVELOP A LONG-TERM PLAN TO CARE FOR HANSEN'S DISEASE PATIENTS," was jointly offered by Representatives Arakaki, Pepper and White.

H.C.R. No. 48, 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," was jointly offered by Representatives Tom and White.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ADMINISTRATION AND FUNCTIONING OF THE SPECIAL COMPENSATION FUND OF THE WORKERS' COMPENSATION SYSTEM," was jointly offered by Representatives Takumi and Yonamine.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING CHILDREN'S RIGHTS AS VICTIMS OR WITNESSES IN CRIMINAL CASES," was jointly offered by Representatives Marumoto, Chun Oakland, Amaral, Isbell, Meyer, Anderson, Thielen, McMurdo, Kawakami and Yoshinaga.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING INSURANCE," was offered by Representative Marumoto.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE PROBLEM OF LIABILITY EXPOSURE OF VOLUNTEERS, NON-PROFIT ORGANIZATIONS, AND GOVERNMENT AGENCIES THAT RELY ON THE SERVICES OF VOLUNTEERS," was jointly offered by Representatives Thielen, Ward, Amaral, Anderson, Arakaki, Cachola, Case, Chang, Chun Oakland, Garcia, Halford, Hamakawa, Herkes, Hiraki, Isbell, Ito, Jones, Kahikina, KanoHo, Kawakami, Kawanakoa, Lee, Marumoto,

Menor, Meyer, Morihara, Nekoba, Okamura, M. Oshiro, P. Oshiro, Pepper, Saiki, Santiago, Shon, Souki, Stegmaier, Suzuki, Swain, Takai, Takumi, Tarnas, White, Yamane and Yoshinaga.

ANNOUNCEMENTS

Representative Shon rose and requested waiver of the 48-hour hearing notice requirement for the purpose of hearing H.B. No. 874, HD 1, tonight at 6:30 in Room 1310, and the Chair "so ordered."

Representative Lee: "The House Committee on Higher Education and the Arts will hold a public hearing at 2:00 p.m. in Room 1111. The OD omits this announcement."

Representative Morihara: "I would just like to make a correction on the hearing notice that I had sent out. It's for a hearing today at 3:00. It will not be reconsideration but decision-making on H.B. Nos. 826, 1769 and 2187."

Representative Say then rose and requested waiver of the 48-hour hearing notice requirement for decision-making after the hearing this afternoon on H.B. Nos. 731, HD 1; 1586, HD 1; 704, HD 2; 1318, HD 1; and 1426, and the Chair "so ordered."

ADJOURNMENT

At 12:50 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 3:00 o'clock p.m. tomorrow, Friday, March 3, 1995.