

FIFTY-SEVENTH DAY

Wednesday, April 24, 1996

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 11:47 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mrs. Lawrence Kelley of the Hawaii Baha'i Community, after which the Roll was called showing all members present with the exception of Representatives Isbell, Menor, Nekoba, M. Oshiro and Tom, who were excused.

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

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 201 to 203) were read by the Clerk and were placed on file:

Gov. Msg. No. 201, informing the House that on April 22, 1996, he signed the following bills into law:

House Bill No. 2403 as Act 12, entitled: "RELATING TO THE STATEWIDE TRAFFIC CODE";

House Bill No. 2407 as Act 13, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2517 as Act 14, entitled: "RELATING TO THE PROMOTION OF PROSTITUTION";

House Bill No. 2620 as Act 15, entitled: "RELATING TO SENTENCING";

House Bill No. 2850 as Act 16, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 2869 as Act 17, entitled: "RELATING TO PARENTAGE";

House Bill No. 2896 as Act 18, entitled: "RELATING TO NOTARIES PUBLIC";

House Bill No. 2972 as Act 19, entitled: "RELATING TO COUNTY CIVIL FINES";

House Bill No. 3151 as Act 20, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 3227 as Act 21, entitled: "RELATED TO INSURANCE";

House Bill No. 3244 as Act 22, entitled: "RELATING TO THE PENAL CODE";

House Bill No. 3331 as Act 23, entitled: "RELATING TO AGRICULTURE";

House Bill No. 3346 as Act 24, entitled: "RELATING TO RECORDATION OF INSTRUMENTS IN THE BUREAU OF CONVEYANCES OR LAND COURT";

House Bill No. 3351 as Act 25, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

House Bill No. 3394 as Act 26, entitled: "RELATING TO BUSINESS DEVELOPMENT CORPORATIONS";

House bill No. 3396 as Act 27, entitled: "RELATING TO ESCROW DEPOSITORIES";

House Bill No. 3404 as Act 28, entitled: "RELATING TO MEDICARE SUPPLEMENT INSURANCE POLICIES";

House Bill No. 3412 as Act 29, entitled: "RELATING TO MOTOR VEHICLE REPAIRS";

House Bill No. 3413 as Act 30, entitled: "RELATING TO INJUNCTIONS";

House Bill No. 3416 as Act 31, entitled: "RELATING TO CITATIONS FOR UNLICENSED ACTIVITY";

House Bill No. 3430 as Act 32, entitled: "RELATING TO SOLICITORS";

House Bill No. 3460 as Act 33, entitled: "RELATING TO FOSTER PARENTS";

House Bill No. 3468 as Act 34, entitled: "RELATING TO UNASSEMBLED EXAMINATIONS";

House Bill No. 3470 as Act 35, entitled: "RELATING TO EXAMINATION CONSULTANTS";

House Bill No. 3506 as Act 36, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

House Bill No. 3580 as Act 37, entitled: "RELATING TO THE ADJUDICATION OF VEHICULAR TRAFFIC VIOLATIONS AT PUBLIC AIRPORTS";

House Bill No. 3592 as Act 38, entitled: "RELATING TO THE BOARD OF EDUCATION"; and

House Bill No. 3623 as Act 39, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE".

Gov. Msg. No. 202, informing the House that on April 23, 1996, he signed the following bills into law:

Senate Bill No. 2098 as Act 40, entitled: "RELATING TO STATE FINANCES";

Senate Bill No. 2728 as Act 41, entitled: "RELATING TO ESCROW DEPOSITORIES";

Senate Bill No. 2797 as Act 42, entitled: "RELATING TO WOMEN, INFANT AND CHILDREN SERVICES";

Senate bill No. 2912 as Act 43, entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 2965 as Act 44, entitled: "RELATING TO CONCESSIONS ON PUBLIC PROPERTY";

Senate Bill No. 3052 as Act 45, entitled: "RELATING TO THE REGULATION AND LICENSING OF PROFESSIONS AND VOCATIONS";

Senate Bill No. 3188 as Act 46, entitled: "RELATING TO TAXES ON TIME SHARE REAL PROPERTY"; and

Senate Bill No. 3267 as Act 47, entitled: "RELATING TO STUDENT ACTIVITIES".

Gov. Msg. No. 203, returning House Bill No. 2601, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 23, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2601

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2601, entitled, 'A Bill for an Act Relating to Jurors.'

The purpose of this bill is to allow individuals to volunteer to serve as jurors. The list of volunteers is intended to be used with other lists to supplement the voter registration lists used as the sources of names for the master list of prospective jurors.

However, the concept of volunteering for jury duty conflicts with the fundamental notion of the random selection of citizens to serve as jurors. The random selection of jurors protects against the influence of individuals or groups who have an interest in the outcome of cases and should be preserved.

For the foregoing reason, I am returning House Bill No. 2601 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 644 to 646) were read by the Clerk and were placed on file:

Sen. Com. No. 644, informing the House that the President has, on April 23, 1996, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 3964, HD 1, SD 2:

Senators Ikeda, Chair; Fukunaga, Vice Chair; Ihara, Kawamoto, Taniguchi and Liu.

Sen. Com. No. 645, informing the House that the President has, on April 23, 1996, added Senator Ikeda as a Co-Chair at the conference of House Bill No. 3970, HD 1, SD 1.

Sen. Com. No. 646, informing the House that the President has, on April 23, 1996, appointed as conferees

on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1698, HD 3:

Senators Ikeda, Chair; Aki, Vice Chair; Kawamoto, Solomon and Tanaka.

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

Representative Hiraki introduced 8 fifth grade students from Royal Elementary School. They were accompanied by Mrs. Robin Hiraki, his wife, "one of the best elementary school teachers in the State of Hawaii."

Representative Takai introduced Teresa Chi Yan Lui, "a 1992 Kaimuki High School graduate. She will be receiving an Asian Studies degree from the University of Hawaii, but more importantly, she is a Senior Editorial Assistant at the University of Hawaii at Manoa's Center for Biographical Research. Her supervisors and co-workers, a few months ago, recognized her and submitted her name as a UH Student of the Year candidate. She won that award; she went on to the Western Division, won that award; and today we are proud to have her in our chambers because she is the National Student Employee of the Year," and asked Teresa to stand to be recognized.

Accompanying Teresa were her mother, Mrs. Yin Kuan Lui of Moiliili; Professor George Simson, Director, Center for Biographical Research; and Adjunct Associate Professor Betty Jacobs, Director, International Center for Democracy, and they all rose to be recognized.

Representative Lee then rose and stated:

"It's not only a national honor that a University of Hawaii student has brought back to Hawaii, it's also a reflection on her family. And I would like to speak specifically on the contribution of her mother, Mrs. Yin Kuan Lui, because she came to Hawaii eighteen years ago as an immigrant, just as my father had come to Hawaii many, many years ago to seek a better life for himself and for his children. And it just so happens, in a conversation earlier today, I found out that Mrs. Lui comes from a village that is exactly next door to the village from which my father came.

"So it's a double honor today ... it's not only a national recognition of her daughter, but it's also a personal recognition of the role that immigrants have played in Hawaii, particularly those who come from almost the same village. So it's my pleasure to be able to say these few words to my colleagues.

"Thank you, Mr. Speaker."

Representative Marumoto, on behalf of the Kapahulu and Hawaii Kai Representatives, introduced two eighth graders from Sacred Hearts Academy who are participating in the "Take Our Daughters to Work Day" -- Kimberly Delos Santos, a Kapahulu resident; and Bonnie Kaai, granddaughter of Mrs. Edith Campos, "a long-time legislative institution."

Representative McMurdo rose and introduced "two eighth graders from Sacred Hearts Academy who are visiting. They are participants in the 'Take Our Daughters to Work Day', which officially takes place tomorrow, April 25th, nationwide, but we decided that there is not much going on tomorrow and session is so

late, I didn't think they wanted to wait until 9:00 o'clock tomorrow night.

"This year's theme of 'Take Our Daughters to Work Day' is 'Vote For Me!' Girls need your vote. They need to know we have confidence in them, and that we are committed to helping them learn as they are growing up. We must encourage them to practice good citizenship and discuss what it means to care about their community. Girls must be encouraged to speak out with a strong voice and to take action to change things which they feel are wrong. And, this means running for political office!

"The two girls here with us today are Lissa Sunada and Dana Katsutani.

"Lissa is from Kaneohe, and we did find out that Representative Ito is her Representative. Dana is from Kaimuki but we didn't quite pin that one down.

"Lissa is the daughter of Sheldon and Lorena Sunada and has a four year old younger brother. She is interested in volleyball and attends Japanese School after her classes at Sacred Hearts. Japanese School keeps her quite busy which leaves little time for mischief, and she does have twinkling eyes.

"After obtaining a college degree with Political Science as her major, Lissa is interested in working in government. 'We need a better world financially and we must get rid of the national debt,' said Lissa. 'People are not happy with it now.'

"Dana is the daughter of Calvin and Doreen Katsutani and she has an older brother. When Dana was younger, the Katsutani family lived on a Hauula farm with ducks, rabbits, and a bull, just across the street from the beach. She is a member of the Hawaii Swim Club, and has won medals for the breaststroke. She has been a member of the Basketball Team at Sacred Hearts Academy, and when there is time, she likes to paddle, too.

"Dana is interested in earning her degree in veterinary medicine or engineering. Political science is also appealing to her because she said, 'She would like to be another Representative, too!' Dana would like to repeal no-fault insurance, and find a way to do away with taxes. Wouldn't we all? She also feels that the bus fare for students is too expensive at fifty cents. It should be twenty-five cents.

"It gives me great pleasure to introduce to you Lissa Sunada and Dana Katsutani, my two 'daughters', and asked Lissa and Dana to stand to be recognized.

At 11:59 o'clock a.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 12:04 o'clock p.m.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 2 and H.B. No. 2897, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com.

Rep. No. 1764-96) recommending that S.C.R. No. 15 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 S.C.R. No. 15, entitled: "SENATE CONCURRENT RESOLUTION REVIEWING ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," 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. 1765-96) recommending that S.C.R. No. 275, SD 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 S.C.R. No. 275, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REVIEW ITS POLICIES AND ADMINISTRATIVE RULES RELATING TO THE LEASE OF PUBLIC LANDS TO WAR VETERANS ORGANIZATIONS AS SITES FOR CAMPING, YOUTH ATHLETICS, AND EDUCATIONAL ACTIVITIES," was referred to the Committee on Finance.

Representatives Takamine and Santiago, for the Committees on Water and Land Use Planning and Ocean Recreation and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1766-96) recommending that S.C.R. No. 16, SD 1, be adopted.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the joint report of the Committees was adopted and S.C.R. No. 16, SD 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE CERTAIN SUBMERGED LANDS AT MANELE BAY, HAWAII, TO LANAI COMPANY, INC., FOR MARINA PURPOSES," was adopted.

CONFERENCE COMMITTEE REPORT

Representative Hiraki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2358, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 2358, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 2358, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Representative Amaral, seconded by Representative Thielen and carried, the House of Representatives adjourned until 9:00 o'clock p.m. tomorrow night, Thursday, April 25, 1996.

FIFTY-EIGHTH DAY

Thursday, April 25, 1996

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 9:13 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Andrew Takaya of the Nuuanu Congregational Church, after which the Roll was called showing all members present.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 204 and 205) were read by the Clerk and were placed on file:

Gov. Msg. No. 204, transmitting his statement of objections to Senate Bill Nos. 2421 and 3205, which he has returned to the Senate without his approval, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 24, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2421

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2421, entitled, 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended.'

The purpose of this bill is to allow the Department of Hawaiian Home Lands to use either an open bid or public auction process, in addition to the existing sealed bid process, in the general leasing of land to native Hawaiians.

However, the public auction process is expected to result in leases with lower lease rents, because the process will enable native Hawaiians and Hawaiian organizations to be aware of other bid amounts and to bid only as high as needed to counter opposing bids. Since there has been no study of the impact of this bill on the revenues of the Department of Hawaiian Home Lands, I am concerned about the potential loss of revenues to the department.

For the foregoing reason, I am returning Senate Bill No. 2421 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

April 24, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3205

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3205, entitled, 'A Bill for an Act Relating to Office Machine and Oil Products Dealerships.'

The purpose of this bill is to expand chapter 481G, Hawaii Revised Statutes, which protects office machine dealers from arbitrary termination of dealership contracts, to include dealers of oil products. Manufacturers of motor fuel are exempted.

However, the supporters of this bill did not present any substantial evidence to the Legislature either of (1) abuse of oil product dealers by their distributors; (2) the inadequacy of remedies under the existing Hawaii Revised Statutes, such as section 480-2 (unfair competition) and chapter 482E (franchise investment law), or under the Hawaii common law (actions for breach of contract, unfair competition, unjust enrichment); (3) the impact of this bill on business in Hawaii; or (4) the impact on the budget, including the impact of implementing and enforcing this bill.

I believe that special statutory protections that supersede existing contractual arrangements should be based on substantial evidence of abuse that has occurred. In view of the uncertainty of the impact of this bill on the business climate in Hawaii, the uncertainty of its impact on the budget, the current budget crisis, and the need for some reliable indication that new legislation be cost effective and not aggravate the budget crisis, I believe that enactment of this bill is premature at this time.

For the foregoing reasons, I am returning Senate Bill No. 3205 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 205, informing the House that on April 24, 1996, he signed the following bill into law:

Senate Bill No. 3004 as Act 48, entitled: "RELATING TO EDUCATION".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 647 to 649) were read by the Clerk and were placed on file:

Sen. Com. No. 647, informing the House that House Bill No. 2897, HD 2, SD 2, CD 1, entitled: "RELATING TO EDUCATION," passed Final Reading in the Senate on April 24, 1996.

Sen. Com. No. 648, informing the House that the President has added Senator Ikeda as a co-chair at the conference of Senate Bill No. 107, HD 1, on April 24, 1996.

Sen. Com. No. 649, informing the House that on April 23, 1996, the Senate reconsidered its action taken in disagreeing to the amendments proposed by the House to S.B. No. 2144, HD 2, and said bill passed Final Reading in the Senate on April 24, 1996.

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

Representative Say introduced Lisa Arakaki, daughter of Frank Arakaki, Assistant Sergeant-at-Arms of the House.

Representative M. Oshiro introduced his good friend, Mr. Kalani Kapu.

Representative Amaral then rose and on behalf of the members of the House, wished Speaker Souki a "Happy Birthday."

At 9:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:48 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

H.C.R. No. 159 was re-referred to the Committee on Labor and Public Employment, then to the Committee on Finance.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 2 and H.B. No. 2897, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3 and H.B. No. 2433, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1767-96) recommending that S.C.R. No. 174 be adopted.

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.C.R. No. 174, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ADMINISTER THE GENERAL EDUCATION DEVELOPMENT EXAMINATION FOR QUALIFIED INDIVIDUALS AT AGE SIXTEEN," was adopted.

Representative Takamine, for the Committee on Water and Land Use Planning, presented a report (Stand. Com. Rep. No. 1768-96) recommending that S.C.R. No. 51, SD 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 S.C.R. No. 51, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF A LAND EXCHANGE AS WELL AS ACQUIRING KEAKEALANIWAHINE RESIDENCE TO COMPLETE THE KEOLONAHIHI STATE CULTURAL SITE," was referred to the Committee on Finance.

Representatives Takamine and Shon, for the Committees on Water and Land Use Planning and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1769-96) recommending that S.C.R. No. 24, SD 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 S.C.R. No. 24, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE, TO EXPEDITE ACTIONS TO LOCATE AND DESIGNATE A SUITABLE SITE FOR A NEW SLAUGHTERHOUSE ON THE ISLAND OF OAHU," was referred to the Committee on Finance.

CONFERENCE COMMITTEE REPORTS

Representatives Pepper, Yoshinaga and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2549, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 2549, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 2549, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES," was deferred for a period of 48 hours.

Representative Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3853, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 3853, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and H.B. No. 3853, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred for a period of 48 hours.

Representatives Takumi and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3211, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 3211, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and H.B. No. 3211, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," was deferred for a period of 48 hours.

Representatives Pepper and Menor, for the Committee on Conference on the disagreeing vote of the House to the

amendments proposed by the Senate in H.B. No. 3419, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 3419, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and H.B. No. 3419, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING QUALIFICATIONS TO PRACTICE MEDICINE AND SURGERY," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3086, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 3086, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 3086, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3398, SD 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 3398, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 3398, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATIONS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3400, SD 1, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 3400, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and H.B. No. 3400, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred for a period of 48 hours.

Representatives Menor and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3409, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 3409, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and H.B. No. 3409, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was deferred for a period of 48 hours.

Representative Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 291, SD 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 291, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com.

Rep. No. 13 and H.B. No. 291, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," was deferred for a period of 48 hours.

Representatives Kanoho, Tom and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3618, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 3618, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 3618, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," was deferred for a period of 48 hours.

Representatives M. Oshiro and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 4074, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 4074, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 4074, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3417, SD 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 3417, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16 and H.B. No. 3417, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2359, SD 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 2359, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and H.B. No. 2359, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Swain, Nekoba and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3170, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 3170, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and S.B. No. 3170, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," was deferred for a period of 48 hours.

Representatives Yonamine and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3079, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 54)

recommending that S.B. No. 3079, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and S.B. No. 3079, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PROGRAMS," was deferred for a period of 48 hours.

Representatives Chun Oakland, Nekoba and Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2003, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 2003, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and S.B. No. 2003, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," was deferred for a period of 48 hours.

Representatives Takamine, Lee and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 608, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 608, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and S.B. No. 608, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Representative Pepper, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2220, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 2220, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and S.B. No. 2220, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL PLOTS," was deferred for a period of 48 hours.

SUSPENSION OF RULES

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

RECONSIDERATION OF ACTION TAKEN

Representative Okamura moved that the House reconsider its action taken on April 11, 1996, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 401, HD 2 (SD 2); 1741, HD 2 (SD 1); 3241, HD 1 (SD 1); 3345, HD 2 (SD 2); 3533, HD 2 (SD 2); 3577, HD 2 (SD 2); 3602, HD 1 (SD 1); 3793, HD 1 (SD 1); and 4063 (SD 1), seconded by Representative Ward and carried.

Representative Okamura then gave notice of intent to agree to the amendments proposed by the Senate to House Bill Nos. 401, HD 2 (SD 2); 1741, HD 2 (SD 1); 3241, HD 1 (SD 1); 3345, HD 2 (SD 2); 3533, HD 2 (SD 2);

3577, HD 2 (SD 2); 3602, HD 1 (SD 1); 3793, HD 1 (SD 1); and 4063 (SD 1).

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

On motion by Representative Okamura, seconded by Representative Ward and carried, the House disagreed to the Senate amendments made to H.C.R. No. 159 (SD 2) and requested a conference on the subject matter of said amendments.

In accordance therewith, the Speaker appointed Representatives Yonamine/Say, Co-Chairs; and Marumoto, as Conferees on the part of the House at such conference.

APPOINTMENT OF CONFEREES

H.B. No. 3182, HD 2, SD 1:

Representatives Takumi/Hiraki/Say, Co-Chairs; and Ward.

ANNOUNCEMENTS

At this time, Representative Jones, on behalf of the members of the House, wished Representative M. Oshiro a belated "Happy Birthday."

Representative Okamura: "A reminder to the members to please make yourselves available this evening, in particular the Judiciary and CPC Committee members, up until midnight to sign committee reports in Room 329."

Representative Amaral then moved to keep the Journal open until midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Thielen and carried.

At 9:55 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 18 to 35) were received in the Clerk's Office and the following actions taken:

Conf. Com. Rep. No. 18 and H.B. No. 3862, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 19 and H.B. No. 871, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 20 and H.B. No. 3102, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 21 and H.B. No. 3760, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 22 and H.B. No. 3434, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 23 and H.B. No. 3096, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 24 and H.B. No. 3809, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SIGNS REQUIRED WHERE TOBACCO PRODUCTS ARE SOLD," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 25 and H.B. No. 599, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 26 and H.B. No. 1866, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 27 and H.B. No. 2603, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 28 and H.B. No. 2868, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 29 and H.B. No. 2975, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 30 and H.B. No. 3046, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 31 and H.B. No. 3350, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF CHILD SUPPORT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 32 and H.B. No. 3596, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF AN ELECTION TIE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 33 and H.B. No. 3631, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUMMONING OF JURORS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 34 and H.B. No. 3653, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 35 and H.B. No. 3666, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock p.m. tomorrow, Friday, April 26, 1996.

FIFTY-NINTH DAY

Friday, April 26, 1996

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 10:17 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Marcus R. Oshiro, after which the Roll was called showing all members present with the exception of Representative Menor, who was excused.

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

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 650 to 653) were read by the Clerk and were placed on file:

Sen. Com. No. 650, informing the House that House Bill No. 2433, HD 2, SD 2, CD 1, passed Final Reading in the Senate on April 25, 1996.

Sen. Com. No. 651, informing the House that on April 25, 1996, the President appointed Senators Holt, Chair; Ihara and Anderson, as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to H.B. No. 3401, HD 1, SD 1.

Sen. Com. No. 652, informing the House that on April 24, 1996, the Senate reconsidered its action taken in disagreeing to the amendments proposed by the House to the following bills, and said bills passed Final Reading in the Senate on April 25, 1996:

S.B. No. 2280, SD 2, HD 1
S.B. No. 2459, HD 1
S.B. No. 2502, SD 1, HD 1
S.B. No. 2532, SD 1, HD 1
S.B. No. 2726, SD 1, HD 2
S.B. No. 3158, SD 1, HD 1

Sen. Com. No. 653, informing the House that the Senate has made the following changes to Senate conferees assignments for the Senate Bill listed below on April 25, 1996:

S.B. No. 3232, SD 2, HD 2:

Senator Fernandes Salling discharged as Vice Chair and is added as a member. Senator Baker is added as a Vice Chair.

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

Representative Ward introduced Linda Starr, "the watchdog of Kalaniana'ole Highway."

Representative Takamine, on behalf of the Big Island delegation, introduced 12 students from Hilo High School. They were accompanied by their chaperones, Kalua Robertson and Kim Sasaki.

Representative Chang introduced Ms. Sandra Ascra, a constituent of his.

Representative Kawanakoa introduced his mother, Mrs. Carol Kawanakoa, and his wife, Mrs. Kawanakoa.

At 10:25 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:30 o'clock p.m.

ORDER OF THE DAY

UNFINISHED BUSINESS

Conf. Com. Rep. No. 2 and H.B. No. 2897, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3 and H.B. No. 2433, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 4 and H.B. No. 2358, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred one day.

CONFERENCE COMMITTEE REPORTS

Representatives Kanohe, Tom, Menor and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2726, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 2726, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and H.B. No. 2726, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," was deferred for a period of 48 hours.

Representatives Stegmaier, Tom and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3432, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 3432, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and H.B. No. 3432, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERSONNEL IN THE DEPARTMENT OF EDUCATION," was deferred for a period of 48 hours.

Representative Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3563, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 3563, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and H.B. No. 3563, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES

IMPOSED BY THE DEPARTMENT OF TAXATION," was deferred for a period of 48 hours.

Representatives Morihara and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1148, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 1148, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 1148, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE," was deferred for a period of 48 hours.

Representatives Chun Oakland, Tom and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 4131, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 4131, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 4131, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred for a period of 48 hours.

Representatives Menor, Tom and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3421, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 3421, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and H.B. No. 3421, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE COMMUNICATIONS," was deferred for a period of 48 hours.

Representatives Santiago, Say and Tom, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3534, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 3534, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and H.B. No. 3534, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," was deferred for a period of 48 hours.

Representatives Yonamine and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3341, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 3341, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and H.B. No. 3341, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAY PERIODS OF PUBLIC OFFICERS AND EMPLOYEES," was deferred for a period of 48 hours.

Representatives Stegmaier, Yonamine and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate

in H.B. No. 2514, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 44) recommending that H.B. 2514, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and H.B. No. 2514, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITION TO WORK SYSTEM," was deferred for a period of 48 hours.

Representatives Shon and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2998, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 2998, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and S.B. No. 2998, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred for a period of 48 hours.

Representatives Hiraki, Tom and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1602, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 1602, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and S.B. No. 1602, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT SECURITY," was deferred for a period of 48 hours.

Representatives McMurdo and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2124, HD 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 2124, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and S.B. No. 2124, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2186, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 2186, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and S.B. No. 2186, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES," was deferred for a period of 48 hours.

Representatives Santiago and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3248, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 3248, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com.

Rep. No. 62 and S.B. No. 3248, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION MANAGEMENT," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2888, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 2888, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 2888, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," was deferred for a period of 48 hours.

Representative Stegmaier, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2446, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 2446, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 2446, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," was deferred for a period of 48 hours.

Representatives Stegmaier and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3021, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 3021, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and S.B. No. 3021, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Stegmaier and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2380, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 2380, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and S.B. No. 2380, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2329, HD 1, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 2329, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and S.B. No. 2329, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL REGULATORY PROGRAMS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House in S.B. No. 2724, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 2724, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and S.B. No. 2724, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3159, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 3159, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and S.B. No. 3159, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE, ANNUITIES AND SECURITIES ACTIVITIES OF BANKS," was deferred for a period of 48 hours.

Representative Shon, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1305, HD 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 1305, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and S.B. No. 1305, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2247, HD 1, presented a report (Conf. Com. Rep. No. 71) recommending that S.B. No. 2247, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and S.B. No. 2247, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2249, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 2249, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and S.B. No. 2249, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2326, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 2326, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and S.B. No. 2326, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2381, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 2381, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and S.B. No. 2381, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," was deferred for a period of 48 hours.

Representatives Takamine and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2548, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 2548, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and S.B. No. 2548, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," was deferred for a period of 48 hours.

Representatives Pepper, Menor and Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2773, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 2773, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," was deferred for a period of 48 hours.

Representative Tom, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2993, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 77) recommending that S.B. No. 2993, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and S.B. No. 2993, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM PROBATE CODE," was deferred for a period of 48 hours.

Representatives Lee, Stegmaier and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2152, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 2152, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and S.B. No. 2152, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," was deferred for a period of 48 hours.

Representatives Yonamine and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2836, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 2836, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79 and S.B. No. 2836, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Representatives Santiago, Tom and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2458, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 2458, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80 and S.B. No. 2458, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE PATROL," was deferred for a period of 48 hours.

Representatives Menor and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1720, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 1720, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81 and S.B. No. 1720, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred for a period of 48 hours.

Representatives Menor, Tom and Say, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2723, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 2723, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82 and S.B. No. 2723, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was deferred for a period of 48 hours.

ANNOUNCEMENTS

Representative Okamura: "This is just to remind all members to remain until 12:00 o'clock this evening. For those members of the CPC and Judiciary Committees, immediately after session, please report to Room 329 for signing of Conference Committee reports; and also for all remaining fiscal bills, report to Room 309 to sign Committee reports. Also, there will be a Majority caucus in Room 325 on Sunday at 1:00 p.m."

Representative Thielen: "I would like to remind the Minority members that we will have a Minority caucus on Sunday starting at 12:30 p.m. promptly in our Caucus Room."

At 10:31 o'clock p.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

At this time, Representative Kahikina, on behalf of the members of the House, wished Representative Arakaki and his wife, Michi, a "Happy 16th Anniversary."

Representative Amaral moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Thielen and carried.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 45 to 50, 83 to 155) were received in the Clerk's Office and the following actions taken:

Conf. Com. Rep. No. 45 and H.B. No. 3439, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE OPERATING EXPENSES OF THE DEPARTMENT OF EDUCATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 46 and H.B. No. 3293, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 47 and H.B. No. 3711, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 48 and H.B. No. 3423, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WARRANTIES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 49 and H.B. No. 3427, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 50 and H.B. No. 3101, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 83 and S.B. No. 641, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 84 and S.B. No. 1735, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 85 and S.B. No. 2552, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 86 and S.B. No. 3232, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 87 and S.B. No. 2087, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 88 and S.B. No. 2090, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 89 and S.B. No. 2278, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 90 and S.B. NO. 2333, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF SERVICES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 91 and S.B. NO. 2522, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 92 and S.B. No. 2795, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 93 and S.B. No. 2902, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 94 and S.B. No. 2913, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIABILITY OF CONTRACTORS CONTRACTING WITH THE STATE OR COUNTIES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 95 and S.B. No. 3108, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 96 and S.B. No. 3135, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGET REDUCTIONS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 97 and S.B. No. 107, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 98 and S.B. No. 865, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 99 and S.B. No. 2145, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 100 and S.B. No. 2264, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR THE INDIGENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 101 and H.B. No. 2452, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 102 and H.B. No. 2642, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 103 and H.B. No. 1257, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 104 and H.B. NO. 3583, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 105 and H.B. No. 3954, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 106 and H.B. No. 2800, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 107 and H.B. No. 3300, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 108 and H.B. No. 3650, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 109 and H.B. No. 2644, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 110 and H.B. No. 3340, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS AND DUTIES OF THE COMPTROLLER," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 111 and H.B. No. 3342, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 112 and H.B. No. 3389, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 113 and H.B. No. 3554, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 114 and H.B. No. 3565, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BULK TRANSFERS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 115 and H.B. No. 3852, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ETV HAWAII/ELEPHANT TELEVISION, INC.," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 116 and H.B. No. 3968, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 117 and H.B. No. 3512, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 118 and H.B. No. 3548, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 119 and H.B. No. 3505, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 120 and H.B. No. 3538, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 121 and H.B. No. 3656, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 122 and H.B. No. 2729, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 123 and H.B. No. 50, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 124 and H.B. No. 3344, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 125 and H.B. No. 2636, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 126 and H.B. No. 3493, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEWBORN METABOLIC SCREENING," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 127 and H.B. No. 3498, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 128 and H.B. No. 3332, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 129 and H.B. No. 4008, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 130 and H.B. No. 44, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 131 and H.B. No. 3138, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 132 and H.B. No. 1716, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 133 and H.B. No. 1736, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 134 and H.B. No. 3773, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 135 and H.B. No. 3399, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 136 and H.B. No. 3154, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 137 and H.B. No. 3362, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICTS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 138 and H.B. No. 3964, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 139 and H.B. No. 3153, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 140 and H.B. No. 3970, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 141 and H.B. No. 3382, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 142 and H.C.R. No. 159, SD 2, CD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF CIVIL SERVICE COMPENSATION PLANS, AND THE COSTS THEREOF," were placed on the calendar for Final Adoption on Monday, April 29, 1996.

Conf. Com. Rep. No. 143 and S.B. No. 2304, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 144 and S.B. No. 2388, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 145 and S.B. No. 2485, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 146 and S.B. No. 2662, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTALLY DISABLED," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 147 and S.B. No. 2781, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 148 and S.B. No. 2819, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 149 and S.B. No. 2821, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 150 and S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 151 and S.B. No. 2856, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 152 and S.B. No. 2891, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PROGRAMS TO REDUCE PRISON AND JAIL OVERCROWDING," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 153 and S.B. No. 2941, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL FISHERIES SPECIAL FUND," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 154 and S.B. No. 3042, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

Conf. Com. Rep. No. 155 and S.B. No. 3240, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Final Reading on Monday, April 29, 1996.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Monday, April 29, 1996.

SIXTIETH DAY

Monday, April 29, 1996

The House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 10:24 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Ms. Myra English of the Clerk's Office, after which the Roll was called showing all members present.

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

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 206 to 208) were read by the Clerk and were placed on file:

Gov. Msg. No. 206, transmitting Senate Bill No. 2535, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2535

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2535, entitled, 'A Bill for an Act Relating to Individual Wastewater Systems.'

The purpose of this bill is to require the Department of Health to review the rules, procedures, and variance criteria specified in Sections 342D-5 to 342D-7, Hawaii Revised Statutes, relating to the requirements for upgrading from cesspools to individual wastewater systems in areas zoned for rural or agricultural uses and to report its findings and recommendations to the Legislature before the Regular Session of 1997.

However, enactment of this bill is unnecessary. Senate Resolution No. 148, adopted by the Senate on April 4, 1996, and Senate Concurrent Resolution No. 188, adopted by the Legislature on April 22, 1996, requested the Department of Health to review the same requirements and to report to the Legislature. The Department does not need the enactment of this bill to review the requirements, and the Department, in fact, already has begun evaluating existing rules regarding wastewater systems.

For the foregoing reasons, I am returning Senate Bill No. 2535 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 207, informing the House that on April 24, 1996, he signed the following bills into law:

Senate Bill No. 2263 as Act 49, entitled: "RELATING TO FOREIGN MONEY JUDGMENTS";

Senate Bill No. 2340 as Act 50, entitled: "RELATING TO HUNTING";

Senate Bill No. 2341 as Act 51, entitled: "RELATING TO THE COMMUNITY COLLEGES";

Senate Bill No. 2487 as Act 52, entitled: "RELATING TO THE OMBUDSMAN";

Senate Bill No. 2772 as Act 53, entitled: "RELATING TO THE DISTRIBUTION OF CIGARETTES IN PACKAGES CONTAINING LESS THAN TWENTY CIGARETTES";

Senate Bill No. 2929 as Act 54, entitled: "RELATING TO THE ENFORCEMENT OF CRIMINAL PROVISIONS UNDER TITLE 14 ADMINISTERED BY THE DEPARTMENT OF TAXATION";

Senate Bill No. 3160 as Act 55, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 2365 as Act 56, entitled: "RELATING TO ANTIQUE MOTOR VEHICLES";

Senate Bill No. 678 as Act 57, entitled: "RELATING TO PUBLIC SAFETY";

House Bill No. 1531 as Act 58, entitled: "RELATING TO DERELICT VEHICLES";

Senate Bill No. 2738 as Act 59, entitled: "RELATING TO UNFAIR AND DECEPTIVE PRACTICES";

Senate Bill No. 2379 as Act 60, entitled: "RELATING TO FIREARMS";

Senate Bill No. 2784 as Act 61, entitled: "RELATING TO ENVIRONMENTAL IMPACT STATEMENTS"; and

Senate Bill No. 3128 as Act 62, entitled: "RELATING TO INTOXICATING LIQUOR".

Gov. Msg. No. 208, transmitting copies of a report prepared by the Department of Business, Economic Development, and Tourism (DBEDT) on its loan programs, as required under the following statutes:

Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program.

Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Program.

Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program.

Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DBEDT

administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented.

Chapter 211E, HRS, does not require an annual report, however, DBEDT included the Hawaii Innovation Development Program as part of their loan annual report.

Act 384, Session Laws of Hawaii 1988, requires an annual report on the progress made under Chapter 7, the Molokai Loan Program.

(The separate reports have been consolidated into a single presentation and cover the calendar year ending December 31, 1995.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 654 to 665) were read by the Clerk and were placed on file:

Sen. Com. No. 654, informing the House that the President has, on April 26, 1996, appointed conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Concurrent Resolution:

H.C.R. No. 159, SD 2:

Senators Kanno/Ikeda, Co-Chairs; and Baker.

Sen. Com. No. 655, informing the House that on April 25, 1996, the Senate reconsidered its action taken in disagreeing to the amendments proposed by the House in S.B. No. 3068, SD 1, HD 1, and said bill passed Final Reading in the Senate on April 26, 1996.

Sen. Com. No. 656, informing the House that H.B. No. 2358, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed Final Reading in the Senate on April 26, 1996.

Sen. Com. No. 657, informing the House that the Senate has agreed to the amendments proposed by the House in the following Senate Concurrent Resolutions and that said resolutions were adopted in the Senate on April 26, 1996:

S.C.R. No. 43, SD 1, HD 1
S.C.R. No. 176, SD 1, HD 1
S.C.R. No. 186, SD 1, HD 1

Sen. Com. No. 658, returning H.C.R. No. 42, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING STRONG DISAPPROVAL TO THE LEGISLATURE OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR APPROVING LEGISLATION ESTABLISHING A SIX-MONTH FREEZE IN THE LOCAL MINIMUM WAGE," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 659, returning H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH YOUTH OF THE FIRST REPRESENTATIVE DISTRICT AND COMMUNITY AGENCIES IN THE AREA TO DEVELOP COMMUNITY-BASED YOUTH PROGRAMS," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 660, returning H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING THE NEED FOR A PUBLIC-PRIVATE PROGRAM THAT ADHERES TO CERTAIN PRINCIPLES OF

LONG-TERM CARE TO ADDRESS THE LONG-TERM CARE NEEDS OF THE RESIDENTS OF HAWAII," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 661, returning H.C.R. No. 74, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A SCHOOL BUS SAFETY TASK FORCE FOR THE ISLAND OF KAUAI," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 662, returning H.C.R. No. 157, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE HOW TO IMPROVE PRE-VOCATIONAL SERVICES FOR DEAF AND HARD OF HEARING PERSONS WITHIN THE DEPARTMENT OF HUMAN SERVICES," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 663, returning H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND ENCOURAGING THE CONTINUATION OF THE BENCHMARKING PROCESS KE ALA HOKU TO ENSURE A BETTER QUALITY OF LIFE FOR THE PEOPLE OF HAWAII," which was adopted by the Senate on April 26, 1996.

Sen. Com. No. 664, returning House Bill No. 2539, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR ENERGY DEVELOPMENT," which passed Third Reading in the Senate on April 26, 1996.

Sen. Com. No. 665, returning House Bill No. 3817, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF TAXATION PUBLICATIONS," which passed Third Reading in the Senate on April 26, 1996.

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

Representative Yoshinaga, on behalf of Representative Saiki and herself, introduced a group of McCully senior citizens. They were escorted by Jean Siu.

Representative Hiraki introduced Miss Lilly Hong, "a frequent visitor to the Capitol, and a small business owner in my district."

Representative Chang introduced Mr. Randy Avon, a former member of the House of Representatives of the Florida State Legislature. He was accompanied by Mr. Eric Maehara.

Representative Kawanakoa introduced Ms. Corrine Ching, Chair of the Liliha Neighborhood Board.

At 10:33 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:42 o'clock a.m.

ORDER OF THE DAY

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 Final Reading on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 106 and H.B. No. 2800, HD 1, SD 1, CD 1:

Representative Say moved that the report of the Committee be adopted and H.B. No. 2800, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Kawakami.

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

"Mr. Speaker, before I comment on this measure, I would like to ask for your indulgence, and the members, to allow me to recognize those individuals who were instrumental in formulating the supplemental budget for this year.

"First, I would like to thank the members of the Finance Committee: Vice Chair Bertha Kawakami, Rep. Jerry Chang, Rep. Ezra Kanoho, Rep. Virginia Isbell, Rep. Bob Nakasone, Rep. Devon Nekoba, Rep. Merwyn Jones, Rep. Ken Ito, Rep. Michael Kahikina, Rep. Marcus Oshiro, Rep. Nathan Suzuki, Rep. Jun Abinsay, Rep. Barbara Marumoto, and our illustrious Minority Leader, Rep. Gene Ward.

"I would also like to recognize the members of my staff, Mr. Speaker and members of this House, that have supported all of us in getting information in regards to the supplemental budget: Mr. Kevin Kuroda, Ms. Gail Kakuda, Ms. Rowena Tanaka, Ms. Valerie Oka, Ms. Lilinoe Lindsey, Ms. Anna Donald, Ms. Beth Kerl, Mr. Ryan Kurashige, Mr. Aaron Nyuha, Mr. Alex Kagawa, Ms. Becki Sumida, Mr. Joseph Trias, Mr. Keith Chang, Mr. Eric Osaki, Ms. Sherry Hayashi, Mr. Bob Wood, Mr. Brian Furuto, Ms. Angela Correa, Mr. Jo Hamasaki, Nandana Kalupahana, R.J. Yahiku and Mr. Rod Tanonaka.

"Mr. Speaker and members, I would also need to extend my gratitude to my fellow conferees from the Senate Ways and Means Committee, especially Chair Donna Ikeda. Without her cooperation and insights, we would have been hard-pressed to have completed in time for adjournment today. Mr. Speaker, what has transpired in just a little over one week of conference work still amazes me. As I look through the bill and reflect on what it represents, I can only say that I am very proud and honored that the House of Representatives has let me chair the Committee on Finance for the past four years.

"Mr. Speaker and members of this House, my comments on the supplemental budget bill will be short and to the point. It is a message that I have repeated many times, over the past four years. And that is, that the budget you have before you represents a complete and balanced fiscal package.

"Over the past four years, the message from the people of the State of Hawaii has been loud and clear. They have asked from us to be responsible and responsive decision-makers. Their message has defined our goals in regards to budgeting, which I have summed up in three major points:

"First, reduce government size and spending. Mr. Speaker, it is historically the first time in my career that we are now reflecting for this particular fiscal year of the biennium budget a \$140 million cut in the general funds, which is our tax revenues. And for the second year, which is the supplemental budget that we have before us, we are reflecting \$172 million in cuts. For the first year, which we are in presently, Mr. Speaker and members of

this House, we have reduced 866.4 positions in the A-Fund category, and for the second year 880.52 positions.

"Mr. Speaker and members of this House, it is very, very difficult when the public asks us to cut more during the past four years. What we have done, as far as the House Finance Committee, is educate all of us here today in regards, that yes, we do have a \$3.17 billion budget in general funds, but do you know, Mr. Speaker, we are restricting and cutting back that general fund account. So what I have said, Mr. Speaker, is that the general fund amount is the most critical area of concern. What I presented to the members of the Majority caucus is that in essence, Mr. Speaker and members of this House, our budget for the biennium, which we adopted last year of about \$11.3 billion, and out of that \$11.3 billion for both years, it was \$5.6 billion that was appropriated last year, and this year it is down to \$5.5 billion. For the second year, it is \$5.7660 billion, and this year it is \$5.722.

"Mr. Speaker and members of this House, there has been a tremendous amount of cuts, and in trying to balance this budget, it was awfully difficult with the huge demands that are upon us.

"Maintain essential programs. We have conceded, Mr. Speaker and members of the House, in conference, that we would restore close to \$4.5 million to \$5 million in work load increase to the Department of Education. In the House Draft of House Bill 2800, it was not reflected as an increase.

"And last but not least, like I told the illustrious Minority Leader, we did not raise taxes on those two most important taxes that the public did not want us to raise -- your personal income tax and your general excise tax.

"I firmly believe, Mr. Speaker and members, that we have again followed through on all three points.

"What has really bothered me, Mr. Speaker, is in the area that members of this House realize, in the area of the fixed costs, that we have very little control over, and the federal consent decrees where we are being highly criticized for the performance of those services. One example, the Felix vs. Cayetano consent decree. Another example, the Speeras vs. Cayetano decree, which is the prisons, and also our State Hospital.

"It was not an easy task, Mr. Speaker. As everyone knows, at the start of our legislative session we were faced with a tremendous revenue shortfall. I believe that this budget, combined with several other bills, has successfully erased that particular shortfall for this biennium. In doing so however, Mr. Speaker, we had to make some very, very difficult decisions.

"Mr. Speaker, it's not just cut, cut, cut, as you can see in this particular budget, because we did get the House and the Senate to agree to our economic package that we adopted in House Draft 1. We have retained, Mr. Speaker and members of this House, a \$25 million level of funding for tourism promotion; we have provided for work load increases at the Department of Education; we have restored funding for the A+ Program; and we have provided increased funding for the Department of Public Safety.

"This budget also reflects a major step towards restructuring our state government. This restructuring, as proposed by the Governor, is a response to both the demands of the people to make government more efficient, and the changing fiscal constraints that we all must live within.

"As an example, we have abolished the Office of State Planning, yet we have retained their functions within the Department of Business, Economic Development, and Tourism.

"We have attached the Governor's Agriculture Coordinating Committee to the Department of Agriculture.

"We have folded the At-Risk Teen, the Preschool Open Doors and the Child Care Development programs of the Office of Children and Youth into the Office of Youth Services and the Department of Human Services.

"Mr. Speaker, my final message to this great body is that I firmly believe that in this budget, we have achieved balance. We reduced where we had to, and yet we gave where we had to. I know personally that no one will be happy, in fact a lot of people will suffer. But during these hard times, it dictate that we make these hard choices. I am confident, however, that we have made the right choices.

"In closing, I would like to again thank every one who contributed positively towards achieving this balance. To the detractors -- who we know will speak, ad naseum, about everything we didn't do, I have this to say: **IF YOU ARE NOT GOING TO CONTRIBUTE TO THE SOLUTION, DON'T ADD TO THE PROBLEM!**

"Mr. Speaker, in closing, thank you very much for your support and the guidance that Leadership has given me this year, and thank you very much for allowing me to speak in support of House Bill 2800, HD 1, SD 1, CD 1."

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

"Before beginning, Mr. Speaker, I begin without reservations to commend the illustrious Chair of the Finance Committee for a job well done by openness and for understanding. However, we have different premises that we begin with, we have different philosophical points, and we have different ways of planning for the future. Some things are immediate and expedient; some things are not long-range and long-lasting.

"Let me begin my remarks with specificity regarding what is in this budget, Mr. Speaker.

"We have appropriated a total of six billion four hundred seventy-two million dollars for the next fiscal year. Total expenditures have actually increased, Mr. Speaker, by three hundred million dollars. This is representing an increase over fiscal year 1996 and 1997 of 4.8 percent, and this does not include the \$22 million being appropriated here and in the Senate today. They're separate bills, so spending is up 4.8 percent.

"Anticipating the comeback on arguments as the illustrious Chair of the Finance Committee has said -- these are special or general funds, I would simply note for the media and for all of our constituents, a buck is a buck. State spending is up at this dire time of 4.8 percent.

"This budget does reduce the state operating expenses for fiscal 1996-1997 by a whopping .8/10ths of one percent. That's a mere \$43.5 million less than one percent. This, Mr. Speaker, is equivalent of slowing a speeding train from a hundred miles an hour down to 99 miles an hour. I think we have to think before we brag about cutting our budget.

"This budget also increases 'pork' by 83 percent for \$341 million. This may be a sound economic practice for

stimulating the economy ... this happens to be an election year -- you decide its purpose.

"This budget cuts general fund expenditures for fiscal 1997 by 5.3 percent for a total savings of about \$172 million, which we promptly turned around and spent somewhere else. Mr. Speaker, the question of many of our constituents is: Who gave the most to make this budget balance?

"The University of Hawaii and the Department of Education gave \$72 million. This is often referred to as the dumbing down of Hawaii. It's known that the educational system is the engine that drives the economy. An opportunist society is based on sound education and job opportunity. Mr. Speaker, we've taken \$72 million out of that plan. Health and human services have contributed \$39 million; grants-in-aids to our counties down one million dollars; payroll lag, \$47 million; and another \$35 million was saved on paper when we changed the actuarial valuations for the Employees' Retirement System. The last one, the Retirement System plan, was a good choice; the others were not, Mr. Speaker.

"We shifted money from special funds, we raised quite a number of fees, and we borrowed another \$47 million from public employees in the form of a payroll lag. Incidentally, the prospective nature of this latter move is just one reason why this budget will only balance for a few minutes. If you work out the numbers on a cash flow basis, Mr. Speaker, the payroll lag is not kicking in the \$47 million when this budget is supposed to balance. And like most budgets, after the gavel hits today, the balance of the budget is often the next few days or the next week.

"We are pushing two years, Mr. Speaker, since the official declaration of -- we are in a budget crisis. And is this budget that we speak for today the best we can do? What we haven't done yet is what Queen's Medical Center has done recently. They hired a very professional, top-notch national consultant firm, and they did a management audit and thereafter eliminated 140 mid-management positions. Mr. Speaker, we, in the public sector, have to do similarly. We should have taken similar actions, but as it stands, little has been done to prioritize our spending as well as to prioritize our cuts. Without management and financial audits to prioritize these cuts, who can say that they are not arbitrary, who can say they are not capricious? If anyone is in doubt of this, they should ask those on General Assistance who are living on \$217 a month, or they should ask those who are paying for the payroll lag out of their State-employed paychecks.

"The Finance Chair has warned us that in the next two years, Mr. Speaker, things are even going to get worse. And this is where I started in the beginning by saying -- well, it may be balanced today, but what about two years down the line when we've got another \$200 million that we fall short, Mr. Speaker? Mr. Anzai has warned us that our general fund balance goes to the lowest in the history of the State of Hawaii -- down to \$18 million -- tantamount to a fiscal insolvency. Serious times are ahead of us. If this budget is a foreshadowing of those times, we are ill-prepared for the future, Mr. Speaker. To add insult to injury, the business confidant surveyed by the Bank of Hawaii says that in the next year, 37 percent of Hawaii's companies will downsize. This is at the backdrop of already 25,000 jobs being eliminated in the last five years, and in the next twelve months, 37 percent of our companies are going to downsize.

"The number of Hawaii's homeless that are just one paycheck away from disaster and those who are on the three or four jobs a month who are one paycheck away

from becoming homeless -- what are we going to do for them when this budget crisis hits even heavier in the next two years? Those on general assistance are down to \$217 per month. Yet, Mr. Speaker, in this budget, and I refer to page 202, we give \$17 million for highway beautification, and it happens to be in my district, believe it or not. It's Kalaniana'ole Highway -- it returns to haunt us. We've decided that maybe general assistance recipients should live together and pool their \$217 a month while we, who protected ourselves from the high-three perks, have done nothing to throw our share into the kitty.

"Mr. Speaker. . .

At this point, the Chair interrupted and said, "Will you stick to the budget, please. That's not part of the budget. I don't appreciate that. Please proceed."

Representative Ward continued, saying:

"My apologies for thinking that we are going to contribute to the solvency of the State, Mr. Speaker.

"In summary, Mr. Speaker, I don't think the people are going to be fooled that we have done the best fiscal responsibility. In fact, some of the newspaper articles have said -- 'It's the cuts, stupid!' It's getting government to fit the size of the economy. The Waiheezation of this government has put 12,000 to 15,000 new employees on the rolls of which we have prided ourselves this morning by cutting .08 percent of one percent. Mr. Speaker, the inevitable was going to hit us and this is what I am saying in summary. If this budget is the best thing since sliced bread, come two years down the line, we are going to be in trouble because we didn't know what side of the bread our butter is on.

"Thank you, Mr. Speaker."

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

"I also wanted to state how disappointed and upset I am with this year's legislation, you know, and how I will proceed throughout the rest of the day, throughout the rest of the agenda, and how I will attempt to establish three points firmly in the minds of my colleagues, my constituents, and the people of Hawaii.

"First, that the Eighteenth Legislature of the State of Hawaii has failed to do the peoples' work; second, that the Democratic leadership and those in power have chosen to maintain the status quo in spending. . .

At this point, the Chair interrupted and said:

"Will you speak on the budget, please."

Representative Kawanakoa continued, saying:

"And third, that your Republican caucus clearly stands on the side of the people, and that we have the vision and the courage to address the real problems."

Representative Swain then rose on a point of order and stated:

"We have one bill that we are dealing with at this time. We don't have the opportunity to expand on everything that we have done this whole year. We are dealing with one specific item, and we would ask that the speaker concern himself with that item."

The Chair then said:

"Representative, I will call you out of order if you continue to generalize. Will you please stick to the budget -- House Bill No. 2800. Please proceed."

Representative Kawanakoa continued, saying:

"Mr. Speaker, I respect your ruling. The issue before us, which is the budget that affects the entire State, which is a major issue, and I am quite concerned about how we're going to just stick to one particular issue when this basically affects anything and everything in the State of Hawaii, so I will continue. . .

The Chair interrupted and said: "And I will continue to call you out of order if you're going to continue to go beyond the budget. Please proceed."

Representative Kawanakoa continued, saying:

"The first year, our budget increased by 11 percent, Mr. Speaker. This year, our budget is continuing to increase -- it increases by some 4.8 percent. I can't vote for a budget that is increasing spending on behalf of government. My constituents don't want it, your constituents don't want it, the State of Hawaii can't afford it.

"I will note that this is not the worst financial crisis we've been in. If we look to our history, we were in a much worse fiscal crisis. And I have mentioned that in a prior session, that I would attempt to share the story with my colleagues because we do have a solution to our problems if we only look to our history as opposed to passing this budget which simply compounds the errors of our ways.

"In 1973, we had a \$134 million shortfall -- that was 26 percent of the general fund at that time. This shortfall that we are faced with is roughly about 8 percent of our general fund expenditures -- a much smaller problem. And yet, in 1973, what have they tried to do? They tried to re-increase taxes by passing Omnibus Tax Bill 1234 which would have solved the problem in their eyes. Fortunately, this bill was filibustered in the Senate and it died. Then Acting Governor Ariyoshi did the right thing. He restricted spending. He did not increase taxes and what happened? At the end of 1973, the projected shortfall was reduced and they actually had an increase. They had a surplus in revenues. Look back into the Journals, look back into your history -- this is your history.

"So what are we doing today? If we take a look at the budget, we are doing what was asked of us to do in 1973 -- to address a much larger problem. We are attempting to increase our spending, increase our taxes, our fees; if we look through the budget, we'll find these items. I don't believe that's going to save us. If we look at 1995, we passed a budget that increased taxes, that didn't cut the size of government, and what happened? Our revenue shortfall increased -- it didn't decrease. So now we're coming back in this session and adopting the same idea, the same concept. Don't really cut the problem, continue the spending -- increase spending -- that will solve our problems. Well, it won't.

"Again, if we look back to our history, in 1974, by the time the biennium had ended with Governor Ariyoshi, they had a surplus. They addressed their problems. Now I will tell you how he did it. He restricted spending by five percent. He prioritized and eliminated entire programs such as the Department of Planning and Economic Development and agriculture promotions. He negotiated hard on collective bargaining agreements. That saved us money, that saved the State money -- the taxpayers. He was focused on the good of the people, not

the good of government. As I have mentioned, in 1974 the results of his courageous and visionary actions. . .

At this point, the Chair interrupted and said:

"Representative, we're well aware of the history of 1973 and 1974. Will you stick to the merits or demerits of House Bill 2800, please."

Representative Kawanakoa thanked the Chair and continued, saying:

"Well, I think it's relevant to the merits of this bill because if we took the same actions, I would contend that we would solve our problems. We would stimulate our economy, we would free it up. We would give ourselves an opportunity to catch up with our overspending, save a little, that we would come out of our fiscal problems. We wouldn't only be focusing on government's problems, we'd be focusing on our State's problems.

"In closing, I note that this particular budget maintains the status quo. All of the experts have told us, in all of our Finance Committee hearings, Ways and Means Committee hearings, the joint committee hearings, what the problem is ... government is too large. We have too much spending on government employees' benefits, pension plans, health care -- it goes right down the line. And I feel for the Majority because who keeps you in office? What is around you? The status quo. It is very difficult to buck the status quo. But until we reduce the real problem, until we address the real problem -- the oversize of our government -- all these other budgetary bills and the little tinkling that we're doing with the budget is not going to solve our fiscal problems.

"With that, Mr. Speaker, I will be voting no on this bill.

"Thank you."

Representative Thielen then rose to speak in favor of the bill, with some concerns, stating:

"As my Minority colleagues have already very ably stated, we are not addressing the real problem, Mr. Speaker, with this budget. We're stagnant, we're dead in the water, we've got a bloated government, and we're sinking the people of Hawaii -- the taxpayers.

"I looked through the Conference Committee Report and it does echo my sentiments somewhat. It states on page 5, 'The lackluster earnings of the State over the past several years reflect persistent and ongoing weaknesses in Hawaii's economy and require bold and creative leadership.' Where's the leadership -- where's the bold and creative leadership? What we have before us is merely a rehash of what hasn't worked, what isn't working, and what won't work.

"I turned to page 71 in the budget and said, oh, here's some leadership. We're going to use money in the general funds to support some sports promotion activities. We're not going to help the people that are disabled, that need benefits to keep a roof over their heads; we're going to say \$217 a month is enough for you folks. But we're going to provide taxpayers' money from the general fund to the Senior Skins, Lincoln Mercury, Kapalua International, Kaanapali Classic, and a Grand Slam of Golf, et cetera. You look at those items on pages 71 and 72.

"Bold and creative leadership, Mr. Speaker, would have been saying ... we have a problem, we have to look at what our government is doing, how we should reorganize that government, restructure it, and cut back

on the amount of money that it takes to operate government.

"Health, safety and welfare -- those are our roles. Those are the roles that we should be focusing upon. All of the areas where we compete with business, where we hurt business, where we stop business from beginning to be able to survive in this State, all of those areas government should get out of.

"But I didn't see the bold and creative leadership, Mr. Speaker. I still don't see it. I don't see it on the agenda that we're going to be voting on today, and I don't think you can fool the people. The people don't see it either.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I wasn't going to say anything on this bill today but after listening to some of the remarks that's being made on this bill, I felt I had to say something.

"Basically, I really don't know where the previous speakers are getting their information from. As the Chairman of the Finance Committee has said, the basic funds that we are looking at are the general funds. These are the funds that we get revenues from general excise tax and other sources within the State. And when you look at the funding from the general funds, we made major cuts in the budget as was stated earlier.

"In the present budget, for the first fiscal year we cut over \$140 million. And in the second year we cut over \$172 million, and this had a big impact on the programs that we administer. Even when you look at the overall budget, including all the funds in the budget, we made cuts amounting to -- when you look at the total budget -- we cut over \$103 million in the first year. That's cutting federal funds, general funds, special funds and every other funds. And in the second year, when you look at the total funding, we cut over \$43 million, and this was a difficult task and we had to make some tough decisions. So I really don't know where the previous speakers are getting their figures from. And I think the Finance Committee did a really good job on this budget.

"Thank you, Mr. Speaker."

Representative Kanoho then rose and stated:

"Mr. Speaker, I rise to speak in support of this measure and specifically to address a point which has just been made by the Minority Floor Leader.

"I think we need to point out that some of the expenditures referenced, in particular some of the golf events -- Grand Slam in particular -- call for an expenditure of \$200,000. Last year there was a restriction, so the actual amount expended was \$150,000, and we need to know that that amount actually leverages at least \$3 million or perhaps \$5 million, and that's an astronomical amount. And it leverages that in bringing people from all over the world because these are sports-minded fans from all over the world who eventually will visit Hawaii, so we would consider that to be a very cost-effective and very judicious means of expending our funds so that we can attract and build up our tourism industry.

"Thank you, Mr. Speaker."

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

"You know, the Minority Floor Leader pointed out the same thing that Representative Kanoho just said. Let me just tell you this, Mr. Speaker. Every year, the Minority Floor Leader keeps pointing this fact out, and we always come out and let her know that the benefits that we get out of this promotion is more than twenty times what we spend. The television exposure that we get worldwide is tremendous. With \$150,000, she thinks that we are doing our own thing. We point this thing out to her year after year that the benefits that we get out of this sports promotion are way over what we spend.

"Also, Mr. Speaker, if you look at page 7 of the bill, although we put in \$150,000, no fund shall be made available for the above events unless matched on a dollar for dollar basis by private sources, and that if there be any 'fat' to it, that whatever is left is returned to the general fund. These funds will be used for promotion, marketing, and advertising our Hawaii as a visitor destination.

"In any events that are occurring here in Hawaii, we also get direct benefits because a lot of people are coming down here to play golf. It stimulates the economy and people will spend money like going to restaurants and other things. And if you put the multiplier effect of what is spent, \$150,000 is a measly amount.

"I don't know why the Minority Floor Leader keeps on bringing this thing out year after year. I guess she doesn't believe the figure or she just makes us look bad, and if the intention is the latter, then all I can say to her is, may God bless you.

"Thank you."

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

"The fact that this budget is 4.8 percent higher than the one we passed last year is of concern to me. I realize the difficult job it is to try to balance this budget, but it will be impossible to ever balance this budget if we hang on to the status quo and we're not willing to change the way we do business.

"You only need to look at this morning's **Advertiser**, on the front page, which rated Hawaii number 9 among 50 states with the number of state employees per ten thousand taxpayers. But that was only because the State had eliminated many State employees that they felt skewed the figures. When you added in the teachers, health workers, and transportation workers statewide, we become number one in the nation -- 441.9 State employees per ten thousand people -- ten thousand inhabitants of our State. The second highest state has only 364. That's 77 more employees per population of ten thousand. I realize that we are a unique state; we are an island state, which does make us quite different than the other states that are contiguous, and so we do have certain problems.

"One of the things that I thought we were going to address this session, and truly hope we would, is to really move into the area of privatization. We ought to take a look at what the country of New Zealand has done. They are similar but a much larger island than we are, but it has just done wonders to their economy, and why we fight that, I don't know. I think the time will come when we will arrive at that.

"But in addition, I have one more concern and that is, all the appropriation bills that we passed this session which are not included in the budget ... I made just a rough total, but I came up with \$22.2 million of appropriation bills that are not included in this budget ... and my worry is, where is that money going to come

from? I realize some of that may be bond money, different sources of money, but yet, it is an additional \$22.2 million. And so with that, Mr. Speaker, I will wrap up.

"Thank you."

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

"Mr. Speaker, often we find we get to this point of our session, and with respect to the budget, we have the whole conversation deteriorate into partisan politics, and fingerpointing, and naysaying as opposed to what is a rational discussion of what is, in fact, before us.

"What is, in fact, before us as policymakers is an attempt to balance the budget against a horrendous shortfall that was presented to us within this term, within these past two years, and we have acted in a responsible manner and have, in fact, balanced the budget. That was our task and that was what we did, and we did so at the expense of some very important programs and to the detriment of small people who will not receive services.

"And so I sit here, appalled to hear that we have made no cuts, appalled to hear that, in fact, we are continuing government at status quo level. I wonder if anyone told the 1800 people that are now off the state government employee rolls that we are continuing status quo. I wonder if anybody told the people that started computing general fund and looked to see where their program was being funded and saw \$312 million cut there, that in fact we're continuing status quo.

"I think this is a manipulation of misinformation simply for political grandstanding, and it does harm to the institution, and it does harm to each of us as individuals who must turn around and go back out there to face our constituents about how the Legislature acts. I believe this Legislature -- House and Senate, Minority and Majority alike -- have put forward their very best efforts in one of the most difficult terms any of us have had to face.

"And I applaud the conferees on this budget bill; I applaud the committees that have worked on this. I think this is a job well done, and I ask my members to please support this measure.

"Thank you."

Representative Lee then 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 Lee continued, saying:

"I would like to add a few comments because they are very important in the discussion before us.

"The Minority Floor Leader has objected to the promotion of sports events. If so, she is objecting to the \$25 million for the Hawaii Visitors Bureau. If so, we might as well eliminate the \$25 million and save \$25 million, because it is not State workers but it is programs that are the bulk of the expenditures.

"Regarding State workers, I would like to add an explanation about this morning's **Advertiser**. If we are first or ninth in the nation as to the number of workers per ten thousand population, just read the states that it involves: Alaska, Delaware, New Mexico, Vermont, North Dakota, Wyoming, Utah, Montana. What kind of states are these? These are very, very small states with a very small population; therefore, the statistics are asked

because you have constant cost. If you have a very large state with a similar number of employees, it would translate to a lower number of employees per ten thousand. You know, these numbers don't lie but they do because the speakers misuse them.

"Thank you, Mr. Speaker."

Representative Lee's remarks are hereby inserted:

"Mr. Speaker, I want to express my appreciation to the Chair of the Finance Committee and his members for their difficult task in making the necessary cuts and balancing the budget. Total general fund reductions were \$140 million for fiscal year 1995-96 and \$130 million for 1996-97. Every department except for Public Safety was affected.

"Also, thank you, Mr. Speaker, for keeping your commitment made during the opening of the Legislature on January 17. You stated unequivocally that the House would oppose any further cuts to the University of Hawaii budget.

"The Conference Committee Report to H.B. 2800 therefore stated clearly --

'Because of the magnitude of the budget reductions already imposed upon the University of Hawaii, your Committee believes that the University cannot sustain further reductions in the 1996-1997 fiscal year. Your Committee finds that the \$14,000,000 in budget reductions proposed for the University by the Governor are too severe. Accordingly, your Committee did not approve the budget reductions proposed by the Governor.

'Instead of imposing further budget reductions on the University of Hawaii, your Committee believes that the University should be granted the flexibility to deal creatively with its fiscal problems. The Legislature demonstrated its commitment to this approach with the passage of Act 161, Session Laws of Hawaii 1995, which enabled the University of Hawaii to exercise greater flexibility over the use of tuition revenues.'

"In keeping with this philosophy and the intent of Act 161 for fiscal autonomy, we fully supported measures to strengthen the University's fiscal autonomy, provide greater flexibility to the University, and allow the University to retain the revenues it earns.

"Thus we rejected an attempt in Senate Draft 1 to House Bill 1716 to 'sweep' up to 20 percent of the UH special and revolving funds, including those for student activities and athletics, as well as an effort to reduce the 1994-95 budget base in Act 161. The University will keep all its funds and the budget base.

"House Bill 1716, HD 1, SD 1, CD 1, became the vehicle in approving the land agreement for the new site of the University of Hawaii West Oahu campus. The bill also established a special fund for the construction of the campus from the net proceeds of the development of 500 acres makai of H-1 as well as the 941 acres of the campus site itself.

"Finally and most importantly, the bill provides that 'The fund shall be managed by the University of Hawaii, which shall also make expenditures from the fund.'

"Since construction of the UH West Oahu campus need not begin until 2011, the budget appropriated \$3.1 million for nineteen portables at Leeward as the interim campus for UH West Oahu. Another nine portables will go to the UH Center in West Hawaii through private funding.

"House Bill 3954, HD 2, SD 1, CD 1, transfers the Center for Labor Education and Research from UH Manoa to UH West Oahu. The Conference Report stated this simple transfer is not an expansion of existing programs or a legislative mandate for new programs that could require any additional funds pursuant to Act 161.

"House Bill 3583, HD 2, SD 2, CD 1, strengthens the fiscal autonomy of the University in Act 161. The University will now keep 100 percent of the overhead revenues it generates from its research and training, and the University will have discretion spending 84 percent of the monies for research and training to obtain additional grants and contracts.

"All categorical tuition waivers are repealed, and the University has sole authority to grant tuition waivers from its own budget. Any other tuition waivers will have to be funded separately.

"House Bill 1257, HD 2, SD 2, CD 1, thus appropriated \$400,000 to the National Guard so that it can give tuition assistance to attract and retain recruits. The Guard has effectively used this tool to recruit and thus man the 29th Infantry Brigade as part of its federal mission, for which the Guard receives \$141.3 million from the federal government. The University will now receive 'real money' in tuition from the National Guard for its students.

"Senate Bill 2067, SD 1, HD 1, authorizes the University to contract with collection agencies for the full collection of delinquent student loans.

"Senate Bill 2902, HD 1, gives the Board of Regents sole authority for setting the salary of the President until 2011.

"House Bill 3833, HD 1, SD 1, simplifies requirements for the University in establishing resident and nonresident fees.

"House Bill 4063, SD 1, establishes a temporary task force to make recommendations for a Hawaiian Language College and Hawaiian Studies departments, including funding, at the University of Hawaii Hilo.

"House Bill 291, SD 1, CD 1, requires the Board of Regents to appoint an *ex-officio* student as a non-voting member of each of its standing committees, except for personnel relations. Student participation has been formalized and enhanced.

"Senate Bill 2152, SD 1, HD 2, CD 1, allows UH and DOE employees to buy tax-deferred mutual funds and thus enhance their retirement pensions.

"House Concurrent Resolution 276, HD 1, SD 1, authorizes a study of an optional retirement plan for UH employees.

"Senate Concurrent Resolution 168 asks for the statewide availability of Hamilton Library collections through digitalized telecommunications.

"These were the major measures which strengthened the University, provided additional flexibility, and allowed the University to keep the monies it earns in its special and revolving funds.

"The capital improvements budget in House Bill 2800, HD 1, SD 1, CD 1, will help improve and augment the physical plant of the University by providing the following additional appropriations.

"Item 87 appropriates an additional \$4 million to the previous \$6.9 million for the Institute of Astronomy building at the University Park in UH Hilo.

"Item 92 provides an additional \$400,000 to the previous \$300,000 for a women's softball stadium at UH Manoa.

"Item 92A provides \$698,000 for improvements to the Pearl City Urban Garden Center.

"Item 92B provides an additional \$7.2 million for facilities for the Pacific Ocean Science and Technology Center at Manoa.

"Item 94B provides \$1.5 million for plans and design for a federal research facility at the University Park in UH Hilo.

"Item 98 provides \$9.6 million for campus development at Maui Community College.

"Item 103C provides \$2 million for renovation of classrooms, etc. systemwide.

"The end of this session leaves the University in a better situation than when it began. For that, we owe a great deal of our success to your leadership and the support of my colleagues in the House, as well as to the collegial cooperation of our counterparts in the Senate.

"Thank you, Mr. Speaker."

Representative Santiago then rose and stated:

"Mr. Speaker, I am forced to stand up and explain my vote -- I will be voting against this measure. I am not happy with the choice that I have had to make, but I do want to say something to echo what the Minority Floor Leader did say.

"I was always taught as I was growing up -- be careful when you point your finger at somebody because there's always three fingers pointing right back at you. And I want to say that my no vote in no way, shape, or form is out of disrespect for the Chair, or the members of the Committee, or their staff. I know they worked hard; they worked harder than I've ever seen them work before, and I served under the Chairman for two years on the Finance Committee.

"Tough choices were made, but there are some things that are so fundamental to my beliefs that I cannot, in good conscience, support the budget, and for some of you, you know that the inability for us to find the funding to continue the General Assistance Program at its present level compels me to vote no. I will speak more on General Assistance when that bill comes up, but suffice it to say that after all the political rhetoric is said and done on this budget bill, at some point in time, we will need to find the courage to deal with some issues that have forced America to collectively take its head and look down at the most vulnerable of our society, the least able to fend for themselves, and to point to them as the reasons why. I have a hard time seeing that. It continues to hurt.

"My no vote on this bill is my single voice of protest, but again I reiterate, Chairman and the Finance members, staff -- I know you guys tried, you told me you tried. This is the beginning. You are going to have to try harder.

"Thank you."

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

"As a freshman, it seemed only a few weeks ago that we gathered here in these chambers to recognize an eleven-year old boy, Ryan Dote, who submitted an article to the **Honolulu Advertiser** about our Capitol. And he wrote that it's not just an ordinary building, but it brings us together -- all of us -- to our unique State which welcomes the wind, rain, sun and moon, looking toward the heavens for guidance, and that's why we are here, and that's the reason that I came as a freshman.

"It's been a difficult two years for me to learn about our budgeting process as a small business person, but I believe we all came here to bravely tackle the tough times, the tough issues, and to help shape and revitalize our island economy.

"Several issues such as same-sex marriage, gambling and economic revitalization, to name a few issues, took dominance in this session and our citizens may be less than satisfied with our 'progress.' But I wanted to just share with you that we need to keep it in perspective, and I will attempt to educate my grassroots community that the people who have put forth these major social and economic issues have put their trust into the legislative process -- into our process -- deciding on not just these issues, but this major issue which is our State budget.

"There were many other major issues that could have potentially been forwarded in terms of revitalization, some of which I submitted to this body, and again, you know, I feel that attempts were made to put forward many different ideas, and that's what this place is about. However, the central theme is not merely state government and its budget problem -- it is governance and what our contemporary society expects from it and what it expects to pay for it. We have listened to proposals to reorganize our departments, to cut more budgets, to trim personnel and programs. But my message is that we need to go back and inform the people of the services provided by our highly centralized state government and give them options and alternatives to decide, to help shape our future role of government.

"How do we go about doing this?

"I say that we have to start asking the right questions and some of those questions have already been started during this session, which I am very happy that it occurred. Is this the government that will take us into the 21st century for Hawaii? Is this the government that will have the infrastructure and vision to lead our people to that global competition and economic prosperity? How do we balance this infrastructure that we can agree to support, as by the very heartfelt comment by my colleague?

"And again, how much this is going to cost is not the focus. Who is to blame for getting us into this shortfall? Is not the focus. Which programs can we cut immediately? is not the focus.

"I commend the Speaker, and again Chair Say, for pushing a balance of all of these concepts despite all the odds and obstacles that we have faced this session, of which I was not a part in prior sessions but which I do support them in their efforts this session.

"To the cynics of our state government budget, let us raise these challenges. Who else in the last decade could have provided the near-total health and human service needs more effectively, or administer a statewide school system so there are equitable policies and resource allocations unlike in the past where we had English standard schools and regular schools, or to create and run a very complicated and integrated University system of

community colleges and campuses as an integrated network? I feel that we sometimes, and the public does too, and having been there myself, we take all of this government infrastructure for granted. But it is here, working for us all the time. And while we must continuously work to improve it, perhaps it is not a solution that occurs in one session. But it is time once again to go back and ask our citizens if they believe that this structure, this democracy, will take us into the next century.

"And my final point is again from a small business perspective. And having been in a process of downsizing in a **Fortune 500** company, in our effort to save precious dollars, in terms of what is the right size for government, let us be wary about immediate knee jerk reaction to follow the business downsizing models. Downsizing works to show immediate cuts to help the bottom line, and it has provided in our corporate America with improved profits, outsourcing of manpower, and ending up as business as usual. Then the corporate spending cycle repeats again. This has caused tremendous dislocations of America's labor force, myself included. However, this is not what, to me, Hawaii stands for in terms of aloha that our prayer alluded to. Hawaii's labor force does not enjoy the freedom of relocation and, basically, we have deep roots in our Hawaiian culture that we want to promote for our aina, for again, one another first. Hawaii, to many of us, is not just another place to find a job and move away if something else comes up. And this stability is part of the strength of our labor force. We need to revitalize our people, give them hope, and give them the way to rebuild.

"This budget, in my view, although I do not sit on Finance, is part of that balance. Many perceive this session to be a negative one in negative times, and I admit there is much heartbreak in my own community as well as pain.

"But these are the times when our leaders are tested, when they are called upon to provide hard decisions, and balancing many different points of view.

"In my view, this budget is the first step, and I don't want to belabor this but being the person that I am, I must share with you because this is a quote from a person who overcame many obstacles, and I'd like to share this with you. It's from Helen Keller, and I hope to remember this if I am back here next session: 'No pessimist ever discovered the secrets of the stars, or sailed to an uncharted land, or opened a new heaven to the human spirit.' And this is the Hawaii that I came here to help build.

"Thank you."

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

"Mr. Speaker, I, too, served on the Finance Committee for two years and what I am about to say is said with all due respect to the Chairman of the Finance Committee, to all of the members, and perhaps most of all, to the staff. I believe they did the best that they could with the resources that the community wants to spend now on operating the State.

"But I believe, too, that we are in an era of selfishness, fed by those who rail against the government, some more cautiously than others; those who speak loudly against taxes and against other ways of raising the revenue that the government needs; those who are willing to look at dollar signs and to look away from those who are suffering and who will suffer.

"I look forward to the day, Mr. Speaker, soon to come, when we can have clear demands from the community to do what we need to do to help those who cannot help themselves.

"Thank you, Mr. Speaker."

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

"First of all, I would like to commend Chairman Say for facing a very difficult task and persevering. We are in a continuing cycle of slow economic growth, and this has been painful after enjoying a decade of financial prosperity. Yet the Chairman has approached the State budget head on with a very sound financial plan. And he was amenable to change as public input, the various Governor's messages, revenue projections, Finance Committee members' and subject committee chairs' recommendations poured in daily.

"Chairman Say has accommodated many of those ideas and suggestions, as well as negotiating, sometimes painfully, with the Senate, to come up with this measure before us this morning. Thus, the State budget represents the best combined efforts, and I say the best combined efforts of all of us. Through Chairman Say's astute leadership and warm heart, to cover the large shortfall, to try to restructure state government, and most of all, to fund important programs as well as federal mandates -- all of these we tried to address and the needs of the people of Hawaii.

"I take this means to extend a big mahalo to the Finance Committee members for their hard work and their contributions, and to the entire Finance staff in the gallery today for their long hours, endless hours, during the budget conferences and throughout the session, and I would like to say to all of you -- a big mahalo we extend for your understanding and your part in the culmination of this State budget.

"Thank you, Mr. Speaker."

Representative Ward then rose in response, saying:

"I would begin by saying that there's nothing that we wanted to say that would detract from the Hawaii that has been spoken on the floor.

"And I wanted to say that, for those who would say -- where did we get our numbers? We're talking about the same budget. It's got the same 378 pages in it. I would answer that by the comments that are unprecedented in the history of my term here, and that is by a no vote from the Majority and with a 'with reservations' vote, because that's precisely my method of saying that we disagree.

"Where are the priorities in this budget? And by what methodology other than an arbitrary and capricious method did you arrive at hitting the poor? Hitting the disabled? And the employees of the state government?

"I commend the gentleman from the North Shore for having the guts and the determination to say 'no.' And that's what we're saying -- the methodology by which you have arrived at these cuts is either arbitrary, capricious, at least not rational and not objective. . .

At this point, Representative Santiago rose on a point of personal privilege and said:

"There is in no way, shape or form that I am going to sit here and allow my no vote to be used by the Minority Leader in his justification. . .

Representative Ward interjected:

"He can change his vote, Mr. Speaker."

Representative Santiago retorted:

"I am not changing my vote! If I may. . .

At this point (12:41 o'clock p.m.), the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:42 o'clock p.m., Representative Ward continued his remarks, saying:

"Lack of communication is why families break up. I think that's maybe why conversations break up. We're talking about money -- serious money! But my point was, Mr. Speaker, the methodology at which a government decides to spend here or cut there, and I give examples of Queen's Medical Center as the objectification of that rational financial management, rational management audits, financial audits. Let us systematically cut, not arbitrarily and capriciously, and I won't refer to what I just referred to as to what I believe is arbitrary and capricious on the weak and the most vulnerable. That's what I'm saying. Let us be objective and rational.

"Mr. Speaker, I am aggrieved that we have our financial analyst position unfunded, and I know it was sent over to the Senate. This body, in good will, said let's get our financial analyst position funded for \$345,000. We didn't do that. All of our number-crunching positions have been unfunded. That is a shame, but when someone would ask -- where did you get your numbers? We retort and say, where did you get your methodology? You've hurt people in Hawaii, and that is not the Hawaii that you and I believe in, defend, and what have in the future. We don't want to hurt people but we do know there are fat parts of our government that we need to cut but we have not objectively and rationally cut those. That's what the Minority is saying, Mr. Speaker. If we're going to do it, let's do it rationally and objectively, not arbitrary and capricious.

"It's said we have made hard decisions when people get \$217 a month. That's not a hard decision. Taking a payroll lag -- that's an accounting gimmick. Forty percent of this budget is based on accounting gimmicks. Let's call a spade a spade.

"But remember, we all work for the State of Hawaii, we all work for the people of Hawaii, and the people are disappointed. If this year we have a budget such as this, and in two years down the line we come back \$200 million short, well, we'll say, where were you guys two years ago when you were supposed to be preparing us for these hard times? And, Mr. Speaker, to this very day, I have constituents asking me: 'What ever happened to that \$600 million surplus that you had a few years ago?' They still haven't gotten that out of their minds, and now when we give them this budget with those people getting hurt by it, I think it is going to bring a lot more questions.

"Thank you."

Representative Thielen then rose and stated:

"Just one small comment, Mr. Speaker.

"Mr. Speaker, one thing that disturbs me in our debate over the budget ... there's seven of us over here. When we stand up and state our objections to the budget, our concerns about the budget, and what the budget is not doing, there are only seven of us, Mr. Speaker, but we

are a very viable voice. And then we get back, not necessarily 44 people objecting to us, because I think, frankly, some of you sitting there silent may agree with what we are saying. We're going about this in the wrong way and we're hurting the poor. . .

At this point, Representative Swain rose on a point of order and said:

"I believe that we have taken into consideration those making opinions for the rest of us here, and we had a little bit of a problem because of that. I would ask that all of us refrain. . .

The Chair interrupted and said:

"Will you please keep to the budget and don't get personal, and keep it short so we can get on."

Representative Thielen continued, saying:

"The concern I have, Mr. Speaker, is that unless we can debate these issues and unless the Majority -- the 44 of you -- are willing to listen, then we're going to end up just repeating our mistakes. I think it's important that we don't repeat our mistakes, that we can go out there and face our constituents, face the people in this State proudly. I don't think we can do that now. I don't think this budget is something of which we can be proud, I don't think the leadership in this body is something of which we can be proud at this point. We have not moved forward, Mr. Speaker, and it is hurting the people of this State."

Representative Amaral then rose on a point of clarification and stated:

"The comment was made into the record that we had no plan. I will point out that we started out with a plan of fifteen measures that were part of our financial plan. It is true, Mr. Speaker, that not all of those measures passed. That is the nature of the work that we do here. We must have agreement from both sides. However, the House did approach this budget with a plan, the House stuck to its plan. We have tried, through conference, to try to get that plan through, and this budget that we have before us is the net result of the agreement with the other side, but based very much on a very solid plan.

"Thank you, Mr. Speaker."

Chair: "Let's call for the vote. Representative Annelle Amaral?"

Representative Amaral: "Thank you, Mr. Speaker. With respect to this measure. . .

At this point, Representative Kawanakoa rose and the Chair said:

"I'm calling for the vote. Please proceed."

Representative Kawanakoa: "Point of order, Mr. Speaker. . .

Chair: "You are out of order. We're calling for the vote. You are out of order," and asked Representative Amaral to "proceed."

Representative Amaral: "Thank you, Mr. Speaker. With respect to House Bill 2800, Representative Santiago votes no, all other members vote aye."

Representative Kawanakoa then rose and stated:

"Mr. Speaker, I have some comments. . .

Chair: "Representative Kawanakoa, we're in the midst of a vote. Will you please mind your manners. Please proceed, Representative Thielen."

Representative Thielen then asked for a recess, and the Chair stated:

"We're in the middle of the vote. You can't call a recess when you're in the middle of a vote."

Representative Thielen: "Mr. Speaker, I believe that Representative Kawanakoa has comments he wanted inserted in the Journal and then I will go ahead with our vote," and the Chair "so ordered."

Representative Thielen: "Mr. Speaker, in regard to House Bill 2800, the State budget, the following Representatives vote no: Representative Kawanakoa and Representative Halford, and as to the other Representatives, with the reservations that we have expressed, we vote aye on the budget."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2800, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Halford, Kawanakoa and Santiago voting no.

The Chair directed the Clerk to note that H.B. No. 2800 had passed Final Reading at 12:49 o'clock p.m.

At this time, the Clerk of the House made the following announcement:

"I have been informed by a representative of the Senate President that Conference Committee Report 106 has been approved and House Bill 2800, HD 1, SD 1, CD 1, has passed Final Reading in the Senate at 10:59 a.m. on this day.

"In addition, it is my understanding that the Senate will defer Final Reading actions on other fiscal measures until notified by this body that House Bill No. 2800, HD 1, SD 1, CD 1, has been duly transmitted to the Governor, pursuant to Article VII, Section 9 of the Hawaii State Constitution."

At 12:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:04 o'clock p.m., the Clerk of the House made the following announcement:

"I have been informed by the Assistant Clerk of the House that at 12:56 p.m. on this day, House Bill No. 2800, HD 1, SD 1, CD 1, has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9 of the Hawaii State Constitution."

Conf. Com. Rep. No. 107 and H.B. No. 3300, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3300, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Amaral.

Representative Kawanakoa rose on a point of order and stated:

"You know, on the previous measure that was taken, I was requesting the floor to mention my comments, and I note that **Mason's Legislative Manual**, Section 132, which

is entitled, '**Preventing Debate by Putting Questions to Vote Prematurely**': (1) The right of members to debate and make motions cannot be cut off by the presiding officer. . .

At this point (1:06 o'clock p.m.), the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:10 o'clock p.m., Representative Kawanakoa rose and stated:

"I believe I still retain the floor. If I may register a no vote on Conf. Com. Rep. 107, House Bill No. 3300, and the Chair, "so ordered."

"You know, we've discussed about the cuts and where we're cutting and how we're cutting and what is going on today. There has been a lot of concern about what the numbers are, how they're functioning, whether it's general funds, whether it's special funds, trust funds -- I guess there's X-funds, our funds, and a bunch of other funds.

"At any rate, my understanding is that the Office of Hawaiian Affairs will be receiving \$738,000 less under this Office of Hawaiian Affairs budget. I understand that the counter-argument to this is that we've increased the special funds by \$805,000, but it is important for this honorable body to understand that those increases are simply increases and the earmarking of what is already the Office of Hawaiian Affairs funds retained via the Ceded Land Trust. So in my estimation, the total net deficit is \$738,000. And for those reasons, I will be voting no.

"I should also mention that the Office of Hawaiian Affairs, for those of you who have not received a letter because it is dated today, is requesting that there be a no vote on House Bill 3300. I will note that your Minority Caucus has consistently voted with the Office of Hawaiian Affairs to defeat other bills that would be disharmonious with our Constitution and inappropriate such as reducing their funds altogether. I need not mention the nine or ten measures that this body has taken to reduce the funds going to the Office of Hawaiian Affairs and various other measures. If anyone would like a copy of this letter that has not been distributed thoroughly, I would be more than happy to share it with you.

"The Office of Hawaiian Affairs will be very satisfied to retain the initial budget that was passed. This budget that is now being offered has none of their input and does not have their support. We certainly, on this side of the aisle, are voting with the Office of Hawaiian Affairs.

"Thank you, Mr. Speaker."

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

"I support House Bill 3300 in part because it restores the funding back to the Office of Hawaiian Affairs. As we recall, there was a great deal of discussion about how much funding should be taking place in what, in fact, can be defined as revenue. This is an issue we will take up, hopefully, during the interim to try to bring some clarification to that, so in the meantime the OHA budget proceeds fully funded and that I support.

"I point out for the record however, Mr. Speaker, that at the opening of this session, OHA did not submit a budget. I am told that OHA did not submit the budget because they were concerned about the poor fiscal condition of the State, and they feared that the supplemental request would be used as a means of reducing their general fund appropriation. That confuses

me somewhat because my recollection of the hearing was that OHA instead offered that they had sufficient funds and they would make a loan to the state government to assist us in our dire times, which caused some people to rail at the arrogance of OHA in these hard times and began a discussion that was sliding downhill very rapidly.

"It was because the House drafted a budget bill for OHA that we have a budget before us now that we can act upon. And where it is true that the House and the Senate have agreed upon having 25 percent of certain positions funded by general fund revenues and 75 percent by special fund revenues, it seems to me that in the effort to move towards more control over one's own destiny, that this gives OHA a leg up. It gives them the opportunity to figure out what it is they want to do with their personnel count and the jobs of their staff persons and probably move some steps closer to independence. I would think they would agree with that, Mr. Speaker.

"I don't believe that this budget does harm to native people. I believe we are talking about apples and oranges here, and I think that the budget is a respectable document that should move forward.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, it's rather historical, if I may add again, when a department of the State of Hawaii writes to the members of this body and recommends a 'no.' I think that's unprecedented in the history of the State of Hawaii. I think it's historical in that there is something afool, even though the history of the relationships with the Hawaiian people have been one of romance and one of broken promises.

"Unfortunately, and I think premising this historical letter from OHA today, is the fact that the formula for funding OHA was 50 percent/50 percent -- now it's 75 percent/25 percent. This is a 50 percent cut. This means what we promised them we are not delivering and they will have to deliver out of their own funds. Mr. Speaker, add this to what was previously -- probably only four days ago -- an 80 percent possible revenue shortfall.

"I think OHA was probably angry, but I think all of us in this body, in good conscience, in keeping with the romance and the lack of broken promises for the future of the relationship between this body and the Hawaiian people, it behooves us not to approve the budget than saying -- now that the Hawaiians are almost making it, it's time for you to go off on your own. It's like before your child is ready to walk, you say -- now you're going to go run a mile but you're not going to make it.

"Mr. Speaker, this is not timely, it's not fair. It's something that, in good conscience, I don't think anybody could vote for, and even OHA themselves are very reluctant to do that.

"Thank you."

Representative Kanoho then rose in opposition to the bill and requested that his prepared remarks "be included in the Journal which primarily indicates my support for the House position, which would have continued 50/50 matching of fund arrangement. Also to express concern over the continuing effort to reduce funding to OHA and diminish the obligation that the State has to the Hawaiian people," and the Chair, noting that there were no objections, "so ordered."

Representative Kanoho's remarks are as follows:

"In expressing a 'no' vote, I wish to thank Chairman Say for adopting the House position of retaining OHA funding at the 50 percent general fund matching level as has always been done in years past. Regrettably, in the final moments of Conference Committee deliberations, the House in a compromise move, yielded to the Senate resulting in a reduced 25 percent 'A' fund contribution. I find this to be totally unacceptable and a breach of trust responsibility.

"The reduced funding level will adversely impact OHA's ability to appropriately service native Hawaiians, but even to a much greater degree, OHA will be less able to provide assistance to Hawaiians (those with less than 50 percent blood quantum) as is also statutorily mandated.

"My concern is further heightened by the fact that the reduction of general funds to OHA in this supplemental budget appears to be a part of a continuing effort to diminish the obligation -- both legally and morally -- that the State does have to the Hawaiian people.

"It is my fond hope that the current discussions between the Governor, legislators, and OHA representatives will successfully address this issue and result in a just and fair compensation formula to the Hawaiian people."

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

"Mr. Speaker, as a freshman legislator, I am learning each and every day and through the madness of the conference as it began. The House position of this measure was just a technical change of funding to the trust fund but when it came back, the Senate had put in the 75/25 matching.

"Mr. Speaker, as a newly-elected legislator, I am in support of the notion to honor the laws that were previously passed by this Legislature. In fact, it was the wisdom of this Legislature, along with the Constitutional Convention process, that created OHA as a separate and autonomous entity from the State.

"Mr. Speaker and my colleagues, Hawaii Revised Statutes, Section 10-13.5, which is essential to the current communication between OHA and the State, provides that 20 percent of all funds derived from the public land trust shall be expended by OHA for the betterment of conditions of native Hawaiians. The public land trust come from federal lands obtained at the time of annexation which was 1898. . .

The Chair interrupted and said:

"Representative, that doesn't seem very relevant to this budget. Let's speak on the cut that was made of \$738,000."

Representative Kahikina answered:

"Yes, I am getting to that because we are talking about the percentage.

"Mr. Speaker, Public Law 103150, signed into law by President Clinton of the United States said, that the Hawaiian sovereign nation did not surrender the sovereignty through a plebescite or referendum.

"My point is this: The 20 percent was derived from a document given to the State in 1959 and 1898. Maybe the issue of determining the 20 percent definition of OHA need to come back to this body to be deliberated further because it seems that we didn't do a good job. But the

point is that there is a law that states that OHA should get their fair share of the 20 percent of the federal lands obtained at the time of annexation. My point is, if we go to 1898, the document made drastic changes to the document prior to 1898, one of which is the provision for treason. They had added on the sovereign provision of government which made way for the Queen to be put into prison. So the point is: Where do we start? If we go to 1898, then our Queen committed treason. If we go prior to 1898, the provisional government made treason so, therefore, what is 100 percent or what is 20 percent? We need to discuss this further. For that reason, I vote no."

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

"I think I'm getting a little schizophrenic about this measure. I will support it as part of leadership, but as your Chair of the Hawaiian Affairs Committee and as the subject committee Chair, I have some very grave concerns regarding what this measure will do. And my concern is because the trust funds are provided, and even though many of us feel it is quite substantial, it is designated for the native Hawaiians, as defined by the Hawaiian Homes Act.

"Basically, the funds from the general revenues go to provide for the less than 50 percent Hawaiians, of which the numbers are increasing. Now, they can continue to provide services and programs for the native Hawaiians who are 50 percent or more. I think the real losers will be those who are less than 50 percent. I'm not sure what the impact is going to be, but I really would appreciate being consulted on this matter although I do realize that it is a fiscal bill, and I would appreciate being consulted on this matter since it would affect the ability of OHA to provide services to its people.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I have some problems with what came out of the Conference Committee on this bill. This year we looked at a number of different issues dealing with OHA. I think there's a lot of work we need to do as a Legislature in the interim if this is going to be the route that we are going to be following in the years to come. Then we need to sit down and create a plan -- a plan that would include OHA and include the trustees. The idea that we giveth and we taketh is not one that I can hold to. I think it's crucial that the Hawaiian people be involved because it is not the trustees that will suffer. So I think it is important that we get together and if we are moving this bill, then everyone has a voice and has a chance to prepare for anything that we as a Legislature might do.

"Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the bill, but with some "real reservations," stating:

"I don't think any other program or agency has taken a 50 percent cut. That kind of a hit makes it very difficult to operate. I don't know as much as I probably should about the workings of OHA, but in my own mind there are some legitimate questions as to how travel funds have been used in the past. I don't think there's a state agency around that doesn't have some areas that need to be cleaned up, but still the sticking point for me is that the 50 percent cut seems drastic, and an agreement is an agreement. I can understand, with our shortfall and our lack of revenues and the difficulty we're having cutting expenditures and it seems that everything is on the block, but we need a lot more communication and collaboration

before anything as drastic as this is put in the form of a bill.

"Thank you, Mr. Speaker."

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

Representative Tarnas' remarks are as follows:

"I stand in support of this bill with reservations.

"This bill changes various fiscal measures for the Office of Hawaiian Affairs, including increasing the share of some personnel costs from 50 percent trust funded to 75 percent trust funded. The bill also eliminates general funds as a means of paying for travel costs.

"My reservation is that a major policy shift is reflected in this bill without a collaborative discussion including members of OHA and the Legislature. OHA has expressed its strong opposition to this bill. This clearly indicates that more attempts of ho'oponopono are necessary.

"Mahalo."

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

"I would like to state for the record that the 'A' funds we are restricting that will be converted to trust funds, is in regards to the definition of the 50 percent match.

"Previously, we passed the budget (general funds) of \$3.17- and \$3.24 billion for the next fiscal year. And within the general fund appropriations are appropriations for programs and services for those who are not 50 percent native Hawaiians. If you were to put the general fund appropriations against the trust funds and come up with the ideal 50 percent match, we could entertain that particular point of view for the next session, Mr. Speaker. But as far as the State's services to the non-native Hawaiians, we are trying to provide those services with the Executive Budget that we adopted earlier. So there is really no cut per se, but just a transfer of general fund moneys back to the trust funds, and the restrictions of the balance back into the general fund for those who are not native Hawaiians.

"Thank you."

Representative Amaral then rose in response, stating:

"Mr. Speaker, I understand that we all have a dilemma here about how we separate the State's money. I understand that we are cutting the moneys in half and saying, well, these are public moneys -- general fund moneys -- it comes from taxes, and these are special fund moneys -- it comes from the ceded lands. And that separation in our head needs to happen for the people with the sharp pencils.

"Frankly, Mr. Speaker, that separation does not happen for native Hawaiians who are Hawaiians by the blood. I don't care if you have one drop of blood; I don't care if you have a hundred percent blood -- you are native Hawaiian.

"OHA serves the betterment of the conditions of the native Hawaiian people. I find it difficult to believe that OHA is now going to take their land officer and say to someone who walks in the door -- do you have 50 percent blood? If you do, then I will talk to you, but if you

don't, then let me get another staff person who is here a quarter of the time to talk to you instead.

"The righteousness of the work that OHA does is clear, I believe, and if it is not clear to the trustees of the Office of Hawaiian Affairs, then shame on them. But the work is to be done for all native Hawaiian people, and quite frankly, I, as a native Hawaiian, have no problem with using ceded lands revenue to fund 75 percent of the positions in the Office of Hawaiian Affairs because their function is to deliver services for the betterment of conditions of all native Hawaiians. It may cause somewhat of a dilemma to those of us here on the floor with the sharp pencils to figure out where the money goes but there is no dilemma in my heart of hearts. It causes no dilemma for those who are truly committed to serving native Hawaiian people.

"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. 3300, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Final Reading by a vote of 42 ayes to 9 noes, with Representatives Anderson, Halford, Isbell, Kahikina, Kanohe, Kawanakoa, Thielen, Ward and White voting no.

The Chair directed the Clerk to note that H.B. No. 3300 had passed Final Reading at 1:30 o'clock p.m.

Conf. Com. Rep. No. 108 and H.B. No. 3650, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3650, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. No. 3650 had passed Final Reading at 1:31 o'clock p.m.

At 1:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:25 o'clock p.m.

Conf. Com. Rep. No. 1 and H.B. No. 4142, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 4142, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, in 1993 we passed Act 239, the law establishing the Hawaii Hurricane Relief Fund. In that law, it also requires a Supreme Court ruling relating to the authorization of the use of revenue bonds as called for in the bill.

"In Act 17 of the 1995 special session, we created a financing method for building up the fund to secure coverage to reduce or eliminate breaches of costlier reinsurance. The financing methods include the floating of revenue bonds, loan commitments from the federal government, loan commitment from the private sector, or a combination of the three. The real purpose of this Act

was to build up financial reserves with the aim of stabilizing and later reducing the hurricane insurance premiums.

"Now the bill at hand, House Bill 4142, proposes a constitutional amendment, the purpose of which is to avoid potential ambiguities that could interfere with State issuance of revenue bonds for the Hawaii Hurricane Relief Fund. Mr. Speaker, this amendment will clarify, without the Supreme Court ruling, that the State of Hawaii is duly authorized to float the bonds, thereby avoiding delay in case we need the funds for purposes of meeting our obligations when a hurricane hits.

"For example, Mr. Speaker, if the cost of payments is \$500 million, and one of the things that we fund the Hawaii Hurricane Relief Fund is through a loan commitment from the banks, that we are forced to borrow from the banks and the interest rate will be whatever is the prevailing rate at the time we draw the funds. And you know the bank rates will always be higher than revenue bonds. For example, the difference between revenue bonds and bank rates is one percent, or \$500 million, and is translated to a savings of \$5 million a year. But the difference between a bank loan interest and revenue bonds is higher than one percent so it gives the Hawaii Hurricane Relief Fund the flexibility of either borrowing from the banks or float the revenue bonds to save money.

"Mr. Speaker, this bill will help the consumers as well as the homeowners of Hawaii, because right now they are paying for two insurances relating to their homes. One is the regular homeowners insurance, and the other one is the Hurricane Relief Fund, both of which are tied to reinsurance. And we all know that the reinsurance cost is not going to go down -- it is always going up. The mechanism that we set up, including this amendment to the Constitution, will assure us that we have a great possibility of stabilizing the rates to our homeowners, as well as later on when the kitty is full and there is a lot of money in the reserves to lower the premiums to these homeowners.

"I think we all agree on the meaningful fiscal savings which is the focus and rationale for this amendment. And for that, Mr. Speaker, I urge all members to vote for this bill.

"Thank you."

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

"The previous speaker has put together a good plan to give some alternative financing for the Hawaii Hurricane Relief Fund and we need to refinance that plan. When we first passed it, there weren't any plans like it in the nation. We kind of led the field. Now we have to reexamine what it is that we have done.

"Currently, we spend about \$80 million in premiums from the Hawaii Hurricane Relief Fund for reinsurance and that money goes right out of the State. Under this financing plan, which the previous speaker has talked about, we will be able to keep that money in the State, build up a reserve, and bring some relief to the homeowners that are saddled with the Hawaii Hurricane Relief Fund -- just one in a series of steps that has to be done.

"We have to look at other ways to refashion this Act, but this is a very important step, and I urge all my members to support this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 4142, SD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW THE USE OF REVENUE BONDS FOR THE FUNDING OF A STATE PROPERTY INSURANCE PROGRAM PROVIDING HURRICANE INSURANCE COVERAGE," having been read throughout, passed Final Reading by a vote of 51 ayes, which was not less than two-thirds of all members to which the House is entitled.

Conf. Com. Rep. No. 2 and H.B. No. 2897, HD 2, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2897, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"There are a couple of parts to this bill, and the first part has to do with the establishment of a dental health certification for incoming students.

"I would like to focus on the other part of the bill which requires that the Department of Education, as part of their status report to the Legislature, provide expenditure reports by location and function; specifically the locations that the department will be reporting to us on are how much is being expended for the State Central Office, for each of the District Offices, and the school sites individually.

"And concerning function, we will learn what the Department of Education is spending on administration, on facilities and operations, on teacher support and development, on pupil support and classroom instruction. What this will allow us to do is to understand much better whether the expenditures of the Department of Education actually are in line with the reforms that we have been adopting -- the restructuring, the devolution of power, the focus on the classroom that our reform efforts are committed to.

"In spite of this change, there remains a great deal of dissatisfaction with the present school financing system. There is a recognition that the lump-sum budgeting that we have initiated, which probably provides greater flexibility at the school level, does not provide any greater accountability over expenditures, so this bill will help. But in an effort to get even further information and even look at a total change in the financing mechanism, Mr. Speaker, we have also adopted House Concurrent Resolution No. 176, which establishes an interim task force on school finances, to come up with a new financing structure.

"So, Mr. Speaker, for the time being, House Bill 2897 will help to give us information on the Department of Education in a form that, as policymakers and appropriators of funds for our schools, we certainly need.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2897, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 3 and H.B. No. 2433, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2433, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 4 and H.B. No. 2358, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2358, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 5 and H.B. No. 2549, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2549, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 6 and H.B. No. 3853, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3853, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 7 and H.B. No. 3211, HD 1, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3211, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 8 and H.B. No. 3419, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3419, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING QUALIFICATIONS TO PRACTICE MEDICINE AND SURGERY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 9 and H.B. No. 3086, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3086, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 10 and H.B. No. 3398, SD 1, CD 1:

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

Committee was adopted and 3398, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 4142, 2897, 2433, 2358, 2549, 3853, 3211, 3419, 3086 and 3398 had passed Final Reading at 2:36 o'clock p.m.

Conf. Com. Rep. No. 11 and H.B. No. 3400, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3400, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 12 and H.B. No. 3409, HD 1, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3409, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose in opposition to the bill, saying:

"My concern is to one section of the bill that would really permit the Office of Consumer Protection to engage in entrapment activities," and requested that her remarks be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Thielen's remarks are as follows:

"Mr. Speaker, I rise to speak against this bill.

"This measure authorizes employees of the Office of Consumer Protection, without training or qualification, to engage in undercover investigations of businesses, including having employees pose as customers in order to collect evidence of unfair and deceptive acts or practices. However, the end never justifies the means. Legalizing undercover activities without safeguards often leads to entrapment. Enticing an innocent person to commit a crime in order to obtain information which would otherwise not be forthcoming does not protect consumers."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3409, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Thielen voting no.

Conf. Com. Rep. No. 13 and H.B. No. 291, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 291, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 14 and H.B. No. 3618, HD 2, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3618, HD 2, SD 1,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Meyer rose to speak against the bill, stating:

"The purpose of this bill is to provide legislative oversight over administrative agency rules by the Joint Legislative Management Committee of the Legislature.

"I have a few problems with this bill. One is the title -- 'Relating to Administrative Rules.' In reality, this bill amends Chapter 91 which deals with administrative procedures. I think that's a flaw. I also question the necessity of this bill. The Legislative Auditor already does these reviews.

"Also, I think this bill will create a lack of respect for agency rules and cause collateral attacks on such rules when people have disagreements with an agency about its application of a rule to an individual. Such a task could frustrate an agency's ability to enforce its rules. For this reason, I cannot support this measure.

"Thank you, Mr. Speaker."

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

"Currently, Mr. Speaker, anyone who wishes to challenge the implementation of an administrative rule has to present their case before the agency which promulgated those rules, and it's been a fruitless effort because it has only resulted in that agency justifying their position to begin with.

"The other recourse is to take it to the court which becomes very expensive. This enables any person or any group who has a problem with an administrative rule to take it to the attention of the Joint Legislative Management Committee for review to assure that the rule implemented meets with the intent of that statute to begin with.

"The bill also provides a scope of authority to the agency to ensure that they have not overstepped their boundary, so this is really a good measure and is really helpful to the people of Hawaii.

"Thank you."

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

"This bill is overdue. Time and time again agencies exceed the limits and intent of legislative actions, and it's about time we have some way to bring those rules back into focus in correspondence with the intent of the bills that we passed."

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

"Mr. Speaker, I pointed out before this bill went to Conference Committee, I believe, about a flaw in the bill. I believe the same flaw is contained in the final version on page 4. The language, as I read it, states that no legislation may be introduced to implement a decision of the minority of the committee, and it was over here in the Conference draft. It states: 'Only by a majority vote of the committee shall legislation be introduced to amend or enact legislation pursuant to this section.'

"Now, when you read that language, what the bill provides is that the committee can take a look at something that is maybe misinterpreted by an agency.

This is the legislative committee. The legislative committee then can propose changes to the law to make sure that the agency does not continue to interpret its laws in the way that is not correct with the legislative intent. By the plain language of this section on page 4, it would mean that no one in this body could take a look at something that's a problem with an agency's interpretation and go ahead and introduce legislation on their own. It would be only by the legislative committee as a whole. I think that really usurps the authority of each individual legislator to decide what matter should be addressed as that legislator deems appropriate.

"So I am concerned about this. The concern may not be that serious because even though I am not a betting person, Mr. Speaker, as you know, I would almost lay odds on this one that it will be vetoed by the Governor. I think it also is a violation of the separation of powers between the executive and legislative branch, but I would not like to see a bill of this sort be able to muzzle legislators in their individual capacity, who may want to address the very same problem or issue.

"Thank you."

Representative Kanoho then rose and stated:

"I would like to reference a point just made. It requires the majority of the committee to initiate legislation should the committee feel necessary only in behalf of the Joint Legislative Management Committee. It would not preclude anyone, and we would not think about stifling the privilege and the right of any member of this body to initiate legislation on their own.

"But if the Minority Floor Leader would look at the bill, that paragraph or that section refers to committee action and committee recommendation. So this references action in behalf of the committee, and the action in behalf of the committee would require a majority of the committee to vote as such. And it would not preclude anyone from subsequently initiating any legislation which is the right of any member of this body which we would preserve.

"Thank you."

Representative Thielen rose in response and stated:

"Mr. Speaker, I would feel a lot more comfortable if the plain language, the plain reading of the word 'said' what the former speaker said. Unfortunately they don't, and reading this as a lawyer, I would read it that it could, not mandatorily, but it could prohibit individual members from addressing the same subject. I think the words could have been better stated, and I am going to continue with my opposition to it as it stands.

"Thank you, Mr. Speaker."

Representative Kanoho rose in response and stated:

"I would like to add that out of concern as expressed, it was the House position to delete that section but the Senate insisted that it be included in the committee draft and so without jeopardizing the bill. . .

The Chair interrupted and said:

"Alright, it's the third time you spoke on this issue."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3618, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," having been read throughout, passed Final Reading by a vote of

49 ayes to 2 noes, with Representatives Meyer and Thielen voting no.

Conf. Com. Rep. No. 15 and H.B. No. 4074, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 4074, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 16 and H.B. No. 3417, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3417, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 17 and H.B. No. 2359, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2359, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"The original House position on this bill, as introduced by the Vice Speaker, was to increase the public members on the Hawaii Property Insurance Association's (HPIA) Board from two to five, which would have brought some consumer influence on to that Board which is badly needed. The House, in conference, settled on an increase of one member and taking it to three members. One more is better than none.

"Hopefully, a new public member on this Board will bring some consumer influence to the HPIA Board which has been pretty one-sided in its actions, not really favoring consumers. Maybe this new Board member will be able to influence this Board to look at things like partial insurance and look at collapsing plans 1 and 2, and taking some very pro-consumer approaches to the entire HPIA process.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2359, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 18 and H.B. No. 3862, HD 2, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3862, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This measure expands our no-tolerance policy for certain kinds of activities on school grounds by allowing the principals, on a case-by-case basis, to exclude students found in possession of dangerous weapons,

switch-blade knives, intoxicating liquor, or illicit drugs from attending school for a period of time.

"I would like to ask that the remainder of my comments, in support, be entered into the Journal," and the Chair, noting that there were no objections, "so ordered."

Representative Stegmaier's remarks are as follows:

"Additionally, I just wanted to note for the record that we in the Legislature are taking strong steps to deal with the disruptiveness that is plaguing our secondary schools. By such a measure, we are sending our principals, our teachers, our students and our parents the clear message that we will not tolerate behavior that jeopardizes the learning process for the vast majority of students who daily come to school ready and willing to learn.

"Mr. Speaker, by passing this and other school discipline measures, we are saying that the Legislature will do its part to guarantee a good learning environment for our children so that their performance will not be impeded by such problems and they will be able to progress as far as their ambition and desire will take them.

"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. 3862, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 19 and H.B. No. 871, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 871, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 20 and H.B. No. 3102, HD 1, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3102, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3400, 3409, 291, 3618, 4074, 3417, 2359, 3862, 871 and 3102 had passed Final Reading at 2:48 o'clock p.m.

At this time, Representative Kanoho was permitted a late introduction, and he introduced to the members of the House Ms. Nicki Wada and Mr. Glenn Medeiros, "two young people from Kauai, who helped me immeasurably in my work at the Legislature."

Conf. Com. Rep. No. 21 and H.B. No. 3760, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3760, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 22 and H.B. No. 3434, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3434, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 23 and H.B. No. 3096, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3096, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 24 and H.B. No. 3809, HD 1, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3809, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SIGNS REQUIRED WHERE TOBACCO PRODUCTS ARE SOLD," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 25 and H.B. No. 599, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 599, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 26 and H.B. No. 1866, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1866, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 27 and H.B. No. 2603, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2603, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Kawanakoa voting no.

Conf. Com. Rep. No. 28 and H.B. No. 2868, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2868, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 29 and H.B. No. 2975, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2975, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This bill brings the hammer down on violations concerning the biggest threat to our society -- the drug ice -- and I commend the Judiciary Chairman for taking this very, very strong stand for this very, very dangerous drug that is causing such concern in our society.

"I hope all the members vote in favor of this bill."

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

"Mr. Speaker, first of all I want to point out that the Legislature can be extremely proud of the passage of this bill and much of it is due to your leadership of the House. This is just one of those measures. I would also like to thank the members of the Judiciary Committee, especially Representative Cachola, who I know had a big part in assisting me on this bill.

"Mr. Speaker, it seems that barely a day goes by without the newspapers reporting that a young person has committed a senseless, violent crime while under the influence of crystal methamphetamine (ice), the most deadly drug ever to reach our shores. The drug, as we know it as 'ice', endangers every citizen in the community. This drug has spewed a wave of violent crimes which threatens every single person in the State. No one can hide from the effects of this drug. We never know when a co-worker will appear at a work place, paranoid and delusional from the effects of the drug, ready to strike out and kill. Every police officer fears the most routine traffic stop for they never know if 'ice' has convinced the driver that he must strike out against the police officer. 'Ice' is unlike any other drug, Mr. Speaker, that this community has ever confronted. It poisons not only the user, but society as a whole.

"The bill before us recognizes the extreme danger that this substance poses to all of us, and isolates it from all of the other drugs offenses by placing it in a special category with stiff, mandatory, tough terms of imprisonment. By adopting this measure, Mr. Speaker, under your leadership, we in the Legislature can sound the alarm back to our communities that regardless of what people may think about other drugs, both legal and illegal, everyone -- **everyone** -- must join in the fight against crystal methamphetamine. Each of us must express our horror when we hear of someone using or distributing this drug.

"'Ice' is easily manufactured, Mr. Speaker, in Hawaii. There is no need for large patches of land to produce the substance, no need to smuggle into these islands or in other countries. It is our problem which must be dealt with here, on every level of society. We simply have to discourage the use of this drug in every way possible. It must become so socially unacceptable that even those who use other drugs are repelled at its manufacture, distribution and use.

"Mr. Speaker, by passing this measure, the Legislature is giving law enforcement the tools to take 'ice' dealers out of society. It also sends a message to the user that if you take this drug, the full weight of the law will be imposed upon you, and the measure delivers a message to every citizen of this State -- 'ice' is unlike any other drug we have ever before encountered. Every single person in

the community is at risk whenever this drug is used by any person. It is every persons' responsibility, for their own safety, to take every possible measure and use every resource that you have to eliminate this plague from society.

"Mr. Speaker, again, I thank you for your leadership in this area. I know this was a measure that you were very concerned about, and I thank you and I thank the members of this Legislature. We can be very proud of what we did in the House.

"Thank you, Mr. Speaker."

Representative Pepper then rose in support of the bill and requested that Representative Tom's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Pepper continued, saying:

"In addition to that, I would like to comment that I believe that although the penalties we have established for this terrible drug are significant, perhaps the greatest significance of this measure, in the future, will be that we are beginning to recognize that all illegal drugs are not the same, that they do not represent the same threat to our community. As we begin to realize this more seriously, Mr. Speaker, I believe that we will be able to develop a more rational approach to drugs in general, and I look forward to that.

"Thank you, Mr. Speaker."

Representative Cachola then rose in support of the bill and requested that Representative Tom's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Cachola continued, saying:

"I really would like to thank Representative Tom for spearheading this bill. Also, Mr. Speaker, it takes two to tango ... just like any bill -- it takes two sides to agree.

"I would also like to acknowledge and commend the Chair of the Judiciary Committee on the Senate side for listening because they were, at one point in time, at a stalemate. They declared that the bill was dead outright. Because I was so concerned about what was happening in my district, that 80 percent of the drug of choice is 'ice', that I requested Chairman Tom if it was okay with him to let me to talk to the other side and see if we could convince the Senate side to agree, and he said, 'yes'.

"When I went to see Senator Grauly, the first thing that he told me was that the bill was dead because he wanted some other forms of drugs included. What he said was to look at the practical side of it. If 'ice' is really the drug of choice and that 80 percent of the drugs are being peddled by the drug dealer -- a drug dealer is a drug dealer and most likely will take the 80 percent -- and that drug dealer will also be dealing in cocaine, heroine and other kinds of drugs. If you settle for 80 percent, that's a big gain, but if you follow the rationale that a drug dealer is a drug dealer and therefore deals in other kinds of drugs, that he might end up getting close to one hundred percent.

"It is for that reason I thank the Senator for listening and without me knowing what happened in the Conference Committee ... I heard from one reporter who asked me if I made a plea to Senator Grauly, I said I just went to talk to him because I understand he mentioned my name, that to help Kalihi we are passing this bill out. That, Mr. Speaker, is not only a gain for Kalihi because

what's happening in Kalihi is also happening in the entire neighborhood on different islands as well as Oahu, including Kailua and other upscale sections of Hawaii. It is for this reason, Mr. Speaker, that I am rising to speak in support of the bill.

"Again, I would like to thank Chairman Tom and Chairman Grauity for a job well done.

"Thank you."

Representative Kawanakoa then rose in support of the bill and requested all of the remarks made on this bill be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Kawanakoa continued, saying:

"But I have a concern, Mr. Speaker. The problem is -- where are we going to put all these 'ice' criminals and abusers when we catch them?"

"The problem is prisons. We still haven't addressed the prison problem so while this is a very important legislation, I believe we failed to find the space to put these prisoners.

"Thank you."

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

Representative Yoshinaga's remarks are as follows:

"Mr. Speaker, I am gravely concerned about the impact dangerous drugs have on our communities and on our society as a whole. Moreover, I am disturbed about the fact that they are readily available today on the street for many of our young people. The proliferation of such dangerous drugs is far-reaching. At the very least, it affects our lives, our families, our schools, our neighborhoods, and our communities.

"In its 1991 report to the Governor, the Statewide Drug Prevention and Control Committee stated that the 'use and abuse of illegal drugs and alcohol tear families apart, destroy lives, take violence into schools and communities, impair learning in the schools, make highways, airways and waterways unsafe, escalate criminal activity, and increase the cost of living in Hawaii for everyone.'

"Additionally in the same report, the Committee disclosed the finding that on a national level there exists a 'strong correlation between crime and drug abuse' and that 'the drug problem is, in reality, the major cause of many violent street crimes, including murders, rapes, robberies, burglaries and thefts.'

"The report also provided a backdrop of chilling statistics concerning the types of crimes which are committed by persons under the influence or persons involved with the distribution of drugs:

20% of Murders and Rapes
40% of all Robberies and Assaults
25% of Auto Thefts
50% of all Burglaries and Other Thefts

"Here locally, the Department of the Attorney General reported (in *Crime In Hawaii: 1988*) that a total of 65,461 criminal offenses were committed in 1988. It estimated that, given the national rates, '80 murders and rapes, 964 robberies and assaults, 995 auto thefts and 29,336 burglaries and other thefts, or 52% of all criminal

offenses, may have been associated with the use or distribution of drugs in 1988.'

"This finding, though staggering and dramatic in its own right, is highly convincing of the impact that drug use and distribution has in our community.

"I share this because we, as state leaders, play a key role in the war against the drug problem in Hawaii. Though I am already thankful for the effective gains our law enforcement community has made in this war, no one sector of our government can nor should continue to wage this battle alone. We therefore need a collaborative effort in the war against substance abuse on all fronts. Our shared responsibility in this matter then lies with legislating measures for tougher penalties against drug proliferation. Our hopeful end is that we will be providing a more drug-free and crime-free environment.

"House Bill No. 2975 is such a measure that will enable us to move in that direction. It categorizes the offense of promoting a dangerous drug in first, second and third degrees. Additionally, House Bill No. 2975 provides a mandatory minimum term of imprisonment for each category, and that the person convicted under the offense described will not be eligible for parole during the mandatory term itself.

"If we are going to get tough against crime activities, then we also need to get tough with those persons who are involved with the possession and distribution of dangerous drugs for, in my view, the proliferation of dangerous drugs and crime activities go hand-in-hand, like horse and carriage. Each make the integral part of a dangerous and vicious cycle. As leaders, we need to recognize the great harm and threat this cycle poses to our citizens. We need to recognize immediately how rapidly this cycle deteriorates our communities and our way of life. We need to recognize that this cycle alone undermines all that the average hard-earning taxpaying citizen has worked to achieve for his or her own good. The proliferation of dangerous drugs in our community touches everyone adversely. Thus, we need break the cycle of crime and drugs fueling each other.

"This measure not only is part of a step that enables us to wage war and break the cycle effectively against the proliferation of dangerous drugs in our community. It also provides that perpetrators will be imprisoned, thus creating safer streets and neighborhoods. Above all, we send a message to drug dealers and peddlers that our system of government will not tolerate such activity and that we intend to keep our streets clean. By this very act, we make a great leap forward in protecting our citizenry, their families and properties, and more importantly, their quality of life.

"I strongly urge all of my colleagues to join me in casting a vote in support of House Bill No. 2975.

"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. 2975, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 30 and H.B. No. 3046, HD 1, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3046, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Yoshinaga 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 Yoshinaga's remarks are as follows:

"We, in recent times, have witnessed a rash of criminal acts committed outright against our citizens and their properties. In my district alone, there are many hardworking individuals who have labored intensely their whole lives to make their homes and properties, their neighborhoods and communities a better place for themselves, their families and friends, and for the general public. Yet, as I am preparing to walk my district again, I have come to the stark realization that crime has overrun these individuals; that these individuals are daily living in fear of what might fall upon them in bodily harm or danger -- all because crime is running rampant in their neighborhoods. These people fear they may suffer loss or damage of their property as well. For such people, fear has become a fact of life. Why? Because these are the very people whose lives have, in one way or another, been touched by the antics of crime in our communities; Sadly, there are many who have yielded and succumbed to the fear that plagues our communities. Sadly, such citizens feel helpless, moreover powerless, to curb the onset of crime in their neighborhoods. This is wrong! This is not the way it should be! This is not the Hawaii that I dream of! Our citizens, our neighborhoods, our schools, our businesses should neither be crippled by nor be held hostage as helpless victims to crime activities that make a mockery of our law enforcement agencies and our criminal justice system.

"In the face of adversity, our will (and the will of this government) and our strength are tested. This day we lead the people by our example, by what we believe. As leaders of this state, we must act prudently with precision to stem the rising tide of crime plaguing our communities. We must act in order to protect and preserve life and property across this state. No doubt, crime itself deteriorates the quality of life we so enjoy here and, if we are not careful, crime unchecked will wreak havoc and eat away at the very core of the cultural fabric that makes our Aloha state so unique. We have the opportunity to curb crime looming in our paths; such opportunity is at our fingertips. And act we must, for the hour is come!

"We need to build again the faith and confidence our citizens can have in our criminal justice system. We need to empower our citizens as well so they in turn can do something to make a difference in the battle against crime. We need to rebuild our criminal justice system so our citizens will be assured that the system itself is working in their favor; that their streets will be safe at night; that their livelihood and properties will be secured from loss or harm.

"It is time for us to act and take a stand against crime. The hour of need is at hand. And there is much work to be done. We need to make certain that the legislative measures we enact against crime this day will be effective enough to protect the citizens of this state and, in the process, create a safer environment for neighborhoods, communities, campuses, and businesses statewide.

"Thus, I am pleased that this measure addresses some of the criminal activities with which we are concerned. More importantly, this measure takes a tougher stand against repeat offenders, and prohibits parole altogether before a mandatory minimum term expires. Although this measure may appear to be a small step, it is a step in the right direction and an effective one at that. When we enact this kind of legislation, we make a statement to the public that we are serious about protecting our citizens,

their livelihood and their properties. In doing so, we send a strong message to the perpetrators of crime that the leaders and people of this state will not tolerate acts of crime no more. In doing so, we empower the people of this state with an understanding that the criminal justice system will work to their benefit, and that they can take back their own neighborhoods, one step at a time. To accomplish this, we need tough sentencing laws, tough enforcement measures, and more prison spaces. House Bill No. 3046 is a good beginning for us because this measure puts us on that road, and points us in the right direction.

"I envision a Hawaii that will be one day safe for all its citizens. I envision safe neighborhoods, safe campuses, safe streets at night, safe playgrounds for children, and safe business communities. I envision that our public parks, beaches, camping sites, and other recreational areas open to the public will all be safe. I envision that our school campuses will be safe and wholesome learning places for our children. I envision that our campuses, our streets and other public venues will be free from gang warfares, drug trafficking, and bloodshed; that our own kids won't have a need to pack a handgun to school; that children kill children no more. I long to see our children, and our taxpaying citizenry free from the shackles of fear and intimidation that crime itself propagates across our communities.

"And so my colleagues, we must act now. And act we must! Join me in a much noble cause. Together, we can turn the tide of crime around on its heels. Let us be courageous this hour and act rightly for the people of this state.

"Thank you once again, Mr. Speaker, for the opportunity to speak on this bill."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3046, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3760, 3434, 3096, 3809, 599, 1866, 2603, 2868, 2975 and 3046 had passed Final Reading at 3:00 o'clock p.m.

Conf. Com. Rep. No. 31 and H.B. No. 3350, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3350, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF CHILD SUPPORT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 32 and H.B. No. 3596, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3596, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

Representative Thielen's remarks are as follows:

"Mr. Speaker, this bill is unconstitutional as it weights votes so that the effect is that some people's votes have

the value of more than one vote per person. The U.S. Supreme Court has held in interpreting the U.S. Constitution, that each person may only have one vote. In allowing the votes to be counted in the manner prescribed by this bill, the Legislature will be violating the U.S. Constitution. As such, I must register a no vote for this measure."

Representative Cachola then rose in support of the bill, stating:

"Just in case the remarks to be inserted by our Minority Floor Leader is to say that this bill is unconstitutional because of the one man/one vote, I would like to insert the Attorney General's opinion dated January 23, 1989 into the Journal, and the Chair, noting that there were no objections, "so ordered."

ATTORNEY GENERAL'S OPINION

"January 23, 1989

The Honorable Romy Cachola
Representative, Thirty-ninth District
The Fifteenth Legislature
State of Hawaii
State Capitol, Room 402
Honolulu, Hawaii 96813

Dear Representative Cachola:

Re: Legality of Proposed Amendment to
Section 11-157 of the Hawaii Revised
Statutes

By letter dated December 1, 1988, you requested our opinion regarding the legality of your proposed amendment to section 11-157 of the Hawaii Revised Statutes. For the reasons discussed below, we are of the opinion that the proposal would withstand constitutional challenge. (1-This opinion does not address whether section 11-157 in its present or revised form may be used to resolve a tie in a federal election vis-a-vis the federal Constitution, or whether its use of a means other than voting to fill an elected office violates the State Constitution. If either or both of these uses were deemed legal infirmities by a court, the infirmity would be present in both the existing version and your proposed revision of section 11-157. We note, however, that following the tie vote in the 1988 primary election for your seat, the Hawaii Supreme Court had two opportunities to consider the constitutionality of section 11-157, which has been a part of our election laws in one form or another since 1915. On both occasions, the court dismissed the cases and did not address the issue.)

"Your amendment would delete the lot procedure and resolve the tie by determining which of the two or more candidates involved in the tie received the most votes in each precinct or district or the election district, and by assigning an 'election rate point' to each precinct or district. The 'election rate point' would be the ratio of number of registered voters in each precinct or district to the total number of registered voters in the election district. (2 - We understand that your proposal's reliance upon registered voter counts was prompted by their ready availability and not for any other purpose.) The tie would be resolved by summing each candidate's election rate points. If the sum of each candidate's election rate points are equal, your proposal goes on to provide that the candidate securing the rate points from the most precincts or districts is the winner.

"We have found two cases decided by the United States Supreme Court in which a means other than votes was used to determine an election's outcome.

"In Gray v. Sanders, 372 U.S. 368 (1963), the Court struck down a Georgia law that provided for the nomination (rather than the breaking of a tie) to statewide offices on the basis of the number of county units each candidate prevailed in. Under the Georgia law, county units rather than votes were tallied to determine who the nominee was -- candidate winning a majority of the popular vote in a county would be allocated all of that county's units. The Court held that this system violated the Equal Protection Clause because the number of units assigned to each county was not proportionate to the population of each county. This resulted in the impermissible situation where a candidate could win the nomination by collecting a majority of the county units yet fail to receive a majority of the popular vote. Because the law struck down in Gray dealt with the election of a candidate in the first instance and not the breaking of a tie in the popular vote, we believe the case is distinguishable.

"In Fortson v. Morris, 385 U.S. 231 (1966), a case more on point, the Court upheld an Equal Protection challenge to a tie-breaker provision in the Georgia constitution. Under the state constitution, if a tie in the election to select the governor occurred, the Legislature would select a winner from among the tied candidates. The Court noted that the United States Constitution does not dictate the method a state must follow to select its governor. The Court also noted that after two primaries and one general election, Georgia was unable to select a governor by a majority vote of its citizens, and given the cost of statewide elections, '[i]t would be surprising to conclude that . . . the United States Constitution compels [Georgia] to continue to hold elections in a futile effort to obtain a majority for some particular candidate.' 385 U.S. at 234.

"Although the Court did not address the point, it certainly can be argued that Fortson stands for the proposition that the equality of vote concern underlying Gray is not a problem where a tie-breaker law is challenged. (3-We have done a limited review of the elections laws of other jurisdictions which utilize a lot procedure to resolve a tie vote and could not find any cases challenging the constitutionality of such provisions.)

"To further minimize the suggestion that the holding in Gray rather than Fortson should be used to scrutinize the constitutionality of your proposal, we have revised the measure's purpose section to emphasize that its sole purpose is to provide an efficient means for resolving a tie in the popular vote. We urge you to emphasize this in your effort to convince your colleagues to enact the bill, especially in the various committee reports.

Very truly yours,

/s/ Gary K.H. Kam

Deputy Attorney General

APPROVED:

/s/ Warren Price, III

Warren Price, III
Attorney General"

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3596, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF AN ELECTION TIE," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives

Anderson, Halford, Marumoto, Meyer, Thielen and Ward voting no.

Conf. Com. Rep. No. 33 and H.B. No. 3631, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3631, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUMMONING OF JURORS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 34 and H.B. No. 3653, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3653, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 35 and H.B. No. 3666, HD 1, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3666, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Again, Mr. Speaker, I want to thank you because under your leadership, the Legislature can be very proud of this bill, too. I want the media to know that the Legislature has done a lot of good things under your leadership of the House, and this is just one of them.

"Mr. Speaker, we, in the Legislature, continue to provide tools to law enforcement in the struggle against crime. This year, we have adopted measures which address drug crimes, violent crimes and property crimes.

"The measure before us is unique, however, in that it not only provides crime-fighting tools to law enforcement officials, but gives citizens the weapons they need to take back their neighborhoods whenever drug dealers, prostitutes, pimps and other offenders take over an apartment or house. The bill provides that any citizen or organization, including a tenant organization, can bring a lawsuit in circuit court to permanently remove the criminal element from buildings and residences in their area.

"I remember you talking to me, and sitting down with me and giving me your concerns about this. Mr. Speaker, you spoke and I listened. For example, Mr. Speaker, right now in Waikiki, a band of apartment owners have joined together to put a stop to the use of their buildings by prostitutes and their clients. We've read about it in the papers. The owners have had to camp out in the lobby because there was no legal way to bar these individuals from the premises, short of arrest on a criminal charge.

"The bill before us, however, allows a tenant organization to bring a lawsuit based upon a civil standard, of more likely than not, that the premises are being used for illegal purposes. When that is shown, Mr. Speaker, the court can take over these apartments and simply shut them down or turn them over to responsible, law-abiding tenants. The court can also permanently bar these individuals who are causing trouble from coming onto the premises.

"Mr. Speaker, this bill provides that these types of lawsuits have priority -- **priority** -- over regular lawsuits so that quick injunctive relief can be obtained. Many times, Mr. Speaker, everyone in the neighborhood knows that drug deals are being made at one of the houses on the street, but the neighbors feel helpless. They don't know what to do, they don't know what they can do about it. Not anymore, Mr. Speaker. They can do something about it. Now, they can join together and have the court take over the house, board it up, if necessary, to get the drug dealers, drug manufacturers and other lawless elements of our neighborhoods permanently out.

"This bill is a truly innovative method for concerned citizens to take back their streets with their own initiative. There is no need to wait for the police to make a case, or wait for the courts to process criminals through penal proceedings. The communities can take legal action on their own without waiting for anyone. Citizens have been hoping for the opportunity to take legal action to preserve and to protect their communities.

"I am happy to report to you, Mr. Speaker, that this bill will give them that power, and I fully expect that many communities and neighborhoods will find themselves rid of the plague of prostitute and drug dealers which have infested them for so long. Yes, the House of Representatives has acted under your leadership on this bill.

"Thank you, Mr. Speaker."

Representative Yoshinaga then rose and requested that Representative Tom's remarks be entered into the Journal as her own, and the Chair "so ordered." (By reference only)

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3666, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 36 and H.B. No. 2726, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2726, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 37 and H.B. No. 3432, HD 1, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3432, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERSONNEL IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 38 and H.B. No. 3563, HD 1, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3563, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Amaral.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, this bill proves a theory that I have of the future of government. It is a paradigm shift, as I have mentioned here before, that in the future, government will tax less and fee more. The people of Hawaii are, at the end of session, going to find out that -- hey, we have not taxed you but we have feed you to the extent that a rose by any other name is still a rose.

"This bill authorizes the Department of Taxation to charge whatever it sees fit to make sure it is recouping its cost. That is, Mr. Speaker, cost that we taxpayers have already paid. The Tax Foundation has reminded us that when we pay taxes, we run government, and this is saying that on top of those taxes, if you use government, you will pay a fee. Therefore, Mr. Speaker, double taxation is (1) you pay a general tax; and (2) you pay a specific fee.

"This seems to be the more subtle way of increasing government revenues. It's kind of a sneaking taxation which not only are we doing now with the Department of Taxation, but we are doing it, as later we will see in this agenda, with business licensing, pesticides, test for newborn metabolic training, fingerprinting, government information abstract, and so on, Mr. Speaker. So if this is an omnibus speech, it's saying that a tax by any other name is still a tax, Mr. Speaker. And if we're going to do that, I think we should call a spade a spade.

"I'm not sure that the people are going to be fooled by this, because when eventually everybody gets hit with this user fee, and I think Corky has done it very well in the **Advertiser**, that when you get pulled over by the policeman, they'll say -- that'll be five dollars surcharge for idling the motorcycle; you have a \$75 arrest fee; and suddenly, what we are paying for government, we are paying again by these fees.

"So, Mr. Speaker, I'm saying this is a slippery slope of the fee schedule of which, if we don't stop now, suddenly we'll say -- hey, this session we've cleaned all of our books, we've not raised taxes, and then forgot to tell the people about the fees of which we've just spoken.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, this would be like charging the taxpayers money to sit on the koa benches for which they paid \$17,000 per bench. It's a way of getting more money out of the taxpayers, calling it a user fee or whatever you want to title it, but it really just assesses them twice. First, to establish the departments; and second, to be able to get some of the services that their tax money supposedly paid to set up for them to have at no cost.

"We now are going to say, you are now going to have to pay for that, so I guess the people of the community should not be surprised if they walk up to a koa bench and there will be a parking meter by it, and if they want to sit down, they'll have to put in their quarter to have the allotted time to sit.

"Thank you, Mr. Speaker."

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

"I guess it amazes me that we're going to charge a fee for the privilege of paying taxes, and we're going to burden the business sector even further for all of the requests they may have of the Tax Department or otherwise.

"If we take a look at what we're doing, if this is an important program, why doesn't it come from general funds? I guess we can cut our general funds budget if we're going to end up making up by taxing via a fee in other areas. Maybe that's part of the scheme.

"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. 3563, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Kawanakoa, Meyer, Thielen and Ward voting no.

Conf. Com. Rep. No. 39 and H.B. No. 1148, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 1148, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 40 and H.B. No. 4131, HD 3, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 4131, HD 3, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I wanted to first thank the Speaker and leadership and the members of this House for supporting the effort of trying to reform the welfare system here in Hawaii. Many people have been very helpful over the past year -- consumer groups, advocates, legislators, the department people -- in coming together with this final product.

"House Bill 4131 basically would allow those that are on public assistance to be able to work and to be able to save more of what they earn and this, in essence, is a great incentive for those that really want to be self-supporting and independent.

"I believe that the legislators who were involved in this, I wanted to thank in particular my Vice Chair Saiki who had helped during the interim conduct all the different meetings around the island to gather input from welfare recipients themselves on our system here. And I also wanted to thank Representative Arakaki and Representative Pepper for their guidance in crafting what was a very humongous bill at the very beginning of session and has been tailor-made, hopefully, to provide the incentive to get many more of our parents who are supporting children off of welfare.

"The Aid to Families With Dependent Children Program and the General Assistance recipients will be able to again go to work if they are able to to earn and keep more of their earnings, and I really want to thank all of you for your support.

"Thank you."

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

"Mr. Speaker, I really need to give credit where credit is due, and the person who really deserves the credit is the Chair of our Human Services Committee.

"This reform movement actually started at the end of last session, and there were a series of community meetings that we held to hear from recipients and advocates as well as the providers on how we should reform the system. And although we're looking at responding to what we thought was coming down from Congress and the Administration, I think what happened in the interim is by speaking with all these people, and to the credit of Chair Chun Oakland, we sort of turned around the premise of being punitive and being limiting based on the premise that welfare recipients are lazy, they only want to have babies, and they just want to live off the public land. We turned that around to actually empower and enable these people, based on the premise that most of them do want to get off welfare, do want to be independent and have their sense of self worth and esteem restored to them, and based on that, we made the changes to this bill.

"I really want to thank the Chair for being patient, for really listening to practically everybody who had anything to say about this matter, and for trying to include as many views as possible on this bill. And I congratulate her on this.

"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. 4131, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 41 and H.B. No. 3421, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3421, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE COMMUNICATIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3350, 3596, 3631, 3653, 3666, 2726, 3432, 3563, 1148, 4131 and 3421 had passed Final Reading at 3:22 o'clock p.m.

Conf. Com. Rep. No. 42 and H.B. No. 3534, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3534, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 43 and H.B. No. 3341, HD 2, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3341, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Halford rose to speak against the bill, stating:

"Mr. Speaker, we still don't have it right. As it comes before us, the bill gives to the Governor an undefined power to do uncertain things in an undetermined way.

The bill does not give legal definition to several concepts and phrases used in the bill.

"Mr. Speaker, the problems with this bill lie in the discrepancies between legislative intentions and what the bill actually does. One intent of this bill is stated in the committee report but not in the bill. The intent is to resolve the problems inherent in a predicted payroll lag in January 1997. That is mentioned in the committee report but not in the bill. Additionally, this body intends this lag to be one-half of one month or one payroll period. However, this is not stated in either the committee report or the bill. In fact, the wording of the bill is so open-ended that the Executive could choose any number of days or weeks that he wants.

"Another intention of this Legislature is that the lag will be implemented incrementally, delaying payroll one day per month over maybe ten or twelve months. How the lag takes its course is not stated in the committee report nor in the bill except to say that however we do it, it should be done over one year. But that intent is contradicted in the wording of the bill. The bill says 'one time' which simply means missing one paycheck one time to implement the lag. Of course, my interpretation of the words in the bill to 'allow a one-time, once-a-month payroll payment' may be wrong. But in any case, the language is, at best, ambiguous.

"Mr. Speaker, referring again to the one-half month lag in payroll for public employees, the private sector is limited by statute to a minimum lag of one week. Is there a good reason for treating public employees differently or are we creating a double standard to serve our spending appetite? This device is being used to balance the budget by altering cash flow. If public employees really are paid less or later over a ten or twelve month period beginning January 1997, that would affect only six months of the present budget. Anything beyond June 1997 would be in the new biennium; yet, no one has publicly acknowledged that the deferred expenditures will occur in two separate biennial budgets.

"Have we used this projected \$47 million? How have we used this projected \$47 million in unfunded liability? Have we used them all in the present biennium? Does that mean we have erroneous numbers in the budget that we are passing or have passed, making it therefore technically illegal?

"Finally, Mr. Speaker, there is an important matter which no one has yet addressed. The HRS, Chapter 78, which is being amended by this bill, covers all public employees and public officers and county. The bill itself says, 'All public officers and employees.' Whether or not it is intended, this bill necessarily relates to the employees of the four counties, but exactly how it affects them is not stated. Will their pay periods change at the same time and in the same way as State employees? Will we have two or more different payroll payment basis among public employees? Do we really intend to give the Governor the power to manage county payroll? Can we rightfully give him such a power? Should counties be exempted since the Legislature's perceived need for cash has led to this bill in the first place? Whatever the answers, they need to be spelled out in the bill.

"Mr. Speaker, however good our intentions might be, this brief bill is poorly-crafted legislation. It subverts our responsibility to direct State policy and gives the Executive a blank check in all matters regarding payroll lag.

"This bill is embarrassing evidence that we have not done our job this session. I propose that we put this bill

on the list of things we need to repair during special session.

"Thank you."

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

"Just as a point of clarification, Mr. Speaker, I believe our session ends today and I am not counting on coming back right away.

"By way of clarification, House Bill 3341, HD 2, SD 2, CD 1, I think is quite clear in its concise language and so, for the record, give it the number of questions raised. I think it is important for people who are listening to this discussion to understand that the new language is inserted to amend a portion of HRS that deals with salary periods, adds language that the Governor, upon reasonable notice and upon determination that the payroll payment basis should be converted from predicted payroll to after-the-fact payroll, may allow a one-time once-a-month payroll payment to all public officers and employees to effect a conversion to after-the-fact payroll, provided that this conversion schedule shall occur in a one-year period.

"I think that is sufficient direction to the Executive. I think that's pretty clearly written, and certainly it brings the state government in line with what is already taking place in the private sector. I hope the members will support this measure.

"Thank you."

Representative Ward then rose in opposition to this measure, stating:

"Mr. Speaker, as one of the Minority who would like to come back, as one of the seven wearing the arm bands because of our unfinished business, this is one of those areas where we could fix it, because there is a parallel of a number of years ago that prior to a break-in at Democratic Headquarters, the presidency of the United States had the high moral ground of running this country. After Watergate, however, the high moral ground of the presidency was undercut because of that burglary. So, too, our high political office is being undercut by this payroll lag. We have lost the high moral ground on this issue by our failure to implement reform of the high-three retirement perks of the Legislature. . .

The Chair interrupted and said:

"It has no relevance. Will you please stick with the payroll or I will call you out of order. After-the-fact payroll is what we're discussing."

Representative Ward continued, saying:

"My question is this, Mr. Speaker -- how can we ask government employees to take a hit, to take a pay cut, to take a lag when we ourselves are not willing to budge one penny? That's what the morality of political office is about. That's what the high moral ground is about. Moreover, a high Labor Committee official, as well as the head of the Democratic Party, stated before the cameras of this State. . .

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

"Will the member stick to the contents of this bill and not any other bill that is not on discussion on the floor right now."

Representative Ward continued, saying:

"If you recall, Madam Floor Leader, this bill was a . . .

At this point (3:28 o'clock p.m.), the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 3:30 o'clock p.m., Representative Ward rose and stated:

"Point of information, Mr. Speaker. When there is a recess called and someone has the floor, it says in Mason's Rules that you cannot call a recess.

"In summary, Mr. Speaker, this bill is flawed by the lack of moral authority that we have as policymakers. It's a fiscally expedient bill, and technically it is flawed in that it goes above and beyond even what the private sector does in their payroll lag, which is seven days. This bill gives a two week license beyond which we now have so that would be twelve days plus two weeks for a full two weeks in addition to what it is now. That is unfair, unjust, it's privatization at its worst, Mr. Speaker . . . it is something that we should not allow.

"Lastly, as was mentioned earlier: 'Where are the numbers, Minority? What numbers are you working from?' And I respond by saying: 'Where are your priorities, Majority, by borrowing \$47 million from the employees who, again, we are unwilling to put in our share for?'

"Thank you."

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

"In speaking on behalf of this measure, Mr. Speaker and members of the House, let us remind ourselves of December 1995 and January 1996, where this body recognized that we had a \$350 million shortfall. What we have before us today, yes, is another form of a measure in trying to balance the overall shortfall; one, Mr. Speaker, out of many that you have given us the opportunity for public discussion. I am not an attorney, I'm not a legal beagle, but what I read here, Mr. Speaker, is setting some direction in the committee report to the administration in following up on this particular payroll lag.

"It also addresses a concern that was brought up during session by the Auditor's Office in regards to overpaying our State employees based on vacation and sick leave which we had a lot of complaints about, Mr. Speaker. This particular measure was to address that particular concern and also to address the concerns of the supplemental budget. I can't see why we are using this vehicle or measure as a political ploy. It is just one of many options and alternatives that was presented to this body when we had the House bill with its draft and the Senate bill with its draft, and what we have here today is a compromise draft in that, if any State employee is financially in a hardship, the Department of Human Resources Development will assist him or her.

"For that reason, Mr. Speaker, I want to clear the air that, yes, we are addressing the payroll lag, but we're also trying to catch up with the corporates who have less than the state government with a lot of overpayments that we are not being able to catch up with also.

"Thank you."

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

"House Bill 3341 is a bill that reflects the fact that the Legislature has dropped the ball badly this session, accomplishing very little of substance, and failing to address the fiscal realities of our State's lagging economy.

"This measure seeks to convert the current predicted payroll to after-the-fact payroll. This is an established business practice in the private sector where a one-week payroll lag is common in most companies. There is no question that this is a legitimate accounting practice. No one would argue otherwise, but to use the argument that House Bill 3341 is being proposed this session because it will result in the reduction of payroll overpayments is nothing more than a smokescreen for a feeble and misguided effort to balance the budget.

"Unfortunately, House Bill 3341 takes a legitimate accounting practice and turns it into a bookkeeping gimmick, all in an attempt to balance the budget. For these reasons, I am voting no on this measure.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I would just like to pose the question ... when the Minority stands up to question legislation, to point out things that might be wrong with the legislation, to raise our viewpoints about the legislation, it's characterized as a political ploy. I don't see you doing that to each other, I see you only doing that to us. . .

The Chair interrupted at this point and said:

"Will you stick to the bill, please?"

Representative Thielen continued, saying:

"Yes, Mr. Speaker.

"Mr. Speaker, I am speaking to the payroll lag bill and the fact that what we have to say about that measure should deserve equal respect rather than having us be attacked as individuals. . .

The Chair interrupted and said:

"Yes, you will. As long as you stick to the measure, you will be given adequate time. Please proceed."

Representative Thielen continued, saying:

"I am definitely speaking to the payroll lag bill, Mr. Speaker, and the fact that every members' voice on this should be heard to the merits of the payroll lag and should not be challenged as individuals or Minority caucus. I think that makes partisan politics out of it.

"Mr. Speaker, I happen to be a lawyer and I can see with the drafting of this bill on page 1, I can see why we need lawyers. I've read this about five times, trying to make sense of it, and I do hope that the Governor is going to make a little more sense than the words do. It states here that the Governor is going to have the authority to allow a one-time once-a-month payroll payment to all public officers and employees to effect the conversion to after-the-fact payroll; provided that the conversion time schedule shall occur over a one-year period. So you've got a one-time once-a-month payroll payment that has to occur over a one-year period. Now, that's going to be quite a challenge for the government. I have no objection, Mr. Speaker, to a one-week payroll lag mirroring the private sector. I think that makes sense. But when we take a look at what this really is -- a

bookkeeping gimmick -- and we take a look at what happens down the road for the majority of State workers.

"The majority of State workers will retire, will maybe go on to other jobs, and at that point, our so-called savings catches up with them because those State workers will get the money that they have earned for the period of time for which the payroll has been lagged. So we've got a bookkeeping gimmick. If it were true savings, I would say, okay, we made some progress here. But it is not a true savings, Mr. Speaker. The one-week payroll lag would be good, I would hope the Governor might take a look at the Journal from this day, and I hope that those of you who believe that it should not be more than a one-week payroll lag for the State workers should maybe send a letter to the Governor, asking that with the discretion that we have given him, that he take a look at not doing more than that.

"The concern I have comes from a number of teachers not just in my district, but throughout the State that have sent me faxes or have called in to say -- hey, look, our pay is very minimal at best. Many of them are single parents, many of them are single mothers with children and they would find it quite difficult to have the two week delay.

"When I take a look at the Department of Human Resources Development to establish a program to assist employees who would experience financial hardship, there aren't any guidelines set out for that, and it's going to cost money to do that. So, are we saving money to then turn around and then spend it again? Or can we look at this in a much more responsible manner and take a look at urging the Governor to do no more than a one-week at the most payroll lag to mirror the private sector. And then whoever is involved in, I guess bill interpretation from the Attorney General's Office, they'll have fun with lines 2 through 13 on page 1 because it is very confusing, Mr. Speaker.

"Thank you."

At 3:40 o'clock p.m., Representative Amaral asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 3:41 o'clock p.m., Representative Say rose and stated:

"Mr. Speaker, in support of the measure, I'm sorry if I looked at it from a very political point of view, but my frustrations to all of you this afternoon is this. All of you here on the floor had six opportunities of providing your comments to the respective subject committee which was the Labor Committee, as far as what they were requesting. We had the Finance hearings, Mr. Speaker, twice on this measure, and the Minority was there to assist us or support us in what they were proposing this afternoon. I never got that, Mr. Speaker, as far as taking into consideration their opinions and their points of view. That's the frustrating part about this whole debate on this floor this afternoon in regards to different issues. They were all a part of it, Mr. Speaker, and that's why, for the record, I would like to say, they all had the opportunity of interjecting their points of view into this measure, but if there is no acknowledgement, Mr. Speaker, from each of the members here on the floor, what can I do as the Chair? That's the frustrating part. . .

The Chair interrupted: "You've done your job, Mr. Chairman."

Representative Say then thanked the Chair.

Representative Thielen then rose in response and stated:

"There are several of us in the Minority caucus that do not sit on the Labor Committee and do not sit on the Finance Committee. We have spoken out on the floor whenever this measure has come before us. We have spoken out clearly, articulately, to say there are problems with this payroll lag. We are doing so again today. That is our role, that is our function. We were not in the subject matter committees that heard this measure. We certainly have made our views clear on the floor as this bill has moved forward and we will continue to do so.

"Again, as I've stated, there are problems with it. A one-week payroll lag which is commensurate with the way the private sector operates, this makes sense. Going beyond that is onerous and this is not saving money for the State. It's merely a gimmick that let's it show up now as a savings, but down the road it will need to be paid out, except in a few instances where someone has already retired or has gone on to another job.

"Thank you."

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

"This is not a mean-spirited bill -- far from it! In fact, if you take a look at the bill, it will be put into effect whenever the Governor establishes it. It goes over a nine-month period. I remember, so we were very careful in terms of making sure that a person's budget or the source of income would not be disrupted in any major way. We were very careful about that. But I also recall our Labor Committee, of which a member of the opposition sits on, and the very same Labor Committee passed a bill to make sure that the retirees get a once-a-month paycheck on July 1, 1997. This is year-and-a-half ahead of schedule. We have given it considerable thought and it came from the Minority opposition. We felt it was fair, and given the circumstances of the times like this bill here, we felt this would be a great savings for the retirement fund in that particular bill. This is a great savings. It is part of the financial package of the Chair of the Finance Committee and the House Majority, and this is a fair way of stretching out a once-a-month once-per-paycheck payment over a given period of time.

"So I don't see what all the fuss is about. I'm not a lawyer but I can understand this bill. Of course, I went to public school so I could be mistaken, but the wording here is good. If there are any problems with the legal check, it's going to come, Mr. Speaker -- the legal checks down the road. So, my friends, this is a good bill and we have given our public employees consideration -- fair consideration -- in terms of how it will impact their budget.

"Thank you very much."

Representative Kawanakoa then rose in opposition to this bill, stating:

"I would like to vote no on this measure and my reasons for voting no is the fact that we've really missed the point. Again, as was mentioned by the previous speaker, this is a part of the whole financial package. We haven't attempted to address the real concern, the real problem. All the experts have told us -- the size of government is too big. I say it again and again. Our Legislature has failed to do the peoples' work; the leadership is ducking the true issues that are confronting our State. And, you know, through good accounting, finding savings -- that's a good idea -- but it doesn't get at the heart of the problem. The problem is the oversize of our government and we are failing to address that concern.

"Thank you, Mr. Speaker."

Representative McMurdo then rose and called for the question.

Representative Thielen rose and said:

"Mr. Speaker. . . Mr. Speaker. . .

Chair: Is there a second to the motion?

The motion was seconded by Representative Amaral.

Representative Thielen: "Mr. Speaker, I totally object to cutting off debate!"

Representative Ward then rose on a point of personal privilege but was not recognized by the Chair.

Chair: "All those in favor, signify by saying aye; opposed? Ayes got it." (Call for the question)

Representative Thielen rose and said:

"Mr. Speaker, I've got a question."

Chair: "You're out of order. State your question."

Representative Thielen: "My question is: Are we going to now use this 'call for the question' technique to cut off debate in this floor?"

Chair: "On occasion. On occasion, if need be. Thank you very much."

Representative Thielen: "So only when it gets too heated for the Majority?"

At this point (3:49 o'clock p.m.), the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 3:51 o'clock p.m., the motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3341, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAY PERIODS OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Final Reading by a vote of 43 ayes to 8 noes, with Representatives Anderson, Halford, Kawanakoa, Menor, Meyer, Tarnas, Ward and Yoshinaga voting no. (Representative Thielen voted aye with reservations.)

Conf. Com. Rep. No. 44 and H.B. No. 2514, HD 3, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 2514, HD 3, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This bill may be small in size -- just a couple of pages long -- but it is actually very large in significance. It transfers the school-to-work transition program from the Department of Labor and Industrial Relations to the Department of Education. We were also assured that all personnel will move over.

"The school-to-work transition centers play an integral role in assisting high school students to move successfully from the school classroom to the work place, and the staff are dedicated and they are effective and they deserve our support.

"So I want to say these words of support in hopes that the Legislature here will continue its work with the Department of Education to ensure the success of this and other school-to-work opportunities programs in the future.

"Thank you very much, Mr. Speaker."

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

"I think the Transition Center Program at Farrington High School is probably one of the finest examples of how successful this program is, especially for those many students who are not planning to go to college but who need help in terms of transition to other types of vocational opportunities.

"So, for the kids from Kalihi and for the other Kalihi Representatives, I want to thank my colleague, Representative Abinsay, for introducing this measure and congratulate him for his first measure hopefully being passed. I ask all of my colleagues to please support this bill.

"Thank you."

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

"I believe Nanakuli High School is another example of this program working. I stand in support of this measure for the same reasons as the previous speaker.

"In addition, later on we are going to pass a bill that would lower the compulsory age to age 16, so therefore, I see the need for this program to expand even greater.

"Thank you."

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

"I, too, also want to acknowledge the work and shepherding through by our newest member, Representative Abinsay. He did a terrific job of monitoring this bill and working closely with others.

"We, over in Waiialua, also have a school-to-work transition center and have a dynamite employee presently. And I was very pleased to see that we are also going to try to see to it that the continuity of the programs goes through. I hope that the legislative intent that has been established through the passage of this bill will be heard by the Board of Education as well as the department so we can continue to see the very good work of these programs continue.

"Thank you, Mr. Speaker."

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

"After the words spoken on behalf of the programs out at Farrington and Waiialua, I couldn't let the moment pass without saying a few words about the program out at Waipahu High School. Also, to commend the author of the bill and the supporters who are trying to make the passage of the program a reality. And I would hope also that with the words of the previous speaker, that the School Board and other officials listen to what the Legislature is trying to enact.

"Thank you."

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

"As this program moves to the Department of Education from the Department of Labor, it moves with \$800,000 worth of support. When this measure was put into the budget last year, it had \$1.2 million worth of support. I believe that on that basis, it was the intent of the Legislature that this particular program get a great deal of emphasis.

"I believe that when it was necessary for the Department of Labor to take some cuts, they chose to cut those programs which they understood least about and cared least about and, unfortunately, I believe this was one of those programs. Therefore, this program now moves to the Department of Education in a rather crippled fashion, which does not fully represent the recognition by the Legislature of the importance of this program.

"I wish them well in their new setting, and I hope we can support them more adequately in the future.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2514, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITION TO WORK SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 45 and H.B. No. 3439, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3439, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE OPERATING EXPENSES OF THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 46 and H.B. No. 3293, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3293, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 47 and H.B. No. 3711, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3711, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Yamane rose to speak against the bill, stating:

"Mr. Speaker, I am concerned about this bill. I appreciate the work the Conference Committee did but the Conference Draft still does not address any fees and taxes, so I am hopeful that it is addressed somewhere else in our laws.

"At the time when the Legislature should be encouraging our local economy, I am concerned about what this will do to our local insurance agents and those people that are considered small businesses in Hawaii.

"I have some concerns that this bill was initially started as the major reason on the floor, reciprocal agreements between other states. And although some states do have reciprocal agreements with us, if we are going to have competition from those states that do not have these agreements with us, this seems wholly unfair.

"So, 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. 3711, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Chang, Ito, Jones, Takai, Tom and Yamane voting no.

Conf. Com. Rep. No. 48 and H.B. No. 3423, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3423, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WARRANTIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 49 and H.B. No. 3427, HD 2, SD 1, CD 1:

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

Conf. Com. Rep. No. 50 and H.B. No. 3101, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3101, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 51 and S.B. No. 2211, SD 2, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2211, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this is a significant bill and I would like to commend the Finance Committee for its leadership on breaking a frustrating impasse that we've experienced for several years now.

"The bill would establish, through an amendment to the Hawaii Constitution, an extension for appropriations beyond the present three-year limit to allow the Department of Education to enter into lease, lease to purchase, and design/build kinds of contracts to build schools. Should this constitutional amendment pass the voters' scrutiny, the measure would give us much greater flexibility to build schools and to do it in a variety of creative ways that were not possible when we were limited by the three-year constitutional appropriation's period.

"Along with another bill, Senate Bill 2145, which we will be considering later today which allows the Department of Education to enter into lease agreements, including for land, these two measures will go a long way

towards allowing us to catch up to our school facilities' needs with the population that is growing each year by 3,500 students.

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

"Thank you."

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

"Briefly, Mr. Speaker, as one who represents an area that is rapidly growing, and certainly the infrastructure is not there to support the population as it grows so quickly, nor are we able to get placed in line fast enough in terms of the priority of funds for the building of the needed intermediate schools and high schools for this area, this sets into motion an opportunity for us to get the needed infrastructure built by private developers who can then turn it over to us.

"I think it's a significant first step, and I am grateful that it will be put on the ballot.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2211, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL CONSTRUCTION PROJECTS," having been read throughout, passed Final Reading by a vote of 51 ayes, which was not less than two-thirds of all members to which the House is entitled.

The Chair directed the Clerk to note that H.B. Nos. 3534, 3341, 2514, 3439, 3293, 3711, 3423 and 3101 and S.B. No. 2211 had passed Final Reading at 4:01 o'clock p.m.

At 4:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:04 o'clock p.m., the Vice Speaker assumed the rostrum.

Conf. Com. Rep. No. 52 and S.B. No. 3091, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3091, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 11, OF THE CONSTITUTION OF THE STATE OF HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes, which was not less than two-thirds of all members to which the House is entitled.

Conf. Com. Rep. No. 53 and S.B. No. 3170, SD 1, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3170, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 54 and S.B. No. 3079, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3079, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

EMPLOYEE STOCK OWNERSHIP PROGRAMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 55 and S.B. No. 2003, SD 1, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2003, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Chun Oakland 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 Chun Oakland's remarks are as follows:

"Mr. Speaker, the care of our children and the provision of safe, healthy and loving child care is a matter of statewide concern. It is a reality today that for many families, both parents or the single parent must work. Thus, the need for child care is critical, especially for infants who are often excluded from facilities such as day care centers and pre-schools because they are too young. As a result, child care in residential settings are often the sole alternative for working parents. These homes have long provided a safe and loving environment which an infant needs, and which working parents seek.

"Your Committees on Human Services; Water and Land Use Planning; and Consumer Protection and Commerce note that concerns were raised by individuals representing various associations of apartment owners regarding liability issues relating to common elements which are owned or controlled by the association. Specifically, concerns were raised over tort liability and with the Americans with the Disabilities Act as they relate to the establishment of family child care homes in condominium projects. These are serious and legitimate issues which must be addressed. These issues may also apply to limited-equity housing cooperatives, cooperative housing corporations, and townhouse projects which are similar to condominium property regimes.

"This measure requires that family child care homes be considered a residential use for single family homes and does not include housing for older persons, limited equity housing cooperatives, cooperative housing corporations, condominium property regimes and certain townhouse projects.

"The Department of Attorney General, along with the Department of Human Services, the Commission on Persons with Disabilities, the Insurance Commissioner, and the Real Estate Commission, shall review and discuss issues of tort liability, the American With Disabilities Act, and any constitutional concerns and report back to the Legislature next year.

"This is a step in a good and positive direction to increase child care opportunities in our State. Quality and stable early childhood education and care is essential and critical for children's growth and development.

"Thank you to the consumers, advocates, the Legislature and the community-at-large for their support of this effort."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2003, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 56 and S.B. No. 608, SD 2, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 608, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Yoshinaga voting no.

Conf. Com. Rep. No. 57 and S.B. No. 2220, SD 1, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2220, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Yamane rose and requested the Clerk to record an aye with reservations for him (the Chair "so ordered"), saying:

"I have concerns not only about current ownership of land that might be looked as having your relatives buried upon, but on future disposal of said land. And the future owners may not be getting full disclosure so I have some concerns about this bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2220, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL PLOTS," having been read throughout, passed Final Reading by a vote of 46 ayes to 5 noes, with Representatives Cachola, Chang, Ito, Kanoho and Tom voting no. (Representative Yamane voted aye with reservations.)

Conf. Com. Rep. No. 58 and S.B. No. 2998, SD 1, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2998, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 59 and S.B. No. 1602, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 1602, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT SECURITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 60 and S.B. No. 2124, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2124, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 61 and S.B. No. 2186, SD 1, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2186, SD 1, HD 1,

CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this is just another one of the arsenal crime bills that the Legislature can be extremely proud of under your leadership.

"Mr. Speaker, automobile theft in the State has been rising steadily every year. In 1995, preliminary estimates are that over 7,500 vehicles were stolen, more than twice the amount stolen in 1992, and a 33 percent increase over the 1994 figures. Insurance rates have gone up in response to the dramatic increase in automobile theft on Oahu -- 7,500 stolen vehicles, Mr. Speaker -- and an average insurance claim of \$5,000 per vehicle translates into \$37.5 million losses to insurers which are passed down to the consumers.

"This crime -- car theft -- is one that has far-reaching impact into all communities. Everyone knows someone -- all of you know someone -- whose car has been broken into or stolen, or maybe your car has been stolen at one time or another. While this is not a crime against one's person, there are still much anger, frustration and a sense of violation when a car is stolen.

"This is a crime, Mr. Speaker, that Neighborhood Boards bring up most frequently when asking for status reports from the police. This is a crime that makes people feel powerless -- powerless -- and heightens the sense that crime is on the rise and that people are not as safe anymore.

"Aside from Traffic Court, this is one of the crimes that brings people into contact with the Criminal Justice System most often. Many have been further traumatized when told that the case against the alleged perpetrator could not be pursued because of a loophole in the way that the law was written, and that is what we're here talking about today.

"The bill before us, Mr. Speaker, now closes that loophole by tightening up the definition of 'owner' so that the owner must be a registered owner, or a person to whom the vehicle is being transferred rather than just anybody in possession of the vehicle, whether that possession is legal or not. No longer, Mr. Speaker, can a defendant get off on a claim that 'Terry gave me permission to drive the car,' when Terry may very well be the one who stole the car in the first place.

"Mr. Speaker, in 1995 the Honolulu Police Department arrested 1,256 individuals for this offense. Of that number, 544 people have been previously arrested for stealing a vehicle. This is a 43.3 percent recidivism rate; 83.5 percent of them have been arrested for other offenses. These are career criminals, Mr. Speaker. They are career criminals taking cars for a living, exploiting the loophole in the law, leaching off others, and that is what it is -- **leaching off others!** This bill will put a stop to this travesty of justice, and it will allow more people effective prosecution.

"Mr. Speaker, it is time to take back the streets, to give law enforcement the tools they need so that everyone -- you, me and everyone in this room, and everyone in our State -- can go to bed at night and rest easy, knowing that their car will still be where it is when they get up in the morning. The House recognized this problem and we've addressed it.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, as a member of your Judiciary Committee, I concur with the Chair's remarks and commend him for his action.

"As the Vice Chair of the Public Safety Committee, I wish to supplement those remarks by noting, as the Chair of the Judiciary Committee already has, that this area of crime has the highest recidivism rate of any in our state at the moment. And the explanation is not simply that more people want to steal cars: the explanation is that these people don't go to jail.

"Essentially what we have chosen to do, because of the shortage of beds in our state at the moment, is to go after the hard, violent crime and to try and keep those people in jail as well we should. But the consequence has been an increasing amount of recidivism in this area to one of the highest, if not the highest, in the country.

"So this problem has two solutions, and the Chair of the Judiciary Committee has aptly addressed one of them. The other one, again I say to my colleagues as I have several times over the course of this Legislature, the other side of this coin is prison bed space. We have a very clear choice -- either we increase prison bed space, or we decriminalize some of the crimes on the books right now, or shorten the sentences.

"Our choices are clear. They're not going to go away, and we'll have to face this issue again next session.

"Thank you."

Representative Kawanakoa then rose and requested that Representative Case's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Kawanakoa continued, saying:

"With regard to the comments of the Chair of the Judiciary Committee, I believe that this legislation is good; everything that was stated is true about the statistics.

"But I have to agree and I have to note, that while the loophole in the law may be closed, the door of the prison is still open. And what's the sense of convicting felons if they're going to simply continue to walk the streets and continue to steal cars.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2186, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3091, 3170, 3079, 2003, 608, 2220, 2998, 1602, 2124 and 2186 had passed Final Reading at 4:13 o'clock p.m.

Conf. Com. Rep. No. 62 and S.B. No. 3248, SD 2, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 3248, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Anderson rose to speak against the bill, stating:

"I just have a major concern on Conference Committee Report Item No. 6, that after two cycles of permits for five-year periods, the permit goes out to public auction.

"I'm really concerned that a small businessman starts a business in ocean recreation, builds it up, and then in ten years the permit goes out to public auction. Anybody can bid on something like this and outbid that person. I've seen it happen before, whether coming from the mainland, creative accounting -- I need some tax writeoffs -- but the person that toiled long and hard to put the business together loses it or pays the upset price. I think it's unfair.

"I register a no vote.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. NO. 3248, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION MANAGEMENT," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Anderson voting no.

Conf. Com. Rep. No. 63 and S.B. No. 2888, SD 1, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2888, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, I think you know the position of the Minority on this. We have spoken out on this consistently in that this bill actually increases our crime rate. The fact of the matter is that releasing pretrial inmates hampers our efforts to make Hawaii a safe place to live. The Honolulu Prosecuting Attorney, of whom I have a great deal of respect, has spoken out numerous times against this bill. It is estimated that 28 percent of property offenders released are likely to commit new offenses. It also summarizes the crime bill scores. They are as follows: Hawaii has the fourth highest property crime rate in the United States -- 43 percent of the persons arrested for unauthorized control of a propelled vehicle in Hawaii in 1995 had a previous arrest record for the same offense. I gather that means a stolen car ... 43 percent of those who steal a car have already stolen a car. In addition, there is a 37 percent recidivism rate for all inmates released on some type of early release program.

"Mr. Speaker, that was the shocker, and I think this is the one that should grab the conscience of everyone in this room -- 37 percent of anyone released early in any program commits another crime in Hawaii. This is unequivocal proof that the release of inmates on an early basis contributes to our crime rate.

"As a Legislature, we have failed to successfully address the crime rate by failing to find the funds to build more prison space and instead have come up with a weak solution such as this. And I applaud the vigor and the oratory expertise of the Chair of the Judiciary; yet, all that we've said about 'ice', all that we've said about prostitution, all that we've said about car theft, will be for naught, Mr. Speaker, if we don't get some practical implementation of incarceration measures. And I take the

Representative from Manoa as rhetorical when he says: 'Shall we decriminalize car theft, or shall we build bed space?' That is not even a question we should be brave enough to pose to the people of Hawaii. Clearly, they do not want their streets unsafe, and clearly, we do want our streets to be safe. But, Mr. Speaker, we've got to have the political will to go beyond the rhetoric of saying our streets are safe or not when in effect, when it comes to implementing these new laws that we're putting in place today, we say, well, they'll go back on the streets; we haven't got space to detain you.

"The unfortunate thing is that this bill makes us here an accomplice to 33 percent of the crimes that are going to be committed by the release of these pretrial inmates. Mr. Speaker, I don't want to be an accomplice to a crime, I don't believe anybody here in the State of Hawaii wants to be an accomplice to a crime, but this bill does it. The statistics are there, and the Prosecuting Attorney I don't think has been pounding the table about this for nothing.

"This is a bad bill, it is a bad precedent. It's a wake-up call. If we really want Hawaii to be safe against crime, we've got to do something about it.

"Thank you."

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

"Mr. Speaker, the State of Hawaii is under a consent decree by the federal court. Unless our jail and prison facilities control their population levels, the Criminal Justice System in this State will be run by the federal court.

"This bill is absolutely essential to preserve public safety in this State. This measure gives the people of Hawaii and not a federal judge control of our prison system. As Chair of the House Judiciary Committee, I have no intention -- no intention -- of allowing a federal judge the opportunity to impose massive fines against the State because our prison population exceeds maximum limits. This is no idle threat -- Rhode Island, Puerto Rico, Texas, a county of San Francisco, San Francisco, have paid the consequences for ignoring court orders to reduce inmate populations, and the federal courts have slapped fines in the millions of dollars against these governments.

"Even more importantly, Mr. Speaker, I have no intention of allowing a federal judge to order the release of violent and dangerous convicted criminals upon the citizens of this great State, which is going to happen if this bill dies. This legislation is designed for only one purpose and one purpose only -- to prevent the federal courts from releasing convicted criminals into the streets of Hawaii.

"The proposal before us will not release a single convicted criminal into society. It applies only to those people who are charged but not convicted of non-serious offenses that carry a bail of less than ten thousand dollars. It gives the Department of Public Safety the discretion -- **discretion** -- to pick from this limited group of people the few individuals that it believes can safely be released from pretrial detention. This system has been in place for over 2-1/2 years. Four hundred seven pretrial detainees have been released and only 4 percent -- **only 4 percent mind you** -- have been arrested for new crimes. The program will be under constant supervision by this Legislature because we are requiring annual reports and provided for is an automatic repeal in two years.

"Members, make no mistake about it. Doing nothing, as opponents of this bill propose, is the real threat to public safety. To say that we should kill this program and build more prisons is a phoney promise to the people of this State. Where is the money going to come from -- from the sky? We, as a Legislature, are doing everything we can. I know that Cal Say is doing everything he can to provide more prison space. We have been increasing the number of prison beds every year -- even in this time of fiscal constraint. Sure, it's easy to say, hey, let's keep every person accused of a crime in prison if they can't raise bail. Great! But I've yet to hear from those people what their proposal is to balance the budget, protect public safety, and prevent a federal judge -- **a federal judge** -- from running our prison system.

"Mr. Speaker, passing this bill is a responsible thing to do and it's the best method at our disposal to both protect public safety, and to make sure that dangerous and violent criminals are the ones who remain behind bars where they belong.

"Thank you, Mr. Speaker."

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

"You know, if we had taken the responsibility and not allow this to go on for many years as it has, maybe we wouldn't be in a position of having to face a consent decree. I agree, I don't want the federal courts to decide how to run our prisons. I wish we would.

"There was mention that there has been no proposition, there has been no forwarding of a way to balance the budget and to provide more prison space. I think there is. It is called privatization of the correctional facilities. We're doing it already. We've sent our prisoners to Texas because it's cheaper to house them there. We save money. Why can't we do that here in the State of Hawaii?

"We had a program -- I mentioned this before, I know, for your ears. You've heard it but apparently some of my colleagues haven't. A private corporation that now houses some 26,000 inmates across the United States, Australia, England, is willing to come here, build a prison, manage it -- all for a lower price per prisoner than what we are currently paying. That means they are going to come here, put the infrastructure -- they're paying for it. There are solutions.

"What we have here is the failure on the part of the Eighteenth Legislature, once again, to address the real issue. The issue is crime, the problem is lack of prison space, and the solution? Well, I'll leave that up for Leadership. They don't seem to care much about my solutions.

"Thank you, Mr. Speaker."

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

"Much of what has been said by the Minority is accurate in the sense that the problem is in part the lack of prison bed space. To correct the Minority Leader, I did not advocate decriminalizing car theft. I speculated as to whether one of the choices facing us was decriminalization of some crimes, but not car theft.

"The problem that I have with the position advocated by the Minority is that we have no choice at this moment whether to enact this bill. You know it, I know it, and we all know it. The Minority Leader was not at a hearing at which we discussed this issue in great depth at

the Public Safety Committee hearing earlier this session. But the dilemma that we had was, how do we address our bed space problem now?

"Lacking prison bed space, we can sit here and argue all we want. I know and I agree, we need more prison bed space. I don't advocate the decriminalization side of it, I advocate providing more prison bed space. We don't have it, as we sit here, and why we don't have it is a thing of the past that we can sit here and debate all afternoon. The problem that we have is, what do we do, lacking that prison bed space?

"And the objection that I have to the position advocated by the Minority to deny the authority to release pretrial inmates is: what should we do without the prison bed space? Now I know the answer is -- well, let's provide the bed space, and I agree with that. But until we do that, what should we do? I don't think it's responsible to deny the authority to have the pretrial release program in effect.

"The Prosecuting Attorney admitted -- perhaps it's a better way of putting it -- that we needed this authority, lacking that prison bed space. The Police Department stated the same thing at that same hearing, so I think the debate is a good one. But the solution -- the practical, realistic solution -- at the moment is that we need this authority for now.

"Now I think the issue before the conference committee was, why are we moving the date of the program from 1998 to 1999? If we can't solve this problem by 1998, I think we should all go home. But the problem is, we need more time to do it, and why we need more time is one thing and the fact that we need more time is another thing. So let's be very straight about what the issue is.

"The issue is providing flexibility that none of us want to provide but that we have to provide right now, flexibility which will responsibly address the problem while we move towards a solution.

"I hope we have all recognized what the real problem is here and what the real solution is, but let's not kill this bill or advocate against this bill just because we don't like the pickle that we're in.

"Thank you."

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

"I'm getting a little tired of the Minority's position. I acknowledge this private money to build prisons. Sure, let's go build one in Hawaii Kai, let's build it in Makiki. I have yet to hear a single member of this House say, 'I want a new prison in my district.' When I brought this up in the past, I've heard from the Minority Floor Leader -- 'I already have a prison in my district.' Well, I doubt that she had anything to do with it being built there, and I don't hear any cry of 'Let's double its size.' Not a single member of this body has ever stepped forward to say, 'I want a new prison in my district.' Oh, you've all said, 'Let's build it in Herkes' district.' You know, that seems to be the consensus. Well, I'll tell you what -- there's no infrastructure out there so what are you going to do for roads and water and things of that nature?

"I would welcome it if my district said, 'I want a prison in my district.' We can have it very quickly and we can solve this problem very quickly, but nobody seems to have the political will in this State to say, 'I want a prison in my district so we can solve this problem,' and until somebody in some community is willing to step forward and say, 'I want a prison so we can lock these

people up instead of having them running around loose,' then nothing but hypocrisy rules the day on this issue.

"Thank you."

Representative Swain then rose and requested the remarks of Representative Case and Representative Herkes be inserted into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Yoshinaga then rose in support of the bill and requested Representative Case's remarks be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Yoshinaga continued, saying:

"Mr. Speaker, you are well aware of my position on legislating measures that seek to impose tougher penalties for criminal activities. And for the moment, my support of this bill may appear to be a contradiction; it may well appear to go against everything that I've worked hard for this session. However, I call your attention to the fact that we are in a very tough situation here -- our prison system is facing a terrible crisis. The present crisis is comprised of the following elements: prison overcrowding; a lack of prison bed space; and, above all, a consent decree which is like a loaded gun held to our own heads. This bill, Mr. Speaker, is forcing us as leaders to deal with a crisis -- a crisis that seems to have backed us into a corner.

"Mr. Speaker, I don't like the situation we find ourselves in today. I'm sure none of us find this pleasant at all. None of us like the idea of what this measure implies; none of us find appealing the images that this bill conjures up by the mere reference or thought of releasing pre-trial inmates. As much as I care about the public's well-being, I prefer that we not release any of those inmates who have been charged with a crime. Yet in light of the present prison overcrowding situation, we cannot afford to carry on without providing more bed spaces. But how can we do so when we are yet grappling with issues of revenue shortfall, questions of where to put the next prison facility. Moreover, how can we provide more bed space when we have failed to put a priority on or lay a commitment to the idea of building more prisons? Herein lies a great struggle: we desperately need more prison space but for the moment we're not able to resolve that issue. Further, where and from what source we will acquire the funding remains to be seen. On the one hand, we care deeply about the public's safety. On the other, we need to comply with the consent decree, for we face stiff consequences should we fail to manage properly the present prison overcrowding situation.

"Clearly, this is a tough matter. The situation calls for a tough choice. Without question, this matter comes down to one thing: we must deal with the crisis that is presently facing us. We are here because we need to make that choice.

"In reality, there are only two choices: support the bill, or vote against it. Either we extend the Department of Public Safety's authority (to release pretrial inmates) to the year 1998, or we don't. Either we move forward by casting our vote in support of this bill, or we don't. Either we do something about the problem now, or we do nothing at all. Mr. Speaker, I submit to you that we cannot afford to sit idle any longer with this matter.

"The question at this juncture is not 'how do we come up with the funds in order to provide for more bed space?' Instead, the real question before us is 'what is our responsibility given the present crisis?' Our responsibility is to provide the Department with the

flexibility it needs. Given the present circumstances, it is the most reasonable, practical and responsible thing to do. Our responsibility and concern, at this juncture, is the proper management of the prison population. And that's the real issue here. Do we seek to compromise public safety and put the public at an even greater risk than it already is? No, that is not our intent here. But how else do we manage an overcrowded population with no apparent solution yet in sight?

"Yes, I'll agree that had we done something earlier to provide more bed spaces and more prison facilities, then we would not find ourselves in the mess we're in today. But to spend the time now arguing and debating about that is really beside the point. It would be a further waste of our time. The Department of Public Safety needs some measure of relief and flexibility right now in order to cope with an overcrowded prison population. Our job here and now is to decide whether or not we will provide that relief for a system that is already bulging at the seams.

"Mr. Speaker, we are at the threshold of a new and daring challenge. And we are in the prime position of deciding whether we will move forward with this bill and take on that challenge. If we move forward, it does not mean that our job will get easier. At the very least, it means we will provide the current crisis with some measure of relief while we continue our efforts to find a lasting solution to the real problem. Because of this bill, I believe that the opportunity to work more closely with one another -- with government agencies, with the community -- in finding that solution has come upon us now with an emphasis greater than before. And in this I am confident: we can work together to find our way through this mess. Together, we can find a way that will manage the present crisis, but also find a solution to take care of the larger problem.

"In every noble undertaking that I can think of, there are with certainty the adversities. With certainty there are struggles; there are difficulties. And surely, victory does not come without a battle. But where the battle rages, there rings the promise and hope that a people who are uniting their resources and focusing their efforts toward a common purpose will find and make for themselves a brighter tomorrow. Mr. Speaker, I believe that this body and the people of this state are a people capable of such an endeavor. And the crisis facing us presents us with a challenge of no less magnitude.

"I urge my colleagues this hour to join me in casting a vote in support of Senate Bill No. 2888, and to move forward in taking on this new challenge. On this occasion, let us rise to overcome the struggles and adversities that this challenge sets before us.

"Thank you, Mr. Speaker."

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

"This is the first time I've heard a Representative from Kauai being speechless. I was going to respond directly to the Representative from Pahoahoa, but he has left the floor.

"The Windward side -- Kailua -- has expanded and is expanding right now the Women's Correctional Facility. I also would note that my daughter lives directly across from the facility and certainly was supportive of that expansion, so I think his comment of 'not in my backyard,' if it were aimed at me, is inappropriate. It's not founded on any facts whatsoever, any record, and I will let him know that when he returns to the floor of the House of Representatives.

"I do respect very much what the Representative from Manoa said. My only difference with it is that at the beginning of this session, we did have a choice, and that's what we have been saying throughout the session. This isn't new information. You have heard us stand up again and again and again. We did have a choice at the beginning of the session; we did bring in a private corporation that explained to the members that cared to attend that session what could be done that would cost the State less money than what we are doing now.

"We have a difficulty with the bill before us, Mr. Speaker -- the release of pretrial inmates. If you look at page 1 of the Conference Committee Report, the purpose is loud and clear. The purpose of this bill is to extend from 1996 to 1999 the authority of the Department of Public Safety to release pretrial inmates on an emergency basis. And then the measure goes on to say that it's for management strategy -- it's not for public safety, it's not to protect our residents on their streets, to protect their cars, or to protect them in their homes. It's merely a management strategy.

"So, again, the Leadership in this legislative session did not lead, did not say, 'We're going to put public safety first, and we're going to look at those private corporations that have a track record across the nation of being able to provide bed space so those states don't end up under consent decrees.'

"I think we're begging the question here with this measure because it will never come first, that we will deal with providing more bed space, if we continue to pass these bills allowing for stopgap measures for the Public Safety Director to put people back out on the streets. Or if we continue to refuse to pass bills that prohibit the granting of furloughs to certain inmates and that put restrictions on the granting of parole to very sound bills in the crime omnibus package that died, because again, the management strategy -- we've got to let them back out on the streets, let them back out on the streets. Well, we all know that the release of pretrial inmates is not the answer to our problem of lack of prison space, and we also know that releasing them threatens the public safety.

"Our Majority Floor Leader will probably stand up in a few minutes and say, 'Wait a minute, they've not been tried and found to be guilty.' I went through some of our previous Journals; in fact the Journal in 1993, to read some of her remarks on crime, and I do respect the fact that she has very good speeches in the Journal in past years, being very tough on crime and very, very concerned about the safety of the public. And I can recognize that a person is not proven guilty until they've gone through a trial and the jury has made that determination. But as the Majority Floor Leader clearly knows, the police officer who arrests that person has to have probable cause that the crime was committed by that person. They are not going out willy-nilly and just plucking people off the street and putting them in as a pretrial detainee so we know that there is probable cause that the crime was committed by that person.

"The Chair of Judiciary, I don't know where he got his statistics, but I received mine from the Honolulu Police Department. And if they were talking about the revolving door for criminals, they're saying that the dramatic rise in the number of vehicle thefts can be attributed in part to the emergency release of car thieves, given that the Honolulu Police Department has found that 43 percent of the 1,256 persons arrested for unauthorized control of propelled vehicle in 1995 had a previous arrest for the same offense. It's no surprise that a great number of car thieves who are released under the emergency release program under this bill contribute greatly to the creation of a revolving door for offenders.

"And then we have a recent study by the Attorney General, and it's found that there's a 37 percent recidivism rate for all inmates released on some type of early release program. That's a high rate and proves that early release of inmates contributes greatly to the crime problem in Hawaii.

"The point is that we did not, this session, take a tough stance on crime. We've played with it. We have a few measures here, there and everywhere, but the basic thing is nothing has been done to stop the revolving door, or as some law enforcement people call it, the open prison door. They don't even go in, they just pop right out.

"This bill is merely one more tool in that arsenal to allow the people committing the crimes to be out on our streets, in our neighborhoods, in our cars and in our houses, and I oppose this bill, Mr. Speaker."

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

"At this point, Mr. Speaker, anyone listening in is now thoroughly confused about what it is we're talking about I'm sure. The bill does not have to do with building prisons. The bill has to do with extending the authority to the Director of Public Safety to release pretrial inmates. Pretrial inmates are people that have been accused of a crime but have not yet had their day in court -- haven't been proven yet, Mr. Speaker.

"Contrary to what the previous speaker noted, actually the Conference Committee Report extends that authority to 1998, not 1999. We note that through long experience, it has been clear that many people that are sitting in prisons, and the Attorney General's study, I think, indicated something like 65 percent of the prison population are pretrial inmates -- people that have not yet had their day in court -- they are just sitting there, waiting to go to trial. Many of those people that are sitting, waiting to go to trial, are there because they are violent offenders. They are not there because they pose a risk to public safety. They are there because they are poor. That's the bottom line, because they cannot raise the bail to get out of jail. This is the population we are talking about.

"We have been very clear, Mr. Speaker, with the Director of the Department of Public Safety that when it comes to the release of pretrial inmates, that it cannot be violent offenders -- it must be nonviolent offenders. So we tried to address the public safety issue that way. These are people, first, that have not gone to trial yet; and secondly, are nonviolent offenders. And thirdly, we ask you to keep in mind that the majority of that prison population are those people that are sitting there, waiting for trial, whose major crime is, in fact, that they are poor, and that's why they sit there.

"This bill deals with this issue. It is not the bill that deals with the building of prisons; it does not deal with looking at mandatory sentencing; it doesn't change the scheme of sentencing. It only deals with extending this authority in a stopgap measure to free up some of those needed beds for people that have been found guilty of violent offenses. So you don't release those people early into the streets, and so you do protect the people of the State of Hawaii. That's why I beg my members to please support this measure.

"Thank you, Mr. Speaker."

At 4:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:53 o'clock p.m., Representative Thielen rose and stated:

"Just a brief response to the Majority Floor Leader's comment that only nonviolent offenders are being released.

"I really wonder how you can determine that a nonviolent offender is not going to become violent if that offender has, all of a sudden, taken 'ice,' is surprised as that offender or that person is entering your car to steal it, or entering your home to rob it. Do you just say, 'Wait a minute, you're supposed to be in the category of being nonviolent, so don't hit me, don't cause me bodily harm.' I think we're naive, and I think we're dreaming if we think we can categorize people that are committing crimes in the category of nonviolent, and they aren't going to switch and become violent under certain circumstances. That just doesn't make sense. So I think the answer is, it's the beds, stupid! We've got to get the message -- it's the beds, and we need to provide them.

"Thank you, Mr. Speaker."

Representative Ward then rose and stated:

"Looking at this issue as a whole, it's too important to be partisan, it's too important to be NIMBY, even though I'm shocked by the Representative from Pahoa that if the egos of the Representatives of this body are the reason for the lack of safety in the streets of Hawaii, I would even hate to say that or admit it.

"Mr. Speaker, what the difficulty is is that we have not the political will to do something about what we say and keep redefining as the problem. If the statistics say 43 percent of everybody who steals a car has stolen a car, Madam Floor Leader, that means they've had their day in court. They're just having another day out into the streets. The numbers are there. What we are doing is, we're releasing crime unto the people of Hawaii.

"And if this was a partisan issue, I would not let the Minority keep harping away at it but let this be said and mark my word -- until the Majority secures prison space, bed space, by privatization of whatever measure, we are going to harp on this, we are going to fight, we are going to keep reminding you -- this is what the people of Hawaii want. They want a safe Hawaii, they want safe streets. We bugged you for fifteen years before you let the Lieutenant Governor let go of elections. This is one we're not going to let up on. The people of Hawaii deserve safe streets and this is not partisan -- it's too important to be partisan. But we seem to be the only ones to say, let's privatize, and somebody on your side says, we'll fight you all the way to the Supreme Court, and you know whom I'm talking about and you know what I'm talking about.

"This is an issue for the people of Hawaii -- the public interest -- and we've got to do something. Give us hope, give us progress, give us some signs that you're doing something by doing this. That's what we're looking for. Give us some progress, not rhetoric on how we're cleaning the streets by keeping people from having this bill for pretrial inmate release. This is not a solution to the problem. Give us some substantive development.

"Thank you, Mr. Speaker."

Representative Herkes then rose and stated:

"I didn't pick on the Minority -- I picked on everybody in this room -- Minority and Majority. And my statement about hypocrisy stands.

"And as for the prisons in the Minority Floor Leader's district that she has referred to, I have been advised that they're really in Representative Nekoba's district.

"Thank you."

Representative Thielen then rose on a point of personal privilege and stated:

"Mr. Speaker, I would like to let the Representative from Pahoa know that we're not quite as provincial, that Kailua and the Windward side all share in the concerns of the same issues, and we all look at that as a Windward district. So technically, it may be a mile -- not even a mile, probably 6/10ths of a mile from my district, if even that. And as I mentioned, my daughter lives directly across the street, Representative. She supported the expansion of the facility, and I think that those remarks of yours were unfounded."

Representative Tom then rose and stated:

"Just a follow-up clarification. All of my statistics for my presentation on the success of this program -- current success of the program -- and the millions of dollars spent from other states for violating consent orders have been obtained directly from the Public Safety Department. I don't think they're going to lie to me, unless there are people here who's trying to strike fear in the minds and hearts of the public of a program that we have no choice on in trying to do, but these stats are from the Public Safety Department."

Representative Amaral then rose and stated:

"I rise in support of this measure and just to clarify something.

"One of the things that bothered me a great deal when I was in the Police Department was the rabid way in which people feed on the issue of crime, and how much misinformation there was out there. The plight of the police officer is difficult enough without having people in a semi-hysterical state around the issue of crime, but crime makes people crazy.

"But one thing I want clear for the record -- Hawaii has the lowest incidence of violent crime, the lowest rate of violent crime nationwide. It is true we are high in property crime as are many resort states high in property crime, by the way. . .

At this point, Representative Thielen rose and asked:

"Mr. Speaker, is she speaking to the bill or more generally?"

Representative Amaral responded:

"I thought that I was speaking in support of this measure and where the previous speaker -- the Minority Leader -- had said that he was not politicizing this issue but that he was going to be on the Majority on this until we could provide more space in prisons. In fact, the hysteria I hear from across the aisle is politicizing this issue.

"The record shows that Hawaii, in fact, has the lowest incidence, among all other states, in violent crime, and we should not be trying to scare our constituents into believing that the pretrial release bill is going to suddenly create a crime wave out there. And I think that we have to be real careful with the way we talk about the issue of crime, rather than politicize it and rather than make it part of the partisan politics it seems to be today on the floor.

"Thank you, Mr. Speaker."

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

"As other speakers have said, the purpose of this bill is to extend from 1996 to 1999 the authority of the Department of Public Safety to release pretrial inmates on an emergency basis.

"This was a bill we passed, all of us in this room, last year in the 1995 session. I think we heard many of these same arguments last year. I don't see that we have any choice today except to pass this.

"The problem I have with the release of pretrial inmates is the emergency basis, and you've heard the reasons why we have the emergency, the consent decree, the possible fines, the lack of bed space, the looking for space for more dangerous criminals -- all these reasons why we really have no choice.

"The release of pretrial inmates presents risk to the public. There is no question about that. This means that more property crimes will be committed as these inmates are out on the streets. In addition, the emergency release program is currently allowed to release persons charged with misdemeanors or petty misdemeanors, including harassment by stalking. Maybe these people that are pretrial detainees have harassed somebody to the point where their actions were bad enough that somebody felt they should lock them up and perhaps put a bail as high as ten thousand dollars for the safety of some person who was being stalked.

"We may argue about the recidivism rates -- the percentages -- but if you were that one person who was terrified and stalked and that stalker was out in a matter of weeks stalking you again, that is something we would all hope would not be continued. On this floor and in committee, I've heard the justifications. . . I think we all heard the justifications of why we must have this emergency release. It's frustrating to me, it must be frustrating to taxpayers, our constituents, that we continue to argue because of the lack of bed space which we all knew about as early as 1985, and yet we have done nothing about it.

"The Representative from Pahoa says, 'Who stands up and says, what about my district?' It was not my district but it was in the Representative from Haleiwa -- I was there talking to a group of business people in Kahuku -- and they said, 'Put a prison here.' There's a lack of jobs there. We can't say that we'd have a referendum and everybody in Kahuku would vote for it, but I do think there are districts across the State -- some that are hard-pressed for jobs. And that's exactly why the private prisons throughout the country have grown, because they see a need and they create jobs and they don't have any problem filling those jobs. The State of Hawaii has a problem with jobs so I think that we could do a better job than we've done in the past.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose and stated:

"With regard to the statements made by the Representative from Manoa, I thank him very much for his statements. He's noting that this is a problem and has to be addressed, and we need to take action on it, and I agree.

"We all know this measure is going to pass. It's up to the Minority to voice it's opinion in opposition to help

structure change in our islands. If I only had the assurances that we were going to move toward more prison space, I would vote with reservations, but I don't have those assurances. We see nothing coming forward and I would like to note that this underscores what has happened. This Legislature has failed to address the real problem -- the shortage of prison space.

"This bill is a symptom, not a solution, and for those reasons, I am going to continue to vote no.

"Thank you."

At 5:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 5:07 o'clock p.m., Representative Tom rose on a point of personal privilege and stated:

"I just wanted to make sure, since we're on Olelo, that it's clear that the bill drops dead in 1998, and I just wanted to make sure that my neighbor from the 46th District's statement was corrected. It was 1998, not 1999."

Representative Case then rose and stated:

"I appreciate the comments by the Representative from Nuuanu clarifying, I believe, that his no vote is a vote of frustration. But I ask each of the members who are about to vote no on this bill to ask themselves: If your vote was the last vote -- the difference between whether this bill passes or fails this year -- would you in fact still vote that way? I think that's the key question here. I think not.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2888, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Halford, Kawanakoa, Marumoto, Thielen and Ward voting no.

Conf. Com. Rep. No. 64 and S.B. No. 2446, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2446, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 65 and S.B. No. 3021, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3021, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Halford, Morihara and Takai voting no.

Conf. Com. Rep. No. 66 and S.B. No. 2380, SD 1, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2380, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Kawakami rose to speak against the bill, stating:

"Mr. Speaker and colleagues, I have been a strong advocate of compulsory education until the age of 18. This bill would reduce that age level to age 16, and would deny help to those students that I feel need it the most. It relies on strong parental and community guidance with school collaboration to create an alternative education program for these young adults who have been disruptive in school. Let me say that if these students had a strong support system in the home in the first place, I sincerely doubt that they would be in the situation that they are today and would have to be removed from school at age 16. Who will monitor these programs, families and students? I say we need to spend more time to guide, to make learning more relevant, to make it more challenging and help to correct in the next two years that the student reaches age 18.

"We all agree that each and every student deserves the best education that the State of Hawaii can offer. But we must ask ourselves: 'When have we done enough?' Is there a point and time to call it quits and admit defeat, to say that this is a student that we cannot educate anymore? I ask you to remember the UH Rainbow Men's Volleyball Team. We didn't give up on them, and I know I and many of you even cheered for arch rival UCLA, in hopes of giving our 'Bows' one more chance. Do our high school students deserve any less? Let's not be too hasty to get these students out of school. You'll have other problems looming ahead.

"This bill goes into effect on July 1, 1996, and I say that the timing is not right, not to put students out.

"Mr. Speaker, I ask that the rest of my comments be placed in the Journal, and I thank you very much."

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

Further comments by Representative Kawakami are hereby inserted:

"As a former educator, I experienced first-hand the frustrations and triumphs of the classroom. Every teacher experiences both, remembering their best and problem pupils. I applaud the empowerment that this bill bestows upon our teachers by allowing them to take action to preserve the focus of their classrooms, educating pupils.

"However, as an educator, I have always felt a responsibility to do the very best I could for all my students, those that excelled, those that kept pace, and those that struggled just to be there.

"The students that made teaching a chore, those whose intent, it seemed, was the total disruption of my classroom, were those that needed the most attention and help. Not necessarily help from me, nor the Principal, maybe not even their parents, peers or family. What these young people needed, during those tough growing-up teenage years, was understanding, support, attention, and guidance from all of us and society as a whole. To be told don't give up, keep on trying, we'll stand by you was my teaching philosophy.

"This bill takes that support away from the very group of teenagers that need it the most. I have seen too many 16 and 17 year olds in this very predicament. I do not feel that it is right to give up on them.

"Alternatives need to be found before we remove these students from our public schools, a curriculum change, a change to another teacher, a work study program, or a

transitional vocational program might be a motivational thrust, a caring response for someone with many problems.

"The teenage years are very difficult ones. Many of us know how tough they are as parents, imagine what these young adults are faced with. Time is a precious commodity, as many parents work multiple jobs just to get by, and almost 50 percent of those are single-parent families. The teenagers of today are forced to grow up with less time and guidance from their parents, and lucky if everyone lives in the same household.

"Mr. Speaker and fellow colleagues, I grant you there are a handful of students who may not benefit from any alternative programs. However, the Department of Education has the ability right now to remove them from the public schools. Why then do we need to put this into statute and consign a population of students, no matter how small, to be given up on? Let us not take the easy way out."

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

Representative Abinsay's remarks are as follows:

"The purpose of this bill is to lower the age of compulsory school attendance from 18 to 16 years old. The child can only be excused from attending school if the child's behavior is disruptive to other students, teachers or staff and that the child's non-attendance is chronic that hinders the child's learning.

"This measure also provides that the principals consult with school personnel, the child and the child's parents or guardian to collaborate and determine the best possible alternative educational plan for a child who may not be able to learn within the traditional school environment.

"This bill also indicates that in the development of any alternative educational plan, the child and the child's parent or guardian must be given a reasonable opportunity to participate to assure the commitment and successful implementation of such an alternative plan. Furthermore, the bill requires that the alternative educational plan include a process that shall permit the child to resume school.

"In closing, Mr. Speaker, I believe this bill will free the Department of Education and the Family Courts of the costly and time-consuming task of forcing unwilling students to attend school. I urge this honorable body to support this measure.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, this bill, coupled with House Bill 3862 which we discussed earlier, having to do with a no-tolerance policy on possession of alcohol, illicit drugs and dangerous weapons, adds much to the Legislature's serious effort to deal with problems of discipline in our schools.

"The bill is our best attempt to deal with the problem of disruptive students in the classroom and truant students who rob other students of attention from counselors and vice principals who spend an inordinate amount of time trying to get the truant students back to school.

"The bill establishes an exception to the compulsory education law which allows principals to initiate the removal of disruptive students who have reached the age of 16 from regular school. It also allows principals to initiate an official separation of truant students from school. In both cases, Mr. Speaker, a plan for what type of alternative activities the student will engage himself in needs to be established.

"The bill requires that the student and his or her parent or guardian needs to be consulted in the development of the plan. And, Mr. Speaker, it only makes sense that the principals and teachers or counselors developing these plans make every reasonable effort to include the parent and student in the development of the plan. After all, the student, thereafter being separated from the school, will be totally responsible, along with the parent, for the implementation of the plan.

"By the way, the bill emphasizes that the alternative education plan will include a process by which the student can return to the high school should he begin to value the opportunities to learn that are available in the regular classroom. While these plans in theory are very helpful, as the previous speaker mentioned, there is a huge obstacle in the way of implementing them, and that is that there are not sufficient alternative education options available to send these students to. That's why, Mr. Speaker, in a bill that we will be taking up subsequently, House Bill 3138, we are establishing a new role for the State Adult and Community Education Program to take on the responsibility of providing alternative secondary academic education for students who don't fit into the regular classroom.

"In addition, much needs to be done during the months before the next legislative session to determine how we can best tackle the growing challenge which we have of providing for this group of disruptive and truant students. In the interest of all students, Mr. Speaker, we need to get a handle on how to contend with this small group of students who don't fit into the regular high school situation.

"Mr. Speaker, I look forward to working with Vice Chair Tarnas and other members of the Education Committee, as well as Chair Pepper of the Health Committee and Chair Chun Oakland of the Human Services Committee, on these special problems of troubled youth so that we have some good legislation to introduce for the next session.

"Thank you."

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

"As Judiciary Chair, I really would like to take this opportunity to thank Chair Stegmaier and his committee for really working very hard, and I want to thank Representative Shon for ensuring that parameters were set in this bill. I also want to thank Vice Chair Kawakami of Finance. I have the utmost respect for her as an educator.

"The only thing I want to say is I think it is really a wonderful and necessary thing in education. I think we all strive to say, 'never say never.' But there is a time when we're going to have to re-examine our mission in education and say that in order to give some finality to the question of disruptive youth before we come to the point where we have to put in our laws only when a teacher is killed that action can be taken. Before we do that, I think we have to take some finality steps and know that there are certain times that responsibility switches from the school to the parents.

"I just want to thank Chair Stegmaier for his hard work on this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2380, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Hamakawa, Kahikina, Kawakami, Saiki, Santiago and Yoshinaga voting no.

Conf. Com. Rep. No. 67 and S.B. No. 2329, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2329, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL REGULATORY PROGRAMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 68 and S.B. No. 2724, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2724, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 69 and S.B. No. 3159, SD 1, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 3159, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I am hopeful that the parties involved -- the independent agents, the companies, and the banks -- can work together. Hopefully, this draft that we currently have will allow the banks to put an end to the sale of insurance in our communities.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3159, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE, ANNUITIES AND SECURITIES ACTIVITIES OF BANKS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 70 and S.B. No. 1305, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 1305, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, what this bill does is it addresses the unlawful and indiscriminate dumping of used oil, and it gives the Director of Health the authorization to establish rules governing the recycling, transport and disposal of used oil. And, Mr. Speaker, although this bill never came to us -- the Judiciary Committee -- and we didn't have the time to look at the bill as carefully as we should to determine whether there are negative consequences in looking at the entire circumstance and considering the feelings of members here, I will stand here and ask my members to support the bill.

"Thank you."

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

"I think the original title of this bill was 'Relating to Environmental Protection.' I happened to have been on the Conference Committee which, as far as I know, didn't meet too often.

"As a freshman, I had some concerns and I came here and I thought we had a process here, as the Minority Party earlier mentioned -- the so-called high road. I've been told that we're supposed to look at the idea behind it and I'm in favor of the actual contents of the bill. It's just that the process -- due or undue process, or dishonesty or lies, or the means to justify the ends, or deceit, or whatever you want to call it for the best of intentions, I have a concern with. And I'm hopeful that some of my colleagues have some concerns of it also.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1305, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Yamane voting no.

Conf. Com. Rep. No. 71 and S.B. No. 2247, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2247, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 3248, 2888, 2446, 3021, 2380, 2329, 2724, 3159, 1305 and 2247 had passed Final Reading at 5:15 o'clock p.m.

Conf. Com. Rep. No. 72 and S.B. No. 2249, SD 1, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2249, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 73 and S.B. No. 2326, SD 1, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2326, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

DOMESTIC VIOLENCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 74 and S.B. No. 2381, SD 1, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2381, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 75 and S.B. No. 2548, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2548, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 76 and S.B. No. 2773, SD 1, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 77 and S.B. No. 2993, SD 1, HD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2993, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Tom 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 Tom's remarks are as follows:

"Mr. Speaker, I am pleased to report that at last real reform has come to the system for administering the estates of decedents.

"Currently, time and money have been wasted due to an inefficient system for getting the property of decedents to their relatives. Endless paperwork was clogging our court system and precious judicial resources were being used for hearings where there were no disputes.

"In addition, we found that many spouses were being unfairly deprived of their rights to receive property because of antiquated laws.

"Oftentimes, it turned out that the spouse could have received more property if they had divorced than by remaining married until the death of their partner.

"The death of a loved one is a shattering, devastating experience. For too long, we have compounded the grief with an unnecessarily complicated probate system.

"It is time that we joined the rest of the nation and made the whole process simple for the vast majority of cases where there are no disputes, and I urge my colleagues to support this reform measure."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2993, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM PROBATE CODE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 78 and S.B. No. 2152, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2152, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 79 and S.B. No. 2836, SD 2, HD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2836, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose and requested that her remarks, in favor of the bill "but expressing some cautions," be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Thielen's remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill 2836, SD 2, HD 2, CD 1, relating to the Employees' Retirement System (ERS). But while I may agree that it is fiscally appropriate during this time of budgetary crisis for us to lower the annual salary increase assumptions in composing our actuarial valuations for the Employees' Retirement System, it stands to reason that we be sensitive to the ERS's need to maintain solvency.

"We should be especially wary of changes in actuarial assumptions that seem too favorable -- that would, for example, substantially reduce the required contributions to the ERS. If the actual salary increases outstrip the assumptions, future taxpayers will be saddled with these costs.

"Thus, while I rise in support of this bill, I would like to emphasize the importance of maintaining vigilance over the results of our actions, and suggest that we revisit the actuarial tables each year for analysis."

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

"As this bill moved through the process, it appeared to be a prudent bill in that it reduced the salary increase assumptions for the ERS members from 6.5 percent to 4 percent and in light of what we had understood from Director Anzai in terms of the projections as to potential raises for ERS participants over the next few years through the year 2000 was, as I recall, somewhere in the range of zero to one percent due to our fiscal crisis. That seemed to be a very prudent gap between the projected raises as expressed by the administration and the reduction to 4 percent in the bill, and therefore seemed to be well within the range of action that would be expected of the fiduciary in terms of administering the ERS.

"My concern, however, has to do with the bill which is coming up in another few pages, Senate Bill 107, which appropriates certain moneys for the state firefighter pay raise which was the reason for the arbitration award and as to which I'll have some remarks. If that were to be enacted either for the firefighters and/or for other state

employees as a result, either directly or indirectly, of the passage of that appropriation, then we would be looking at a much different picture in terms of the gap between the salary assumption increase as expressed in this bill of 4 percent and actual raise of somewhere around 3.5 percent, and I am concerned as to whether that is an adequate margin of error in terms of the administration of the ERS.

"This also relates to a broader concern which I would like to express here in this context and as to other bills. We saw several bills come through the Legislature or introduced in the Legislature this session which, in one way or another, arguably fall into the category of either micromanaging or somehow administering the ERS by statute or by legislative action. I understand that there's always a temptation to do that, particularly in time of a fiscal crisis where the ERS is really one of the largest possessors of raw cash or assets, and there is therefore a temptation to take a look at those assets. But it can clearly be overdone.

"I do not suggest in my remarks that we have not done the right thing with this bill. Again, I think it was appropriate under the circumstances. But I think we have to remember that the ERS does have unfunded liabilities at this point that are variously estimated, but one estimate is somewhere around \$1.6- to \$1.8 billion. That's a lot of money obviously, and the problem that we have as we go forward, and I think perhaps this particular issue of the ability of the ERS to finance the retirement and other benefits that are due to members is perhaps five to ten years out in terms of being a real crisis, is that we may get to that situation without very careful attention to assuring that the ERS adequately builds up its reserves in order to pay the liabilities that are already developing.

"And so I urge caution as we move forward into future legislatures, both in bills such as this and in other bills, recognizing that it's a very delicate situation where essentially we have an aging government work force and also perhaps a shrinking government work force, especially on the front end, so we don't have the workers moving in on the front end who, by their contributions, will assist in the payment of the benefits which will be due to the workers that are moving out at the back end.

"Thank you."

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

"I do have a concern for the unfunded liability of the ERS, and I feel that we cannot keep giving greater benefits as the Legislature has been doing from time to time.

"I believe that the most egregious raid on the pension fund of our public servants is the infamous high-three practice, and I think we should watch the fund and guard it very carefully from here on end.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2836, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 80 and S.B. No. 2458, SD 2, HD 2, CD 1:

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

Committee was adopted and S.B. No. 2458, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE PATROL," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 81 and S.B. No. 1720, SD 1, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 1720, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 82 and S.B. No. 2723, SD 2, HD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2723, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

Representative Yoshinaga's remarks are as follows:

"I urge my colleagues to please support Senate Bill 2723, SD 2, HD 1, CD 1, a piece of legislation that proposes to enact the Uniform Limited Liability Act. As in other areas, Hawaii lags behind other states in enacting a progressive business law. This limited liability act will do much to improve the perception that this State is unfriendly to business. Hawaii is one of only two states which do not provide for the option of limited liability companies. Limited liability companies will provide Hawaii businesses with choices other than partnerships and corporations for structuring their businesses.

"The limited liability company form is a relatively recent innovation in the United States. However, it is essentially a simple concept which provides businesses with options while looking after the interests of consumers and investors. A limited liability company is a hybrid business entity that combines the limited liability of a corporation with the federal tax treatment of a partnership. Like the shareholders of a corporation, the state grants the members of a limited liability company statutory protection from liability. A limited liability company member risks only the capital that the member agrees to contribute to the limited liability company. Like the partners in a partnership, no federal income tax is imposed on the limited liability company at the entity level. Rather, the tax is imposed on the individual members of the limited liability company. In addition, members of a limited liability company may participate in the management of the business as do partners in a partnership. As in a partnership, statutory provisions control, unless the members agree otherwise.

"Adopting a limited liability company act will provide Hawaii businesses and investors with: Firstly, flexibility in financing; members may agree on varying interests.

"Secondly, limited liability. At the same time, this bill retains protection for consumers and investors by requiring at least two members and a written agreement to vary statutory defaults.

"Thirdly, contemporary management structures that reflect how businesses really operate and management structures well-suited for our cultures. Members may choose to run their company either directly as in a

partnership, with all members taking part in decision-making or through managers who are voted in. Thus, with a limited liability company form, participation and consensus-driven decision-making can be utilized. Even under a manager-managed option, a limited liability form requires fewer formalities, such as proxies, official meetings, resolutions, minutes -- formalities which often trip up small businesses, causing them to risk losing their limited liability in corporate form.

"And lastly, federal tax advantages. Limited liability companies may be taxed as partnerships when properly structured. This will allow Hawaii investors and business owners to take advantage of the current federal tax structure -- by selecting the business form most advantageous to them for federal tax purposes and for its management characteristics.

"Limited liability companies are a common form of business entity worldwide and in the United States. Unlike the states which have provided for limited liability companies earlier, we have the opportunity to learn from the experience of other states. I feel that this bill builds on the best there is to offer in addressing the needs of businesses together with protecting investors and consumers.

"This model legislation is a step in the right direction toward legislative reform. The federal tax advantage incorporated in the LLC is a stride toward tax reform that will lead the way for other methods of tax reform. The current crisis is forcing the necessity to look at how the State derives revenue, not only spends funds.

"Economic revitalization is vital to the improvement of the State's current economic condition. Encouragement of capital investment, proactive rather than reactive state response to federal changes, fostering of well-paying jobs, fairness and equity in the impact of taxes and competing nationally and internationally in the business climate are a few of the grievous motives for the state to explore and provide tax reform that is beneficial for all citizens of the State.

"The long-term capital gains tax exemption, GET exemptions for out-of-state sales of service, use tax, federal contracts of services exemption, and investment in the Tax Review Commission are issues the Legislature has confronted and will continue to look at.

"The long-term capital gains exemption provision would exempt from gross income any capital gain realized in real or personal property from any source within the state as long as it is invested in the state and held for a minimum period of seven years beginning on or after the date this type of measure would take effect. Hawaii has historically been short from external sources. Long-term foreign investments into business and developments are essential to Hawaii's economic growth. Long-term investments from abroad will help to diversify and strengthen Hawaii's economic base and generate employment. A long-term capital gains exemption will provide an incentive to retain investment in the state in addition to attracting new capital from outside the state. Because the tax benefit cannot be taken until it has been held as an investment for seven years, it will provide the foundation for new jobs which will in turn produce additional income and gross excise tax revenues. A long-term capital gains exemption will foster a better business climate in Hawaii.

"The GET exemption for out-of-state sales of services is another method of reform we need to pursue examining. International trade is vital to the economic well-being of the state. With the rising level of development and high growth rates in the economies of the Asia-Pacific region,

the opportunities for trade and business are substantial and growing. Since Hawaii's services are primarily specialized and small-scale, the search for appropriate market niches is critical. Without large-scale manufacturing and commodity production, Hawaii has difficulty producing enough exportable goods and services to balance its dependence on tourism and imports, and to compete with other suppliers. This act would bring equity into the current law, putting services on equal footing with goods sold to customers located outside the state and with software related services both of which are exempt from GET on out-of-state sales. The exemption of gross income from the general excise tax arising from the sale of services to clients or customers located outside the state would maximize Hawaii's businesses with overseas markets. Increased opportunities for exporting services would encourage a greater diversity of jobs and more opportunities for professional development. The ability of service industries to competitively bid on international and national contracts would be increased. Out-of-state contracts would also provide more well-paid, high quality jobs.

"Out-of-state businesses should not be treated more favorably than in-state businesses. The use tax on services and contractor's services from out-of-state businesses imposes a four percent tax on services provided from these out-of-state companies.

"Providing a GET exemption for services and contracting sold to any federal government will also put Hawaii businesses on an even playing field with out-of-state companies. Currently many federal contracts go to out-of-state companies who then hire out-of-state employees. The benefits of this exemption can easily be identified.

"The Tax Review Commission is intended to be a body which conducts a comprehensive assessment of the Hawaii tax system and makes recommendations as to how the systems can be improved. The Commission considers all aspects of the tax structure -- including those mentioned above -- and additional ones such as equity, effectiveness, and ease of administration. With the debate in Congress on possible changes to the federal system and changing methods and amounts of state appropriations -- the expertise and work of the Commission will be essential.

"Both businesses/professionals, the labor force, and investors and consumers will receive benefits from these types of reform measures. With the continuing fiscal crisis of the state, we need to, we are being forced to, look at alternative measures that relieve unnecessary burdens and provide benefits to both individual taxpayers as well as business/corporations. I encourage you all, I challenge you all, to look for alternative choices, satisfy the needs of our people and pursue economic tax reform policies for the benefit of the future of all our state."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2723, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2249, 2326, 2381, 2548, 2773, 2993, 2152, 2836, 2458, 1720 and 2723 had passed Third Reading at 5:18 o'clock p.m.

At 5:19 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 5:20 o'clock p.m.

Conf. Com. Rep. No. 83 and S.B. No. 641, SD 2, HD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 641, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, I know this is not going to be a popular statement in opposition to this matter. I just have some concerns about it.

"What this bill does is appropriates \$62,000 out of the general fund, money that we know could go in a lot better places for human service programs, but it's \$62,000 out of the general fund to allow our legislative proceedings to be televised on Maui, the Big Island and Kauai. And I guess my question would be: After the track record of this legislative session, which viewer would really like to have the money go here so they could watch us in action here? Or would they rather have the money go to the programs that really so severely need it -- the General Assistance people living on \$217 a month, and other real critical needs in our community?

"That \$62,000 could have been put to better use because I don't think people are going to be real keen on tuning us in. I think they'd rather tune us out after the results of this legislative session.

"Thank you, Mr. Speaker."

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

"An amount of \$150,000 has been expended in this year to afford telecasting of legislative proceedings to the people of Oahu, and that it is even perhaps more important because of the distance and the inability for the people on the neighbor islands to travel -- the inconvenience and costly travel to Oahu -- that such telecast be made available to the people on the neighbor islands.

"I just want to assure you, Mr. Speaker and the members of this House, that this does employ the most cost-effective means of accomplishing our objective. Cost comparisons were made and I do have the details, but let it suffice to say that it is the most cost-effective and, therefore, we should pass this measure.

"Thank you."

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

"I would just like to say that I think it's great that the public has an opportunity to see everybody in action and see just how a bill becomes law, messy as it is.

"But I would also like to add a question I can't help but ask: Which legislator has profited the most from the use of this particular little thing that we have here?

"Thank you."

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

"The neighbor islands are tired of being kept in the dark.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 641, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Meyer, Thielen and Ward voting no.

Conf. Com. Rep. No. 84 and S.B. No. 1735, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 1735, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 85 and S.B. No. 2552, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2552, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE DEPARTMENTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 86 and S.B. No. 3232, SD 2, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3232, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 87 and S.B. No. 2087, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2087, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 88 and S.B. No. 2090, SD 2, HD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2090, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

Representative Meyer's remarks are as follows:

"Mr. Speaker, this bill raises annual fees for pesticide licenses from ten dollars to seventy-five dollars. An increase in the cost to business is an increase in the cost of living, for businesses will pass on these higher costs to consumers.

"This bill also creates just one more special fund of which we already have too many. The funds from this

special fund will pay for services the Department of Agriculture should already be providing.

"This is no small increase. It is a 650 percent increase for general use pesticides and a 150 percent increase in licenses for restricted use pesticides. In these times when our businesses are struggling, and the taxpayers of Hawaii are some of the highest taxed people in the nation, and our cost of living is well-known by all, I cannot support this bill, and for these reasons, I will be voting no, Mr. Speaker."

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

"I would like to note that now, not only are we taking the moneys from the pesticides in order to help educate our corporations and public on the hazards of pesticides, but if there's any overflow over \$250,000, then it goes into the general fund. Another way to prop up our general fund by taxing our businesses and our constituencies, and I vote no for that reason.

"Thank you."

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

"I would like to note that this Pesticide Use Revolving Fund has been supported, in fact, by industries, particularly the big chemical companies that we are making pay for a lot of this training, and I think this is a good bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2090, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Anderson, Kawanakoa, Marumoto, Meyer, Thielen and Ward voting no.

Conf. Com. Rep. No. 89 and S.B. No. 2278, SD 2, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2278, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 90 and S.B. No. 2333, SD 1, HD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2333, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"First, I want to thank the legislators -- our House members -- for co-introducing this bill. It was House Bill 4111. There were up to thirty House members who co-introduced this bill. Much of House Bill 4111 is part of this bill that we are going to be passing out today. What it calls for is ... well, let me give you an example of a worse case scenario. There's still one agency that has not been paid for services rendered on a State contract since July 1, 1995 -- almost a year ago. There are several who didn't get paid in February and March. And this is a

worse case example where, if we don't do the job correctly -- State government -- because we're contracting out our services to people who most need these services, we run into problems with social agencies who are nonprofit with very little cash flow, trying to meet the payrolls and also provide the services for the many thousands of people.

"What this bill calls for then is a transitional period of two years in which we will be placing purchases of services -- approximately \$160 million -- into Chapter 103D, under Chief Procurement Officer. Under this scenario, we would then come up with the planning design in which the departments will be coming up with a plan design with an implementation schedule so that we can actually put program planning, evaluation and budgeting into one comprehensive and integrated package per department so that hundreds of our purchases of services' nonprofit organizations can actually get their money, do their jobs without being bogged down with too much paperwork. And there's priority rating, a ranking put in place, so each agency would know exactly what kind of services they are provided and how important and essential they are to providing these services to the people. So we put in there some accountability on the part of the executive branch and accountability on the part of social services who are providing services.

"So, to the members of the House, we put in place a very good bill, and I know that in the future, we are going to have better, more efficient services, better accountability, and better delivery of services to our thousands of clients throughout the State.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2333, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASES OF SERVICES," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Halford, Shon and Thielen voting no.

Conf. Com. Rep. No. 91 and S.B. No. 2522, SD 1, HD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2522, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, on behalf of your managers on the part of the House, I am pleased to present this bill to you and my colleagues.

"What we have done here is to set in motion, after two years of hard community work, a public corporation to run the community hospital system. We have provided that corporation with the opportunity to run the hospitals in a businesslike manner, but have provided a system of legislative and community oversight to ensure that the corporation will, first and foremost, be responsive to the health needs of the communities. We have provided the community hospitals with mechanisms to respond effectively and efficiently in a rapidly changing health care environment.

"Mr. Speaker, this is a bill which your neighbor island legislators fully understand and which I believe that the neighbor island communities very much appreciate. This is a bill which this Legislature can be proud to have passed.

"I see this as the beginning of a new era for the community hospital system. I think it's an exciting bill, and I recommend this bill to all my colleagues.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2522, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY HOSPITALS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 92 and S.B. No. 2795, SD 2, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2795, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 641, 1735, 2552, 3232, 2087, 2090, 2278, 2333, 2522 and 2795 had passed Third Reading at 5:31 o'clock p.m.

Conf. Com. Rep. No. 93 and S.B. No. 2902, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2902, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Thielen voting no.

Conf. Com. Rep. No. 94 and S.B. No. 2913, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2913, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIABILITY OF CONTRACTORS CONTRACTING WITH THE STATE OR COUNTIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 95 and S.B. No. 3108, SD 2, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3108, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 96 and S.B. No. 3135, SD 1, HD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3135, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUDGET REDUCTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 97 and S.B. No. 107, HD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 107, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, this bill funds the recent arbitration award for state firefighters, and I vote in favor of this bill basically for two reasons. First, state firefighters work virtually exclusively in our airports and are funded out of a particular revenue source, as opposed to general funds, and from that perspective perhaps there is merit in the argument that the state can, in fact, afford these particular raises.

"Second, as 'essential employees,' state firefighters never did enjoy the right to strike in the event of a wage dispute and as such, perhaps there is merit in the argument that arbitration awards in those situations should be binding as to such employees who do not otherwise enjoy adequate bargaining leverage.

"Beyond these specific reasons, I do have major reservations with some of the assumptions of this bill and the precedent that may be created with respect to the remainder of the roughly 40,000 government employees under collective bargaining, and the legislature's role in adjudicating disputes or resolving disputes over the collective bargaining process.

"First, the bill and the conference committee report will be interpreted by some to legally bind the legislature to fund any arbitration award. The committee report, for example, makes reference to a communication of March 12th of this year from the Governor which, according to the report, states that 'appropriations are required to fund' the award.

"But I had an opportunity to review the March 12th letter from the Governor which does not reference an interpretation by the Governor that those appropriations are in fact 'required.' And so I believe that perhaps the conference committee report, which I believe was prepared by the Senate, may have taken liberties to interpret the letter in a way that was not intended by the Governor.

"And I do note, in any event, that the governing law specifically states that awards are subject to legislative funding, and I do quote now from H.R.S. Section 89-11(d): 'All items requiring any monies for implementation shall be subject to appropriations by the appropriate legislative bodies. . .'

"Second, I believe this interpretation would usurp the legislative power of the purse and expose the legislature and the state government for the consequences of giving away the power of the purse. The legislature cannot and should not give away to others the authority to bind the state financially. For example, assume that this particular raise was also binding upon the state as to other state employees: would the legislature willingly delegate to a third party arbitration panel, which has no responsibility for harmonizing on a statewide level and over all kinds of issues, not just collective bargaining, the competing demands for revenue enhancement, or for designation of appropriations, or other complicated aspects of the resolution of a budget? Would the legislature willingly delegate that to such a panel and essentially allow that panel to legally bind the state to an appropriation of what may amount to \$50 million a year?

"Third, this appropriation can and will be used as a precedent by the collective bargaining units in their

pending arbitrations with the state, and there are many pending arbitrations at this moment. I question whether we should allow this precedent, which conflicts with the state's claim that it cannot afford wholesale pay raises at this time. In fact, I'm struck by how we reconcile this particular bill with the very difficult state employee issues we have faced all session such as furloughs, layoffs, payroll lags, and that's only dealing with the state employee work force, and beyond the state employee work force, for example, the issue of general assistance and the cuts in general assistance. And as to each one of those issues, we have responded in many ways but the essence has been: 'We really have no choice financially.'

So on balance, I vote for this particular bill because I believe, as a legislator, in evaluating the particular pay raise which is sought in this bill, that it is appropriate to fund that particular award for these employees for the reasons stated. But I do want to make clear that I do not believe that in voting for this award, I or anybody else should regard the legislature as legally bound to do so, nor do I believe by voting for this award, that we should acknowledge any nonlegal obligation to fund other potential awards. When we arrive at the necessity of possibly appropriating monies that fund any of those awards, at that time I believe we should consider whether we are bound for some other reason to fund those awards and whether we are able to do so financially, but until we arrive at the particular situation, I think that the precedent set by this bill is fraught with danger, and I would urge us not to do anything that's inconsistent with our role as legislators.

"Thank you."

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

"In 1978, Mr. Speaker, the State Legislature enacted compulsory arbitration procedures to resolve disputes involving our firefighters. This law was enacted because the Hawaii Public Employees Relations Board determined that the firefighters' right to strike could indeed be curtailed because such a strike would present an imminent danger to public health and safety.

"Because firefighters could not strike, binding arbitration was enacted. It is now 1996 and the firefighters, in good faith, followed the procedures and entered binding arbitration. As a result, they received a 7.2 percent wage increase over two years.

"The State is in a dire fiscal situation and it certainly will be very difficult to fund the increase. And while we may not agree with the settlement, we are honor-bound to follow the agreement.

"Mr. Speaker, while this bill appropriates funds for the firefighters, we must also send a message to our State labor negotiators that we do not approve of what happened. We are aware of the fact that firefighters were willing to accept a lower increase, but the State still held firm to a final offer of zero percent which resulted in the 7.2 percent increase.

"The Department of Human Resources and the Office of Collective Bargaining must realize that this law was intended to assist negotiations in difficult times. And while they sit at the bargaining table, we have the responsibility to implement and fund their actions and their decisions.

"To the members of the collective bargaining units, our actions reflect our commitment to uphold the laws that we pass. It is not an endorsement of the 7.2 percent wage

increase; it is a responsible action taken in upholding the law.

"Thank you."

Representative Yamane then rose and requested the Clerk to register an aye with reservations for him, and the Chair "so ordered."

Representative Yamane continued, saying:

"I'm in total agreement with both Representative Okamura and Representative Case; that's why I'm in a bit of a quandary.

"The Legislature does have to keep its word. But my concern is more looking down the road at the other collective bargaining units that will be coming on board. What kind of message will we send to them?"

"Thank you."

Representative Case then rose in response to the Majority Leader, stating:

"The issue raised by the Majority Leader is whether the state acted in bad faith, in terms of rejecting the offer by the arbitrators to allow a compromise between zero and seven percent. Were we in flush financial times where we had the ability to fund a raise and the state refused to negotiate between zero and seven percent, I would agree that the state perhaps had acted in bad faith. But how many times do we have to hear, over the course of the last few years, that we are in a financial crisis? How many times does the Chair of the Finance Committee have to stand up and talk to us about the road ahead? How many times do we have to debate issues like furloughs or laying off state employees?"

"My objections are that I don't believe that the state, taking a position of zero raise at this time, was acting in bad faith. I don't believe that the state should be penalized for recognizing the financial situation in which it was and for choosing to remain at the zero percent level. This is no surprise in the private sector. The private sector is at zero percent or declining. There are no raises going on in the private sector. People are having lower salaries, lower benefits; they are losing their jobs.

"So I respect the Majority Leader's viewpoint on this issue. On the other hand, I do believe it needs to be questioned whether the state, by sticking at zero, in fact was doing the wrong thing.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 107, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Final Reading by a vote of 51 ayes. (Representative Yamane voted aye with reservations.)

Conf. Com. Rep. No. 98 and S.B. No. 865, SD 2, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 865, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"First of all, Mr. Speaker, this is another of many bills this year which really the Legislature can stand tall and be proud of passing. We did a lot. This is just one of many.

"Before I start with my brief comments, I would just like to take this opportunity to thank my co-chair, Ken Ito, from the IIA Committee. Ken did a fabulous job and I am not just saying that because he drives me home -- I'm saying that because I really mean that, Kenny. So please continue to drive carefully while you're driving me home because I'm not looking where you're going.

"Mr. Speaker, since 1994, under the very able leadership of Speaker Souki, the House Judiciary Committee has consistently and repeatedly introduced many measures to address the counties' problems -- the counties' problems -- in trying to defend themselves against frivolous suits brought by those choosing to swim in dangerous waters around the State while ignoring warning signs. I got that excuse -- they don't. After years of inaction on this measure by the Senate, the other body finally took action to agree with the House position.

"Currently, baseless lawsuits against the counties may be brought for lack of signage and even when the signs are posted, litigation goes on about the size of the sign, the location of the sign, the print on the sign, the typeface on the sign, any ridiculous thing that relieves the swimmer of personal accountability and responsibility. Government cannot think for each individual, government cannot keep individuals safe from their own bad judgment, government cannot be everywhere all of the time.

"This bill recognizes that when a person enters the dangerous waters surrounding our State, they will have to heed the warning signs and exercise good judgment and common sense, and I repeat that -- **good judgment and common sense.**

"This bill also provides clear guidelines to all governmental entities as to what their obligation is with respect to warnings. They'll know what they need to do. The Board of Land and Natural Resources will tell them whether the signs meet the qualifications of the beach. They will have a clear direction now -- all governmental agencies -- of what our responsibilities are regarding beach safety and notice. We all recognize that the counties cannot be omniscient and hold everyone safe.

"This bill does not reduce the protection offered by the counties. Lifeguard and rescue services will continue at the same level and with the same vigilance which will never be diminished.

"This bill brings a good balance to this issue and will be much needed relief to the counties, and ultimately to the taxpayers of this great State of Hawaii.

"Thank you, Mr. Speaker."

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

"Like the previous speaker, the Chair of the Judiciary Committee, I feel that this is one of the brightest spots in this legislative session.

"This is a subject that has come up for at least twenty years. The counties have been begging for this. We came very close last year but we didn't make any homeruns. So it's a pleasure to be part of this group here today, and I am voting yes on this measure.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, we worked on this bill for months this year, hoping to get it back to conference, and I am glad that we got something out of there.

"It has been going on for years, to give some help to the counties. The island of Kauai had some beaches that lost lifeguards because the Mayor did not want to risk the liability. So to be very brief, let me say that this bill will save some lives. I hope that next year, though, we can make it even better than it is this year.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 865, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 99 and S.B. No. 2145, SD 1, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2145, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This is a very important issue, Mr. Speaker. Currently, the private sector cannot finance a new school facility for lease to the State because under current law, they are only guaranteed lease rents for two or three years.

"This Legislature cannot obligate future Legislatures for lease rents. If S.B. 2211 is approved by the voters, then this bill kicks in and it enables the private sector to go out and build schools to lease to the State, and this will greatly expand our ability to provide schools throughout the State of Hawaii.

"And I commend the Chairman of the Education Committee for moving this bill along. It is a very, very important bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2145, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 100 and S.B. No. 2264, SD 2, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 2264, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Actually in terms of bright lights, this is one of the bright lights that shines above us all for the good work that we have done.

"The purpose of this bill is to provide an additional source of funding for legal services for indigent persons by assessing filing fees for civil cases. Quite frankly, it is noted in the committee report that without legal representation, indigent persons have had to sometimes be forced to remain in abusive marriages; to be discriminated against due to race, gender, age or disability; to be victimized by consumer fraud; to lose their ancestral family lands; and to be unable to make adequate plans for their medical care for their illnesses or for their estates.

"And we, understanding the limitation and the cuts that took place as a result of federal action, tried to rise to the challenge but were unable to provide sufficient moneys for those organizations that provide legal services to the indigent. This bill provides us a vehicle to continue to support that effort that takes place in the community.

"If I have any reservations about this, it is the reservation perhaps about the last piece that was put into this measure calling for a special report of the Legal Aid Society to be reported back here. Actually, I believe that out of all the organizations, Legal Aid has one of the finest records in the representation of indigent persons. I am not quite sure why they were singled out. I have no doubt but that when a report is done on them, that their record will rise to the test and will, in fact, demonstrate them to be the remarkable organization that they are.

"I hope all the members will support this measure.

"Thank you."

Representative M. Oshiro then rose to speak in favor of the bill, stating:

"As a former Legal Aid attorney, I would just like to recognize the House of Representatives for passing this measure. It's an important statement to the people that this fund will serve -- the beneficiaries -- and these are people who are some of our poorest in our State who, but for being poor, cannot afford access to the justice system.

"This is a very important legislation because it reminds those, and some are in the audience, that we have not forgotten them, that we have not abandoned them, because through this bill we will be assessing a surcharge from those who have the advantage and the wherewithal and the financial means to access our courts. We will use some of this money to fund these legal services for the poor.

"Thank you, Mr. Speaker."

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

"I am also a former Legal Aid attorney. I think we have a few of the graduates of that program here in the Legislature.

"Mr. Speaker, this bill was encountering very serious difficulties and that would have been a tragedy because the people that are referenced in the bill need to have access to the legal system. We're talking about individuals whose income is not greater than 125 percent of the official poverty line. That's very, very low income. And an individual who is eligible for free services under the Older Americans Act or Developmentally Disabled Act, or any organization or client group whose purpose is to further the interests of indigent persons and that that group is composed of at least fifty percent of persons who meet those requirements set forth in the bill.

"This is an excellent measure, and I would hope that everyone stands in resounding support of it. And I would like to personally express a 'thank you' to Speaker Joe Souki, a former HCAP member, who also saw the need to make sure that this bill survived the process. Without Speaker Souki, I think the bill would not have made it, and I thank you tremendously, Joe, for your help."

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

"First of all, I have to note for the record that it will be through these legal services that we will be able to advocate for people and, hopefully, to get those that we lose on General Assistance into SSI benefits, and that's one big positive.

"But the second big positive that I need to acknowledge on the floor is my deep gratitude to the members across the aisle who are not fighting this as an additional tax upon us all -- this fee. We deeply appreciate your support for this measure, and do not call us on this fee as an additional tax. Thank you very much for your support.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"I appreciate the Majority Floor Leader's comments. It goes hand in hand with our opposition to cutting the General Assistance benefits because when we are able to help the poverty community, we're standing there to do it.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2264, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR THE INDIGENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 101 and H.B. No. 2452, HD 3, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2452, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 102 and H.B. No. 2642, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2642, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 103 and H.B. No. 1257, HD 2, SD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 1257, HD 2, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, as a military veteran of the United States Air Force, I really commend this Legislature for passing this measure; in particular, the tuition waiver for the National Guard.

"You know, the National Guard is the State's military and it has a mission that no other reserve in active military force has, and it is to protect the State of Hawaii. And for just that simple community service that they do, I think we could give them at least this, and I stand in support of this measure.

"Thank you."

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

"Our Hawaii National Guard is more essential to the State of Hawaii than the National Guardsmen of any other state to their respective states for several reasons. First, because of our strategic position in the Pacific, our Air Guard is the first line of defense in case of attack for the entire nation.

"Second, again because of our isolation, we are completely dependent upon our own Guard in times of emergency such as tsunamis and hurricanes, and we need a strong Guard. But the Guard is also dependent upon us for support and if recruiting drops off, units must be disbanded and recruiting is very dependent on benefits for Guardsmen. The tuition waiver is the most important benefit to attract young men and women to join the Guard and also for them to re-enlist.

"I want to thank both Chair Lee and Chair Say and the members of this body for their support in this bill.

"Thank you very much."

Representative Ward then rose in support of the bill and stated:

"Mr. Speaker, as a Vietnam veteran, I would request that the remarks of the two previous speakers be entered into the Journal as my own," and the Chair "so ordered." (By reference only)

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

"The Guard does provide us a level of security and assistance that we sometimes fail to appreciate unless one has experienced the ravages of Hurricane Iniki. The Guard was there and they provided assistance that I don't think Kauai would have been able to survive to the extent that it did.

"I also would like to extend my appreciation to Chairpersons Lee and Say for making this tuition assistance possible.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1257, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. No. 2902, 2913, 3108, 3135, 107, 865, 2145 and 2264, and H.B. Nos. 2452, 2642 and 1257 had passed Final Reading at 5:58 o'clock p.m.

Conf. Com. Rep. No. 104 and H.B. No. 3583, HD 2, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3583, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 105 and H.B. No. 3954, HD 2, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3954, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 109 and H.B. No. 2644, HD 1, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2644, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 110 and H.B. No. 3340, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3340, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS AND DUTIES OF THE COMPTROLLER," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 111 and H.B. No. 3342, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3342, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 112 and H.B. No. 3389, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3389, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 113 and H.B. No. 3554, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3554, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 114 and H.B. No. 3565, HD 1, SD 1, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3565, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BULK TRANSFERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 115 and H.B. No. 3852, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3852, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ETV HAWAII/ELEPHANT TELEVISION, INC.," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 116 and H.B. No. 3968, HD 2, SD 1, CD 1:

Representative Amaral moved that the report of the Committee be adopted and H.B. No. 3968, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I rise in support but with some concerns that I would like to express to the members here so that, as time goes on and in the years to come, they will be aware and perhaps watch this very carefully.

"The Hawaii Employers' Mutual Insurance Company (HEMIC) initiative is from the Lieutenant Governor's Office. She worked very hard to get this through and the concept is excellent. It has worked in four other states although it has been very expensive. What we learned is that when it was first started in Maine, it required a higher premium than what people were paying at the present time because of the capitalization costs.

"This bill mandates that anyone in the assigned risk pool has to go into HEMIC unless they can find a private insurer somewhere else. The fact that they haven't found a private insurer means that they're in the assigned risk pool so that's why they're in there now. As the bill states, at the end of this year or thereabouts, those who are in the assigned risk pool, which are about 30 percent of all the businesses in Hawaii, will have to go into HEMIC. That means 70 percent of the people out there that are in businesses don't have to join HEMIC, which means that 30 percent are going to have to support a brand new 'blessed' by the State private mutual and it does not have to be a part, or is exempt from being a part of any guarantee fund. It is on its own and it will not receive any State funds.

"It's interesting to me that the bill has several mechanisms in it. Should it fail, the present workmen's compensation law will be reinstated. So I think that there is a lot of apprehension or I don't think I would see that in there.

"Some of the expensive parts of the bill, which are very important and that every business should be doing anyway, are going to require that they be working with the development to implement and monitor the work place for safety, so that means that the HEMIC Board will have to hire not only the Executive Director, but a lot of employees to analyze and to assess the businesses that are in it. They have to provide reports of workmen's compensation accidents; they have to study the risk hazard and identify the assessments; they have to develop

educational programs; they have to investigate unsafe working conditions. I think this is all excellent. It's something the Department of Labor supposed to have been doing all along, frankly.

"But now HEMIC is a program which is going to provide that all those in the assigned risk pool are part of this, and my concern is that there is no alternative for them. What if a business cannot afford that increase in premium to be under HEMIC? What do they do? Where do they go? Do they just go out of business? There is no more assigned risk pool for them. What if they can't find a private insurer that will take them over? That is my greatest concern. And for those of you who remember that little thing called the 'Individual Medical Savings Account,' that would have been an alternative but that didn't make it.

"I would hope that those of you who are here will watch this very carefully, monitor it. I wish it the very best because I think it has great potential if it works, but with 70 percent of the businesses not required to join it and if there is no incentive, why would they join something that the premium is going to go up on them? The whole purpose of workmen's compensation is to decrease the premium, and that is my concern.

"So, Mr. Speaker, I do support this. I think it's a very creative and innovative kind of approach to workmen's compensation but the way it is drawn up, I have great concerns for those little businesses and it's the small ones, most of them, by the way, that are in the assigned risk pool. Whether they will survive or not is a concern of mine.

"So thank you very much."

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

"This is a good bill. What's happening to the market is very simple. Assigned risk pool companies with no injuries or claims submitted have been dumped into the assigned risk pool so now there are more than 35 percent of companies who pay less than one hundred thousand dollars in premiums being dumped into the assigned risk pool, especially those businesses who have not filed one injured claim, some for as many as twenty years.

"There's nothing here to regulate the insurance carriers. In fact, in the assigned risk pool, there is only one company that is really underwriting that pool. The rest -- the four to eleven -- are what you call the servicing carriers. They are providing the case management and claims processing. They're getting paid and, at the same time, they're dumping these companies into the assigned risk pool.

"The beauty of this bill is simply the fact that this corporation is run by the employers, is ruled by the employers -- they are the shareholders. No one is forcing them to join this corporation. So it is very important and critical that they keep premiums down, go to other components like the Return to Work Program, Safety Work Practices and Policies, et cetera, which keep expenses down while providing quick and appropriate care to the injured worker.

"By the way, this bill -- this initiative -- was taken by the House. We initiated this back in March of last year. We researched assigned risk pool with many, many states on the mainland starting with Missouri, and the fact we came into the model that is used by Maine, but it is still replicated in the Missouri and Louisiana plans. It only means that the Lieutenant Governor did a real good job with the research that we had originally started.

"Now this bill -- this corporation -- will lower their premiums so those in the voluntary market, their premiums are going to go down, and the beauty of this bill is simply this. We are putting into law annual reports to be submitted by insurance carriers, those who are in the assigned risk pool, and those that are in the voluntary market. And based upon the analysis by the insurance carrier, we have put in there laws to provide for rollbacks on rates. But remember this rollback of rates -- we put that in this bill, we put that into House Bill 3512, which is the comprehensive workers' compensation reform bill II.

"So I think with all of these things put into place, and there are four to five reinsurance companies who are ready to come to Hawaii to underwrite, to capitalize this fund, and there are no State moneys involved -- this is strictly a private business venture -- I think what it does is, it places employers their own responsibilities in taking care of their insurance policies right now.

"So I think, members, we should all take pride in putting this major component of workers' compensation reform II together, and let's look forward to other things next year, if I'm around, folks.

"Thank you."

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

"Mr. Speaker, I am reminded that among the blind, the one-eyed is king, or a half a loaf is better than no loaf, and things like, well, on the one hand, it's got some things that may do some things; on the other hand, it may not, Mr. Speaker.

"The reviews of this bill have been very mixed, to say the least. One group in the community says that probably not much is going to happen with this. The other says, well, let's give it a chance. And, Mr. Speaker, a year ago we said that we have an incentive to buy people out of the fund who were in the high risk pool. We sold that to the public as the best thing to get out of the high risk pool, and we haven't given that a full chance to work and I hear that may not even be working.

"The fortunate thing is that the Chair of the Labor Committee says that it will be the private sector. It has in it clauses that say go, no go, pull the plug if necessary, so if it doesn't work, Mr. Speaker, it will be disassembled, disemboweled or dysfunctional. And speaking of dysfunctional, if my voice is any stronger, I will continue; otherwise, I would suggest my remarks be put into the Journal," and the Chair, noting that there were no objections, "so ordered,"

Further remarks by Representative Ward are hereby inserted:

"This bill attempts to eliminate the assigned risk pool by replacing it with a private sector sponsored organization known as the Hawaii Employers' Mutual Insurance Fund (HEMIC). While the particular objectives of this initiative are admirable, ultimately, the bill amounts to nothing more than a band-aid solution to a systemic problem in our workers' compensation program. So that there be no illusions as to the effectiveness of this bill, I will briefly outline what it doesn't do.

"This bill fails to address the major cost drivers behind workers' compensation rates. These include: Uncontrolled medical costs, particularly in vocational rehabilitation and that expensive, sometimes numerous

evaluations that doctors make of injured workers; a minimum-rate law that guaranteed insurers remained solvent, yet stifled competition and consequently, competitive premiums; and rampant fraud.

"This bill also forces small businesses to assume an inordinate amount of risk of liability as mutual insurers like the proposed HEMIC are incorporated without capital stock and their policyholders are the owners of the company.

"Additionally, should the members of such a fund terminate their policies, cease operations or become unable to pay, the fund continues to be responsible for covering each members workers' compensation claims. There could, in this case, be a need to seek further appropriation from the Legislature.

"Clearly, the problem in Hawaii is not inadequate insurance capacity; it is a law with systemic problems that make survival of insurance companies difficult, if not impossible. In return, Hawaii businesses suffer from a lack of insurance options and skyrocketing workers' compensation premiums.

"If we are to see real workers' compensation reform in Hawaii, we need to address the root problems of the entire system. Our legislative efforts for the last ten years have amounted to nothing more than half-hearted tinkering of an inefficient and dying engine.

"I therefore, respectfully request that my colleagues pass this bill, but with the understanding that much, much more needs to be done."

Representative Yonamine rose in response and stated:

"Well, what else can we say about HEMIC? It's a real good bill.

"The day for regulating the insurance industry is now. There's 2 to 1 -- two dollars to one deductible -- that the Representative was talking about for those companies that have been taken out of the assigned risk pool is working. We also have certification of the work place. That certification will also give companies some deductibles in terms of their premiums. Three companies -- insurance carriers -- are getting back into the field for people who are interested in getting into HEMIC.

"There are signs -- very vital -- with the reduced medical fee schedule put in place. There are signs that once your costs are reduced and your savings are increased, the rates will be coming down, and it will come down within one and two to three years. All the pieces are in place. We just need to follow up and really make sure that we can implement all the reforms we started.

"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. 3968, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3583, 3954, 2644, 3340, 3342, 3389, 3554, 3565, 3852 and 3968 had passed Final Reading at 6:11 o'clock p.m.

Conf. Com. Rep. No. 117 and H.B. No. 3512, HD 2, SD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 3512, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I don't have a set speech; I just want to express a great deal of frustration. I think we've been trying to get workers' compensation reform for about ten or fifteen years now and have been marginally unsuccessful because the rates have just kept climbing and climbing and have adversely affected businesses, in particular small businesses. They scream and beg for help, but yet we have not listened to them. The screams go away because they go out of business, and it's very sad -- the jobs that go with it also go away. We tried to deal with it in the 1985-86 session -- we even had a special session -- and yet the rates kept climbing and climbing.

"Last year I was very hopeful that now that the building trades union finally understood that workers' compensation had something to do with the lack of construction jobs in the State, came aboard and were looking for reform. I must put the blame where I see it -- it seems to be in the Senate Labor Committee -- and I feel that we simply have to have a change -- a change in heart there or a change in Senator there, because this is a critical issue for the entire State and Hawaii's families.

"A lot of us don't know too much about the subject of workers' compensation. It is a little bizarre and difficult to understand, but everybody seems to think that the insurance companies are bottomless pits and made of money, but I must tell you that many insurance companies have gone out of business or will not carry workers' compensation any longer. Many self-insured companies, even the State, have paid out an awful lot and we've seen \$20 million and \$25 million bills for workers' compensation just for State workers, and we have a pretty good experience. You don't see many State workers getting hurt.

"But doesn't that tell you something? There's something wrong with our system ... we're just giving away too much money -- we're hemorrhaging dollars -- and we've got to fix this, so I guess it's got to be next year.

"Thank you."

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

"Hey, workers' compensation reform is working! House Bill 3512 is a good bill. It deals with reduced medical fee schedule, it eliminates the administrative nightmare that we passed last year -- five treatments and approval from the Department of Labor. We removed that. We've taken away the part-time wage -- remember the part-time wages? The minimum guarantees -- we've taken that away.

"Giving an example: A worker works five hours a week, part-time, at \$5.25. He's earning \$27 a week. When he gets injured on the TDI, he's going to receive a guarantee of \$124. We have eliminated that. Is this wrong? Is workers' compensation reform working? Of course, it is!

"What about our facilitators? We have so many adversary relationships from the very beginning with contested claims. Hey, we've put in a facilitator's unit, and their job is to talk to employers and employees about procedures related to filing claims, where to go, who to

see and what to do. And I think this is so very important to injured workers as well as your employers to know what they should be doing before we end up on Appeals Board and into the courts.

"Now, there are so many different pieces to this bill. The most important thing here is, insurance carriers and workers' compensation made 8.5 percent profit last year -- the very ones the industry is telling us if you do something with. . . you don't give us the rates increase, we're going to get out of state or drop the line in workers' compensation. Well, my friends, such is not happening. In fact, insurance carriers are also making money on no-fault auto insurance, and those are facts that we have gotten from the Insurance Commissioner.

"So, look, what we're trying to do is make sure that injured workers get quick and appropriate care, that health providers are not over-treating, that insurance carriers are not abusing the employers, and the real target are all of these people in workers' compensation.

"So I would say, given the many, many changes in workers' compensation II, that you should all vote for it. You know, I think it's a real good bill, and I want to thank the 38 House members who co-introduced this bill. Congratulations, this is a good bill!"

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

"I wish to express my admiration for the tenacity and commitment of the Chairman who has pushed over these number of years for reform, for improvement of our workers' compensation program. It is important that we do something about it because the costs impact directly on the cost of living, if not on the salaries and wages of the workers themselves.

"What has happened is also an improvement in the business climate, in the sense that the previous bill would provide alternatives to the insurance companies operating in the field at this time. And indeed, we will now have another element when HMSA enters the market with its own workmen's compensation insurance. We definitely need more competition. And what the government can do, what the Legislature can do, is to provide those conditions that foster that competition which will drive down prices and bring back a more efficient operation of the market, and for that Chairman Nobu Yonamine has been most instrumental. He practically has been alone, and we now wish to support him because he has succeeded.

"Thank you, Mr. Speaker."

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

"I do have a few concerns with some of the things that the Senate did not agree to with our workers' compensation package this year.

"It's great to have a good bill but unless that bill ends up with the desired result which, in this case, would translate to lower premiums for those companies and those employers, that even if we say it's a wonderful bill on the floor, it has not achieved what that good bill was supposed to do. We have not seen the results beneficially impact the businesses that are still having difficulty with the premiums that they are paying from last year's workers' compensation. I still think we need to allow it to take its place and to work. I think we need to let HEMIC and our facilitator bills take its place, and then next year we need to see what it has done. Did it actually result in lower premiums?

"And as well as some of the points that the Chairman made about the benefits to the worker and getting them back to work, passing bills is not all that we need to do. We need to make sure that those bills end up doing in the real world what we desired it to do.

"Thank you."

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

"First, I want to commend the Chair of the Labor Committee for being user friendly himself. He has been open, he has listened; the small business community has had access to him. He has heard the bills, he has passed them through, and as was previously mentioned, the non-user friendly body is the other called the Senate, Mr. Speaker.

"The jury is still out obviously on this, and as the previous speaker from Kauai mentioned -- show us premium reductions and we'll show you workers' compensation. That's basically what the business community is saying: Show us the reductions, then we'll agree there is workers' compensation reform. So they're looking almost as with no-fault insurance: Show us that you can get our cost and insurance down, and then we'll know that you will have reform in the process. Unfortunately, the jury is out on that -- we'll have to wait.

"As a personal preference, Mr. Speaker, I would have preferred the retiring member from the Big Island's medical savings account that allowed workers to get paid for staying healthy, to allow workers to get paid for having a safe record in the work place. It was perhaps an idea too much ahead of its time, but since the member may be retiring, hopefully, she will have spawned some advocates to do that.

"In the meantime, on this particular bill, Mr. Speaker, we have to say: 'The test of the pudding is in the eating, Mr. Chairman, and until the rates are sampled in the future, we will not know if what we have done today is, in effect, what the small business community has desired and ordered from us.'

"Thank you."

Representative Yonamine then rose in response and stated:

"We're talking about Workers' Compensation III, IV, V, VI, VII and VIII, because every ten years there's a crisis in workers' compensation in Hawaii. So this is why you're right, Representatives, we have to follow up every year and make sure that these things are implemented, and implemented effectively and well.

"But I also want to thank the people who have helped put this bill together and pushed it through both the House, the Senate and the Conference Committee. Because without their help, this bill would not be coming before us, and I want to thank very much Representative Menor, Representative Say, Representative Tom, and members of the Conference Committee as well as the Labor and Finance Committees, for their part in getting this bill together.

"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. 3512, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having

been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 118 and H.B. No. 3548, HD 1, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3548, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 119 and H.B. No. 3505, HD 1, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3505, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 120 and H.B. No. 3538, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3538, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 121 and H.B. No. 3656, HD 2, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3656, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 122 and H.B. No. 2729, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2729, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 123 and H.B. No. 50, HD 2, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 50, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 124 and H.B. No. 3344, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3344, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING

APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 125 and H.B. No. 2636, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 2636, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 126 and H.B. No. 3493, HD 2, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3493, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEWBORN METABOLIC SCREENING," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 127 and H.B. No. 3498, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3498, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3512, 3548, 3505, 3538, 3656, 2729, 50, 3344, 2636, 3493 and 3498 had passed Final Reading at 6:23 o'clock p.m.

Conf. Com. Rep. No. 128 and H.B. No. 3332, SD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 3332, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"I want to thank our House conferees who worked very hard in a very short amount of time to make this happen: Representative Morihara -- thank you very much; Representative Tom, Representative Say, Representative Swain and Representative Halford -- I am most appreciative.

"Allowing the Governor, by executive order, to allow a guide dog, a service dog, or signal dog and their handler to leave the State for special emergency care and to return back home is long overdue.

"For those who are a bit uncertain and feel that rabies is an uncontrollable disease, let me assure you that we have had the medical technology for years to control this. For over twenty years, we have been successfully using a vaccine to protect our companion animals from contracting rabies. Dogs and cats who have had two or more vaccines at the appropriate time periods with a titer test, to show that the animal system has reacted to the vaccine by producing antibodies, are protected.

"Elliot's service dog, Vita, has been his guardian, his transportation, his goffer, and has allowed Elliot to be as independent, to be a student, to interact with friends, to be as normal a teenager as his physical condition would

allow. For those that didn't see the article in the paper a week or so ago, Elliot Tomai is a spina bifida patient, but he has been able to go to high school and he is completing his college work. He does need to go to the Mainland for some medical treatment and to get a new dog to replace the one that he has. To deny Elliot the use of his working dog, who has had all the appropriate vaccinations, would be most inhumane, to say the least.

"So I urge all members of the House to vote in favor of House Bill 3332, SD 2, CD 1. This is to be used only in cases of an emergency medical need such as Elliot is experiencing now, until we can wait for the bigger picture and the bigger plan to be finished.

"Thank you, Mr. Speaker."

Representative Kawakami then rose and requested that her remarks, in support of the bill with reservations, be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kawakami's remarks are as follows:

"Mr. Speaker, as legislators, we work to meet the needs of the community. Trying our best to be fair and equitable. Sympathetic to those who ask for our assistance, especially those who need a little consideration, the physically challenged.

"But we cannot forget the larger picture, our obligation to keep Hawaii the only rabies free state in the union. If we loose that battle, we will lose an aspect of Hawaii that is immeasurable. Like the beauty of our island state, the safety of never fearing the threat of rabies cannot be calculated in dollars.

"The Department of Agriculture has devoted many hours in researching an alternative to our present system, even bringing in experts from around the globe to add their expertise. It seems that there could be an alternative, one that will go to public hearings this interim and hopefully will be presented next session.

"That is why it is imprudent to make this change today. We must be cautious in our well-meaning rush to assist the part of our community using utility dogs. Cautious not to make a hasty decision, writing it into statute when a compromise may be reached as soon as next year. It is hard asking those with utility dogs to wait, but it would be so much harder to one day explain to our children why Hawaii is no longer rabies free.

"Thank you, Mr. Speaker."

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

Representative Morihara's remarks are as follows:

"This proposal follows up on a resolution which was passed last year -- Senate Concurrent Resolution 305, which requested the establishment of a pilot project to allow resident guide dogs to re-enter the State without quarantine under certain conditions.

"House Bill No. 3332, SD 2, CD 1, gives those individuals who are blind or handicapped a head start on this new program. This measure pertains to those who use utility dogs, who require new utility dogs as well as those needing to travel outside of Hawaii.

"We are following the new protocols developed by the Department of Agriculture which are based on what the

Department of Agriculture researched which is a much more accurate test. This protocol will be four times safer than the present quarantine system. This system is not based on time in quarantine but a combination of testing, identification and vaccination.

"Specifically, this proposal is cautious in that it is limited by the Governor's executive order and deals only with utility dogs which have been proven to be rabies free.

"This system is very narrow. It will be three months before any utility dog can qualify because of the pre-entry requirements. This system gives these disabled individuals, who have been waiting since last year, a more concrete solution to the problem of transporting their utility dogs outside of the State.

"And, this is a step towards the future with a medically sound, much more humane and safer system for the State of Hawaii.

"Thank you for allowing me to speak on this issue."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3332, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 129 and H.B. No. 4008, HD 1, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 4008, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 130 and H.B. No. 44, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 44, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 131 and H.B. No. 3138, HD 1, SD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 3138, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Stegmaier rose and stated:

"I'm speaking in support of this measure just to bring to the attention of the members that there are three parts to it. One would establish the student-run enterprises in our schools and mandate that all profits from these enterprises would be used by the schools and the students to acknowledge them for their industriousness and creativity.

"Second, is a new tax deduction for charitable contributions of educational technology equipment and services to our Department of Education's schools as well as the University of Hawaii system; and third, the requirement that the Department of Education develop secondary education programs within the statewide adult community education system for students who have been

deemed to be more appropriately placed in an alternative educational program.

"All three parts of this bill, Mr. Speaker, are additional ways that this Legislature is supporting the public school students of the State today, and for this reason I am proud to support 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. 3138, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 132 and H.B. No. 1716, HD 1, SD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 1716, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This bill provides for the UH-West Oahu special fund and land exchange. That is one significance of the bill, but the other significance of the bill occurred when the Senate draft arrived.

"The Senate draft proposed to take up to 20 percent of the funds of all the University special and revolving funds, including the funds for the Campus Center, student activities, Ka Leo, and indeed of the UH athletic fund. These are not general funds -- these are user fees paid by the participants, or earned by the sponsoring organization like the UH Press. It is definitely unfair and is a taxation of the worst sort. We had asked the University, since we cannot provide you with more money, please raise it yourself. They did it by raising the tuition, and the first Senate Draft proposes the tax that raises the additional revenue.

"Another part of the bill would have decreased the 1994-1995 base as provided in Act 161. The Speaker, in his address on Opening Day of the Legislature, stated very clearly that the House would oppose any further cuts to the University of Hawaii budget. The University of Hawaii has already been drastically cut and enough is enough. The Speaker and this House have kept their word, have kept the base, and eliminated all the sweeping of the funds as proposed by the Senate.

"The second part of the bill related to the University of Hawaii-West Oahu. The bill approves of the land exchange, which will provide the University of Hawaii-West Oahu with more than 900 acres of prime land in Kapolei.

"Another feature that is very important is that the bill provides for a special fund for the development of a campus, and that fund will be financed through general funds as well as any developmental profits from lands that are below H-1. What is very significant about this special fund, and if I may be permitted, I will read from subsection (c): 'The fund shall be managed by the University of Hawaii, which shall also make expenditures from the fund.'

"This is in complete accordance with the spirit of Act 161, which provides fiscal autonomy to the University of Hawaii. It is a very significant concession on the part of the Legislature to acknowledge that the University should

have not only academic autonomy, but also fiscal autonomy.

"So we have a bill that will provide for the future of the University in West Oahu where most of the population will be living in the 21st century. It is a site that will be readily accessible to people who live in Ewa Beach, Makakilo, Waianae and Mililani.

"In the interim, the Chairman of the Finance Committee has provided for a very significant step in appropriating three million dollars for the design, construction and relocation of 19 temporary facilities from the Kapiolani Community College to Leeward Community College in order to provide for the interim campus of the University of Hawaii-West Oahu. You will recall that the land exchange agreement provides the construction need to be started only in 2011. In the meantime, we need to provide facilities for classes not only by UH-West Oahu, for which more than half of its classes are after 5:00 p.m., but also for the classes of other institutions of the University system.

"Another feature that is very interesting is that nine other portables will be relocated to West Oahu under private financing. And these measures indicate how seriously the House takes in providing the necessary resources at a very, very difficult time for the higher education of the people of Hawaii, for it is in higher education that the future of our State resides, and for this, I think all of us should be very proud that we have taken a very significant step forward in that direction.

"Thank you, Mr. Speaker."

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

"First, I would like to thank the co-chairs, Representatives Calvin Say, Sam Lee and Dwight Takamine -- and the members of the House for deliberating. Also, the chairs on the Senate -- Senators Donna Ikeda and David Ige -- and their members for deliberating.

"Definitely, I agree with Representative Lee, and on behalf of the Waianae Coast that is going to be affected because West Oahu is really, for most of us, our only opportunity to get educated in the higher level. So, in that respect, I say, thank you for having this thing available to us, and I'm hoping to see a beautiful campus being built on that site, and I'm very optimistic to see a lot of PhD's coming out of our areas because of this opportunity.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1716, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Yoshinaga voting no.

Conf. Com. Rep. No. 133 and H.B. No. 1736, SD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 1736, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, we're finally placing a very important and cost-effective parent-community networking center program into statute and giving it the significance that it has proven over the years that it deserves.

"The bill also clarifies the goals and operating principles of the parent-community networking center programs so that all those in the school communities know what the PCNC -- the parent-community networking coordinator -- is all about.

"For this reason, I support this bill.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1736, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 134 and H.B. No. 3773, HD 1, SD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 3773, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"It's time for Hawaiians to make their will known to this legislative body -- the House of Representatives -- to the Senate, to the State, to the Governor, and I believe that the Sovereignty Elections Council and the moving forward with the native Hawaiian vote can accomplish that.

"I understand that there are some differences of opinion with regard to this measure and whether or not the State should be involved at all. However, I believe that once representatives from the native Hawaiian or Hawaiian community have been elected as delegates, they can meet in a Constitutional Convention, they can meet in a culturally appropriate manner and decide what's right for the Hawaiians. I believe that this has the opportunity to heal over a century of harm in our islands with regard to its native peoples. It will give us an opportunity to devise how we want to manage Hawaiian resources and how to manage ourselves and, hopefully, it will be an uplifting experience, an opportunity for Hawaiians to uplift themselves and not to be pulled down, so to speak, from an outside body.

"This, I hope, will be the outcome of the Hawaiian Sovereignty Elections Council and the forwarding of this measure, and I would encourage all of the legislators here to see the prudence in allowing this to move forward, and also to ask the Hawaiian community to see the prudence in moving forward.

"We have come to the crossroads. It is time to express our will, and we can iron out any of our differences once we reach a Constitutional Convention. And I hope this will make a difference for the future of our islands for the 21st century so that Hawaiian and non-Hawaiian can live in harmony in a culturally appropriate manner and that we, as Hawaiians, can better ourselves.

"Thank you, Mr. Speaker."

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

"Mr. Speaker and colleagues, the Sovereignty Advisory Commission, which is now known as the Hawaiian Sovereignty Elections Council, was established four years ago by the State Legislature in recognition of Hawaii's kanaka maoli or native people's right to self-determination following the hundredth anniversary of the overthrow of the Hawaii government and subsequent recognition of the wrongful taking of lands and sovereign rights of an independent nation.

"As part of this effort to Ho'o Pono, or make right the grievous wrong's committed over a hundred years ago, we the Legislature, set into motion a vessel that would allow the native Hawaiian people the right to self-determination and self-governance through a process, guided by those leaders of the Hawaiian community who were interested in working in collaboration to Ho'ohui or bring together the native people into a collective vision for the rebirth of a nation.

"While there have been those who have criticized the state's involvement as interference and attempts to control, there's no denying that the State of Hawaii, through this State Legislature, continues to affirm the rights of native Hawaiians to the aina and for decent housing, as demonstrated through the Hawaiian homelands settlement last session. We also recognize the need for Hawaiians to regain their physical, spiritual and cultural health hopefully through the Office of Hawaiian Affairs by the affirmation of the native Hawaiians' right to their portion of the public trust as just compensation for the use of ceded lands.

"We have done this despite the debate and controversy caused by the State's fiscal situation.

"The Sovereignty Elections Council has also generated much controversy. Some may see this as problematic, but the controversy has actually fueled the ongoing debate on how the course to a future nation should be charted. While the navigators debate the issue, it is hoped that someday the people will all join the voyage and focus their energies to move in unison towards a single destination.

"We have asked the Council to utilize and stretch their existing resources to educate, publicize, and to finally ask that important question on whether the process should move forward to establish a Hawaiian nation.

"Cognizant of the concerns for how the vote is to be used, we have now changed it to the native Hawaiian vote and not a plebiscite so that a negative vote will not place sovereign rights at risk in the future.

"Mr. Speaker, I firmly believe the Sovereign Nation of Hawaii shall someday rise like a Phoenix from the ashes of tragedy of a hundred years ago. Even though native Hawaiian rights and rights to compensation will continue to be sources of contention, especially during these tough economic times, I know in the end, we will do what we know in our hearts is pono, what is just, and what is righteous to heal the land and its native people.

"And I would like to say 'mahalo nui loa' to you, Mr. Speaker, for your support, and the support from our leadership team, and a special thanks to the committee members, especially my Vice Chair Mike Kahikina, who is a keiki o ka aina and who lives on Hawaiian home land; members -- Representatives Kawakami, Hamakawa, Saiki, Stegmaier and, of course, our very own 'Prince,' Representative Kawanakoa.

"I also want to extend my mahalo nui loa to the members and staff of the Hawaiian Sovereignty Elections Council, Department of Hawaiian Home Lands, Office of

Hawaiian Affairs, and the many other groups and organizations and individuals who have provided their input and support to improve the conditions of the native people.

"I would be remiss if I didn't also thank my staff for their yeoman work in handling basically two subject matter committees, so I would like to say 'mahalo' to them as well.

"Thank you very much, Mr. Speaker."

Representative M. Oshiro then rose and requested that his remarks, against the bill, be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Oshiro's remarks are as follows:

"The declared purpose to this bill is to assist native Hawaiians with their quest for self-determination. For the record, I must make clear that in voting against the measure, I am not opposed to sovereignty for native Hawaiians. On the contrary, I applaud the present and past Legislature's noble efforts to assist Hawaiians with their quest for sovereignty. It is important that Hawaii's leaders recognize the grave injustices that have been visited upon native Hawaiians and thus, seek to remedy and restore what has been lost. But, as noble as the goal may be, it suffers grave devaluation when lesser means are selected. Consequently, as a public policy decision, I must vote 'no' on this bill.

"A key provision within this bill allows the Hawaiian sovereignty election to be administered on rules that are exempt from the Chapter 91 Administrative Procedure provisions. The purpose of Chapter 91 is to ensure that the public has ample input into government-sponsored processes. Chapter 91 also provides for a multitude of checks and balances through cross-reviews of proposed regulations by State departments, legal reviews, and finally, public notification and input. By exempting the Council from Chapter 91, the appointed council will have the full authority to promulgate rules and procedures as they deem appropriate without the public scrutiny, oversight, input, or comment. I believe that it is very imprudent to conduct an electoral process (especially one of such importance and significance) that is based on procedures and guidelines that have not gone through the vigorous scrutiny of public input and review. Because I believe the goals and objectives of the sovereignty vote are of great importance to all people in Hawaii, I cannot condone a law that may weaken its very integrity. For, the integrity and results of an election process are only as solid as the very foundation it is based upon. For the aforementioned reason, I cast a 'no' vote."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3773, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL," having been read throughout, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives M. Oshiro and Shon voting no.

Conf. Com. Rep. No. 135 and H.B. No. 3399, HD 2, SD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and H.B. No. 3399, HD 2, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Ward rose to speak against the bill, stating:

"Mr. Speaker, last week in **The Honolulu Advertiser**, Representative Tom was quoted as saying, 'Let me quote myself' or 'If I may quote myself,' and Mr. Speaker, I request that I do the same thing, being that I have said all that I have to say about fees taking the place of taxes in today's new government paradigm.

"And my remarks that I said on page 5 of today's agenda -- Conference Committee Report 38/H.B. 3563 -- may they be entered into the Journal as my remarks on this bill (and the Chair "so ordered").

"Thank you, Mr. Speaker."

Representative Ward's remarks are hereby inserted:

"Mr. Speaker, this bill proves a theory that I have of the future of government. It is a paradigm shift, as I have mentioned here before, that in the future government will tax less and fee more. The people of Hawaii are, at the end of session, going to find out that -- hey, we have not taxed you but we have fed you to the extent that a rose by any other name is still a rose.

"This bill authorizes the Department of Taxation to charge whatever it sees fit to make sure it is recouping its cost. That is, Mr. Speaker, cost that we taxpayers have already paid. The Tax Foundation has reminded us that when we pay taxes, we run government, and this is saying that on top of those taxes, if you use government, you will pay a fee. Therefore, Mr. Speaker, double taxation is (1) you pay a general tax; and (2) you pay a specific fee.

"This seems to be the more subtle way of increasing government revenues. It's kind of a sneaking taxation which not only are we doing now with the Department of Taxation, but we are doing it, as later we will see in this agenda, with business licensing, pesticides, test for newborn metabolic training, fingerprinting, government information abstract, and so on, Mr. Speaker. So if this is an omnibus speech, it's saying that a tax by any other name is still a tax, Mr. Speaker. And if we're going to do that, I think we should call a spade a spade.

"I'm not sure that the people are going to be fooled by this because when, eventually, everybody gets hit with this user fee, and I think Corky has done it very well in the **Advertiser**, that when you get pulled over by the policeman, they'll say, that'll be five dollars surcharge for idling the motorcycle, you have a \$75 arrest fee, and suddenly what we are paying for government, we are paying again by these fees.

"So, Mr. Speaker, I'm saying this is a slippery slope of the fee schedule of which if we don't stop now, suddenly we'll say -- hey, this session we've cleaned all of our books, we've not raised taxes, and then forgot to tell the people about the fees of which we've just spoken.

"Thank you, Mr. Speaker."

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

"House Bill 3399, relating to business registration, raises a whole series of fees, raising money to, as the bill says, enable the Business Registration Division of the Department of Commerce and Consumer Affairs to improve the efficiency of its operations. Maybe we simply need to make government more efficient.

"Many of the fees for filing documents or issuing certificates represent steep increases -- \$100, up from \$50 for an application for a certificate of authority; \$150, up from \$100 as a special handling fee for the review of articles of merger or consolidation; \$100 instead of \$50

for articles of incorporation; \$50 instead of \$25 for dissolution.

"At first glance, it may seem kind that those unfortunate enough to be dissolving a business pay only half as much as those setting one up. But what does it tell us? It shows that the fees have nothing to do with what it cost the government to provide the services in question.

"For those cases where a particular group of people benefits from special services, fees might be justified. But even here, the amount should reflect the cost incurred in providing the services. There must be some cost accounting. You figure out how much a service costs and then set the price accordingly. No cost accounting has been done for the fees raised in this bill. They were set according to what the market will bear, not according to what the services cost. Why else would the dissolution of a business cost only half as much as the incorporation of a new one?

"This bill is just another bill which raises fees, which is another word for taxes.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, in most difficult times, difficult decisions often stem from the area of fee increases. Especially so in economic hard times such as these.

"The business community is quick to raise objections when fees directly affect them. But on the other hand, they are just as vocal when they demand increased services and other forms of assistance.

"Mr. Speaker, the Hawaii Congress of Small Business produced twenty recommendations this year. One of the items which the Congress endorsed was the passage of the bills permitting the establishment of limited liability companies and limited liability partnerships.

"In answering this request, Mr. Speaker, the House and Senate, with support from the administration, the real estate industry, the Bar Association, the small business advocates, and the Chamber of Commerce labored diligently to produce both the LLC and LLP legislation.

"As great an accomplishment as the two bills are, there is no free lunch. The cost to implement these two bills rests with the Business Registration Division, a self-sufficient agency, which receives no general fund support. It survives only by the fees generated from the services provided to the business community.

"Mr. Speaker, the new business registration structure implemented by House Bill 3399 provides the Division the ability to implement both the LLC and LLP entities which already exist in 49 other states. The LLC and the LLP provide small businesses the necessary protection, benefits and flexibility which other forms of business organizations cannot provide.

"Also, additional uses of these fees will directly help the business community. The Division's outdated phone system has been prone to periodic interruptions which result in frantic calls by the public on reduced accessibility to the information requested. Some of the funds generated will go to replacing this phone system.

"On average, the age of the computers in the Division is five years. In the rapidly evolving computer age we live in, a five-year old computer is a dinosaur. Ill-

equipped to face the modern demands of the business community, the Division can only expect to fall further and further behind on the efficiency curve without replacing the outdated computer hardware and software.

"Mr. Speaker, in the area of investor protection, the licensing function of the securities industry falls on the few people the Division previously allocated to oversee a few thousand licensees. Now, with over 30,000 licensees and registrants on file, the Division's resources are overwhelmed. Additional resources are needed to police the securities industry with the same level of diligence overseeing the real estate and insurance industry licensees.

"And, Mr. Speaker, there are over 27,000 securities salespersons licensed to sell securities in the State of Hawaii. Only 1,671 live in Hawaii. Only 1,671 have to pay taxes in the State for sales made in the State. Approximately 94 percent of the individuals affected by the fee increases, with regard to securities, Mr. Speaker, are from other states. The use of these fees will directly benefit the local business community first and foremost.

"Finally, Mr. Speaker, cutbacks have reduced personnel and activity on the neighbor islands. Funds from these fees will be expended to provide minimal aid to the neighbor islands by providing clerical assistance to the neighbor island business communities. Though forms must still be processed in Honolulu, handling information requests and providing assistance with the variety of DCCA licenses and registrations will be made available on the neighbor islands.

"Mr. Speaker, in conclusion, these fees will give back to the public enhanced services, new business organizations with more flexibility, additional safeguards for investors, and much needed aid to the neighbor island business communities.

"Thank you."

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

"First, I would like to express my appreciation to the Chairman of the Finance Committee for providing a full and very clear explanation for the rationale behind increases in the fees.

"All I would like to say is that if the University can raise its tuition, we certainly can raise business registration fees. After all, businesses are in a better position to pay the fees than the students are.

"Thank you, Mr. Speaker."

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

"Yes, if we can raise the students' tuition and if we can raise the business fees, why can't we cut the size of government? I think we see a lot of extra spending with our government size. I think we protected it quite judiciously and effectively throughout this session.

"Again, I believe that's the question we have not addressed and that we have failed to do the peoples' work. We are more concerned with our budget, we are more concerned with our problems -- our internal financial crisis -- as opposed to the economic crisis facing the rest of the State -- our businesses, our households, our constituents. And we can count any other way, but that's the ultimate failure of this Legislature.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, on our way out of the chamber tonight, we probably will see parking meters installed by the koa benches where the public will have to pay fifty cents for sitting down.

"What we are doing is feeing business to death, and we already know that many of them have already left the State, or are close to going belly up. This is just one more time when we're again saying, business should bear the burden.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I'm somewhat dumbfounded that there was a very prolonged explanation for the rationale of this bill. And our members on the opposite side choose either not to pay any attention or feel that if they simply repeat the tried and true statements -- right or wrong -- then perhaps people will believe them to be compelling.

"What has already been said is that this Division is not funded by general funds -- it is funded by the fees generated. Perhaps the solution that my colleagues across the way would like to present to us and to the people of the State of Hawaii is to close this Division down, not to support services. Perhaps that's what they're talking about. It's irresponsible, it doesn't make any sense, and maybe it's because the hour is late and the members are tired that we hear this kind of irrational speech on the floor.

"Thank you."

Representative Swain then rose and stated:

"As one who has paid to incorporate, to set up limited partnerships, to pay for trade names -- all of these different things -- I stand in support of this measure.

"The business person, when they go into this office, looks for one thing. They want to be able to set up their business as quickly as possible, as expeditiously as possible, with as much help as possible that they need. If these fees, and I believe it will, will help the business community to do that, then as a member of that community, I stand in strong support of this.

"We have had different measures throughout the day dealing with fees -- some, the Minority has accepted; others, they have not. In this instance, we're not looking at the benefits but we're looking at a line that has been thrown to the public at this time, grouping everything together. If we don't do this, we end up with a department that is inefficient and not able to respond to the needs of the business community who they are espousing to wish to help. Business people want efficiency. That's what this will allow.

"Thank you."

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

"Rather than a partisan indictment, I think that we should look to the merits of the bill or the demerits.

"In addition to being the highest taxed state in the nation, we charge our people fees of all kinds. This is an additional set of fees targeted at that segment of the

community that provides the greatest portion of our labor and the greatest portion of our tax revenues.

"Thank you."

Representative Ward then rose and stated:

"Mr. Speaker, any economist will tell you when the economy is down, you don't increase taxes on the business community, or you don't increase the fees. You don't increase the cost of doing business so those who are marginal can survive.

"One other point that is very important, which has nothing to do with partisan politics or whatever the accusations that was recently dealt, we are bordering on the Europeanization of entry and success in business in Hawaii. By Europeanization, I draw on my work with the United Nations wherein, for example in Vienna, the cost of getting into business increasingly rises for two reasons: One, they want competency test in order to get a license; secondly, they want high liability -- cost that people who are small and uneducated can't get into business. That's why costs are so high in Europe. Very few people get in and compete in the business community.

"Mr. Speaker, we don't want to do that in Hawaii. In fact, the American dream is attached to business. We want to have and facilitate the entry of anyone and everyone into business and not have a means test, if you will, to get a license. That's what we're talking about. Do we want to restructure the way that they have been told, to make every expense have a revenue that they raise?

"Mr. Speaker, that same argument can be made as to why the airport landing fees go up. We have them on a no profit or no loss, break-even basis, and every time that there is an expense needed, we raise the landing fees because it is structured improperly.

"We shall not have the Business Registration Division saying: 'If we don't have enough money coming in, we're just going to keep increasing fees.' And that's the slow slope of Europeanization where it's only the elite who get in, only those with the money.

"This is a motherhood and apple pie issue. It has to go back to basics -- when the economy is down, you don't hurt the business community by what we're doing. If anybody doubts that the economy is down or the business community is hurting, all they need to do is listen a little bit louder to their constituents.

"Thank you."

Representative Kawanakoa then rose and stated:

"It seems that we're stuck in the opinion that this department needs to be funded out of special funds, or out of its own raising of funds via business fees and exacting the toll on another tax on the business community or otherwise. Why are we saying that it can't come from the general funds? Why wouldn't general fund appropriations be appropriated in this manner? Why do we ignore the business community? Why does this Legislature ignore the problems of the economics in our society and in the State of Hawaii? What have we done to help encourage economic growth in our islands?

"It's a redistribution perhaps, or prioritizing. I don't think we've cut into our own pockets. Instead, we're looking at trying to keep everything afloat that we currently have, and look to the business market or otherwise to help float either new programs or continue programs.

"Thank you."

Representative Lee then rose and stated:

"I believe the Minority members are making a mountain out of a molehill.

"Indeed, how often does a company file articles of incorporation? Most successful companies that I know -- once in a lifetime. What's the cost of filing articles of incorporation? It used to be fifty dollars. Now it's a hundred dollars. Just once! That's perhaps a little bit more than a ticket to the **Phantom of the Opera**. Is it worthwhile to pay the same amount as almost going to the **Phantom of the Opera** a couple of years ago here?

"Why shouldn't the Division operate efficiently like a business? It provides a service -- charge for the service. Why should the taxpayers pay for this service? You're asking all the time -- operate the government like a business. This is operating government like a business. And this is for all manini things. Annual report of domestic and foreign corporations, from \$15 to \$25. Well, you couldn't even get into a good show for \$25.

"Let's be realistic. You are making a mountain out of a molehill. You mean to tell me that businesses will flee Hawaii because they have to pay \$25 for filing an annual report? If they do, maybe they don't belong here.

"Thank you, Mr. Speaker."

Representative Meyer then rose and stated:

"The Chairman of Finance talked about the DCCA being self-sufficient. I don't believe there's any agency in the State that is self-sufficient to the degree that we think of it in business. They may bring in revenues but they don't pay their lease rent, they don't pay insurance. They probably don't cover unemployment or workmen's compensation -- all the kinds of costs that business people have to absorb. So, in government, if you make some revenue and it helps to pay some of the bills, you say self-sufficiency.

"Some colleagues here say this is making a mountain out of a molehill. I'm just one individual. Within the last four years, I have been down there to file trade names, DBA's, incorporation papers, and every year you must file your annual corporation papers. I've had to pay double fees to expedite some of these things. When you file for a trade name, you must do it for three years in a row in order to protect that trade name.

"I think my problem with this bill is that it is doubling most of the fees when we are in a very tough economic time and businesses are hurting very much.

"The other problem that I have is that these raised fees have nothing to do with the cost because this Division does not really know what it costs them to file any one of these forms. It's just an arbitrary raise that says, we've had them low for this many years so let's double them. Some of them have gone more than double if you look at the franchise fee. But it's just an added cost being passed on to businesses.

"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. 3399, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Final Reading by a vote of 44 ayes to 7 noes, with Representatives Anderson,

Halford, Kawananakoa, Marumoto, Meyer, Thielen and Ward voting no.

Conf. Com. Rep. No. 136 and H.B. No. 3154, HD 2, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3154, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 137 and H.B. No. 3362, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3362, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3332, 4008, 44, 3138, 1716, 1736, 3773, 3399, 3154 and 3362 had passed Final Reading at 7:05 o'clock p.m.

Conf. Com. Rep. No. 138 and H.B. No. 3964, HD 1, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3964, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 139 and H.B. No. 3153, HD 2, SD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3153, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 140 and H.B. No. 3970, HD 1, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3970, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 141 and H.B. No. 3382, HD 1, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.B. No. 3382, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 143 and S.B. No. 2304, SD 1, HD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2304, SD 1, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"This year a bill to continue general assistance was inadvertently gutted in House Finance early this session in order to discuss a new concept to restructure state and county taxes. Proponents of general assistance or GA, were first elated that this bill -- their bill -- was going to be heard. Then, when they realized there was to be a substitution, they were incensed. 'Why not pass the original bill,' they said, 'it would provide sufficient funds to continue this humanitarian program.' 'Shame!' 'Shame!' 'Shame!' they proclaimed to a stunned House Committee on Finance.

"They were right -- shame on us for balancing the budget on the backs of these unfortunate souls without the rest of us making the sacrifice. Shame on us for balancing the budget by considering furloughs and payroll lags and not cutting our high-three pension. Shame on us for firing State workers and cutting programs without reducing high-three perks in a bill which, in the end, would only have affected future legislators. . .

At 7:06 o'clock p.m., the Chair interrupted and called a recess, subject to the call of the Chair.

Upon reconvening at 7:07 o'clock p.m., Representative Marumoto continued her remarks, saying:

"I will try to keep my remarks on the merits of general assistance although I find it difficult because of the hardships this bill may pose to general assistance recipients. But I am very glad that the General Assistance Program will continue, even on a somewhat limited basis. I argued long and hard for its continuation, but I think that if we don't have money, all state departments and programs should be cut, and yes, even cut general assistance if, and only if, the Legislature takes a fair and necessary step to cut you know what.

"The program which I should not mention demonstrates our arrogance with a 'let-them-eat-cake' attitude. If, as legislators, we are to regain our honor and our self-respect, we must do our fair share. If we do not, then shame on us!

"Thank you."

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

"Senate Bill 2304, SD 1, HD 2, CD 1, is a measure that once again reflects the fact that this Legislature has failed to address the underlying problems associated with our budget deficit, and instead has sought to penalize the truly needy in our society because of the lack of political will and courage to prioritize government services, cut government spending and do the right thing.

"Let us maintain GA, not the HGEA.

"Thank you, Mr. Speaker."

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

"I support this bill for the fact that we have not pulled the rug out from under four thousand current general assistance recipients. But my reservation is that we have chosen instead to cut that rug in half for all general assistance recipients.

"In extending the eligibility for benefits for twenty-four months, we affirm the democratic principle of providing for the basic needs of the most vulnerable population.

And while it is absurd to hope that the physically and mentally disabled can find decent shelter and basic needs on \$217 a month, it is still a safety net, no matter how small.

"The important question now is: Do we believe that there is a moral obligation to help those who cannot help themselves, even if just on a temporary basis? If it is yes, then we should remember to increase the assistance level next year.

"In the interim, I would like to call on the Hawaii Housing Authority and the Housing Finance and Development Corporation, the county housing agencies, as well as all the housing and welfare advocates and providers, to confer and collaborate on a variety of housing alternatives for the disabled who will be the most affected by these cuts and benefits. We need to allow these people to remain independent and retain their dignity.

"I believe it was the late Hubert Humphrey who once said: 'Society will be judged on its greatness based on how it treats those in the sunrise of their lives -- the young; the sunset of their lives -- the elderly; and the twilight of their lives -- the disabled.'

"So, we all need to think about how we will be judged five or ten years from now. Will people see us and understand that we had a fiscal shortfall, or will we be seen as lacking the political will to care for the most vulnerable of our society? Let's all think about that in the interim.

"Thank you, Mr. Speaker."

Representative Santiago then rose and requested Representative Arakaki's words be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Santiago continued, saying:

"I had a difficult time trying to prepare a speech for this because every time I tried, the words came out quite angry and quite negative. I have tried to take a more positive attitude so I hope these words will be more positive.

"Let me start by acknowledging the Strength Coalition, many of them who stayed all day and into the evening just to show their commitment. And I also want to thank very much Representative Suzanne Chun Oakland who showed a lot of strength in Conference Committee, Representative Dennis Arakaki whose guidance was invaluable, and Representative Say.

"I look at this not as an end, in terms of what we passed, but just as a beginning, as Representative Arakaki just talked about -- we're going to be looking at some work during the interim to deal with some of these issues. And for me, it has renewed my commitment as to why I decided to run for office and why I came here. This one issue has rekindled the fire that I thought had gone out.

"I do have some concerns about the fact that we increased the limit of time for the disabled but we didn't increase the funding. My concern that I raised during the first go-around was the question: 'Can we afford this?' and I asked the question back to all of us: 'Can we afford not to?' My concern is about the cost to society in the long run for not dealing with these issues up front.

"This legislative session saw a lot of controversial issues come up. I hope we're not going to be remembered as the 1996 legislative session when we cut back benefits to

the most needy and vulnerable in our society. There were many reasons why this continued to go through, and many of which I looked at was a lack of understanding as to what really general assistance was all about and who we were trying to help. In fact, they were looking at about half of one percent of our population.

"But what I thought really interesting was all of the time and effort that was spent by many lobbyists who came to us on issues that I am not going to refer to, but I recall their holding the bible in my face and quoting scriptures to me throughout the session about why we should do certain things. And I just hope -- I truly hope -- that they will be back next year. I hope they'll bring those bibles and review some of the quotes that they used, one of which is, 'Whatsoever you do to the least of my brother, that you do unto me.'

"Thank you."

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

"Like the previous speaker, it is rather difficult to put words on paper to express how one feels about this particular issue. There are those who have taken the floor tonight, and for them it appears that they have used this issue as political rhetoric to express a point of view, and it is rather simple for them to express that.

"Let me say, as I express my thoughts on this issue, that perhaps the dull monotone of someone who has lived through a life of having to rely on general assistance can educate some people in the House, in our community, rely on the State for the paycheck that comes through the mail.

"I, Mr. Speaker, lived in a neighborhood where I think the people who have to rely on this distribution from the State, will probably have to turn to for shelter. This was a place in Waipahu where it was about this much away (made a hand gesture) from being called a slum. And I played football in the streets with my friends when the cesspool overran. I lived in an apartment where, if I did not do the chores that I was told to do, the roaches would infest in due time.

"I think now, as I look back to those days, and I say to myself, there but for the grace of God go I. I also want to say that, there but for the grace of God, the managers of this bill, the advocates, people in the gallery who worked with them this Legislature, did what it could so that these people would not have to live, hopefully, in the same kinds of conditions that this Representative had to endure as a teenager.

"My only regret is that a champion that came through at the eleventh hour, to come across with at least this kind of a solution, we will be moving on. I want to thank Representative Suzanne Chun Oakland for her efforts. My commendation also to Chairman Say, Chairman Santiago and the others. While we may be giving them half a loaf, Mr. Speaker, we are not exactly giving them crumbs. I know that the work continues, the cause endures, and we will go on with or without the people who saw this measure through. I will do anything during my time as a legislator. We will follow through on the work that has been laid out on this respective measure.

"Thank you very much, Mr. Speaker."

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

"This hasn't been a very easy subject. There's a lot of people in here that I'm very grateful for in helping:

Representative Arakaki, for trying to find money in his housing budget; Representative Santiago, for really speaking from the heart, really being a strong advocate, as well as Representative Garcia. Although Representative Marcus Oshiro is not on the floor presently, he tried very hard, through a bill that didn't get passed -- the child support enforcement bill -- to try and find moneys in that way to support both AFDC and GA recipients. And I also need to thank Representatives Pepper, Kahikina, Saiki, Chairman Say and all of the Finance Committee members, and especially the advocates.

"When we found out we had \$27 million, we were grateful for that. Now, if we had passed the bill as is on the conference table, it would have meant four thousand people becoming either homeless or near that, come June 30th of this year. And so with the help of the advocates, the Department of Human Services, the legislators, we sat down and tried to make the best of a very hard situation.

"Thank you to the advocates for their guidance. They felt that at least having a little may give them that hope of having shelter over their head. Those that are receiving general assistance will have to pull together, at least for the time being, share expenses with others to enable to afford the rents if they do have a place to stay. I would urge the landlords, who are helping shelter many of our people, to be a little more flexible, to try and accommodate this hard situation to the extent that they would allow others to pull their resources to live.

"And I do hope that next session, we will be able to help in a better way those that are physically and mentally disabled. I think the commitment is here, and I hope that next session we will be successful in having a true safety net for the people who need it.

"Thank you, Mr. Speaker."

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

"I found it very heartwarming when I realized how many people did pull together to help save this measure. I didn't see the people carrying bibles among those coming in to help save the general assistance for the disabled recipients. I did see the Hawaii Medical Association which, it's not exactly their turf, but they recognized that this was an essential help to the people in our community that need this help. I saw wonderful people such as the group up in the gallery -- Reverend Bob Nakata, Ah Quon McElrath -- and a number of people joined arms to do what they could do.

"The Minority Caucus did what they could do, because if we stood strong in favor of retaining the benefits, I think, in many ways, it put people that weren't paying attention to that to the test to say: 'Whoops, wait a minute, what are we doing? We're not taking care of the people that need our help in today's society.'

"I spent five years at Legal Aid working with general assistance recipients, and I know the difference it could make of four/five dollars of a landlord charging a late fee -- \$15 a month for late payment -- and took that to federal court against some landlords in this State, and won a judgment that applied to all landlords in the State, saying you cannot charge a late fee when people are getting a check from the State and, through no fault of their own, that check doesn't arrive in time. I mean, we all linked arms to fight those battles.

"The battle that we have now before us is that we have left people on general assistance with \$217 a month. And I don't think there's anyone here that could begin to

handle living on that amount, and having roof over head, food in mouth, and being able to deal with that. We lost our license revocation bill, and that was a tragedy because that would have brought money to a number of the people that could have used that to get off of these rolls.

"But the thing that I look at as encouraging is that, next session we will have someone on the Senate side who will understand the needs of the general assistance recipients, and I think that that's going to make a world of difference. So although we lose that person in our chambers, I look forward to being colleagues and working towards our mutual goals next year.

"Thank you."

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

"Mr. Speaker, I can do no better than, I guess, repeat some of the comments I made on the budget, and I believe we did the best we could. There are heroes among us -- Representative Chun Oakland is certainly one of them. The community lodge did not want us to do more. I hope that in the near future, the majority of the community will demand that we do better.

"This is no criticism of those who tried to help, but I was taught to share, I was taught to help those who need help -- most of us were. Some of us, in our concern for other matters or other constituencies, seem to have forgotten what we were taught or seemed unable to express, through our actions, the understanding that we respect ourselves, respect our God, respect our world best when we help those who genuinely need our help. And again, my colleagues, please understand that I am not voicing criticism of you.

"We reflect the selfishness of today's society, but I can only hope that soon our society, our people, ourselves, will come to the realization that it is shameful not to help those who need our help to the extent that we are genuinely helping them, not simply providing a safety net which in fact is not really a safety net, but just a kind of Band-Aid on our consciences.

"I thank you all for doing the best you can.

"Thank you."

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

"I want to express my admiration and respect for the Chairperson of the Human Services Committee. It was heartening to see how the House conferees worked together as they sat across from the Senate conferees. Chairman Say gave his committee the latitude to work with the advocates of the poor. I have not seen that kind of cooperation in any other Conference Committee, and it made me feel very good.

"Representative Chun Oakland went beyond what the average legislator would do. She stood up to the Ways and Means Chair and said, 'Please, we must do something more.' I am very proud and feel privileged to work with such caring legislators.

"No one can vote against Senate Bill 2304 because it's the only hope that GA recipients have. But we can and must voice our concerns over the way that this bill and others like it reflect a gaping void where legislative courage and responsibility should abide.

"I feel confident that working together, we can come up with a better solution next year.

"Thank you, Mr. Speaker."

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

"With reservations, because of the unmentionable benefits that have been preserved for legislators while other programs are cut. It is our primary duty as legislators to put people first. This duty transcends partisan politics. So, from this one seat on the starboard side of the aisle, I would like to embrace the words of one on the port side of the aisle, specifically regarding this issue of general assistance.

"I would like to read a portion of a message written today by Richard Port: 'Moreover, I am concerned by the extent of the cuts in general assistance. Democrats are always troubled when the most vulnerable members of our society are disproportionately affected by a downturn in the economy and when discrimination cannot be quickly dealt with in our community.'

"I hope this Legislature will extend the session and complete their unfinished work.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2304, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 144 and S.B. No. 2388, SD 2, HD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2388, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 145 and S.B. No. 2485, HD 2, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2485, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Kawanakoa rose to speak against the bill, stating:

"I think it's the juxtaposition of this with the previous bill which we have been discussing that highlights the failure of this Legislature. We look at the purpose section. It says: 'The Legislature believes that there now exists a compelling State interest to deal with the budgetary deficit in an expeditious and innovative manner to curtail or hold to a minimum any harmful economic impact on public employees.'

"This measure, basically, is an attempt to have any furloughed state and county employees preserve their rights, privileges, benefits, retirements, sick leave and so on, somewhat defeating the purpose of furloughing, I suppose, to save some of the employee costs. Again, this underscores our Legislature's attempt to maintain the status quo, maintain the public work force, the government employees, and yet, we don't address the true concerns of the most needy in our society.

"I know it was previously mentioned -- the very compelling statements as to why we should have funded more to general assistance. This is a bill that somewhat prohibits us or reduces the ability for us to fund general assistance. For that reason, I would vote no. I would rather have this money go to general assistance.

"Thank you, Mr. Speaker."

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

"This does not require furloughs. The Governor has the right to do that right now. He could furlough anybody in the State, as far as that goes. He has the authority.

"What this bill does is, it preserves the benefits so that if the Governor should decide to make furloughs possible in the State, at least those who are on furlough will not lose their benefits.

"So we need to look very carefully at the bill, and I do support it.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2485, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Kawanakoa voting no.

Conf. Com. Rep. No. 146 and S.B. No. 2662, SD 1, HD 2, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2662, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTALLY DISABLED," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 147 and S.B. No. 2781, SD 2, HD 3, CD 1:

On motion by Representative Okamura, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2781, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 148 and S.B. No. 2819, SD 2, HD 1, CD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 2819, SD 2, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

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

"Mr. Speaker, in our caucus, this bill has been dubbed the fiscal lipo-suction bill. This bill literally sucks out all the excess funds of the special funds, one of which is probably going to cause us to raise our taxes, perhaps because of moneys coming out of our highway fund of which our gasoline tax is paid into, and in two years it is projected to go low.

"The problem is, Mr. Speaker, this bill represents things since I was a freshman, speaking on this floor against special funds, or ways that we hole away money -- hide away money, if I may be so frank, to where they escape the spending ceilings. We have now over 260 special, revolving and trust funds in the State treasury, and there are more than \$2.5 billion in there. The problem is they do not receive the scrutiny that the general funds have. The Finance Committee Chairman said, we give much scrutiny and much credence to our general fund spending but we kind of say, well, the special funds are special and we don't have strict scrutiny on that. And now we're saying, we can take probably with this lipo-suction action a good \$20 million from those funds.

"Mr. Speaker, this should be a wake-up call that whenever a department says get another special fund, it's saying, push this farther away from the scrutiny of the Legislature, let them have their way. Quite frankly, I think we have to look at all funds, not special funds as being special, but at this day of reckoning when we suck them all back into the general fund, we're elevating the importance of the general fund moneys over special fund moneys, and there shouldn't be such.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2819, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 3964, 3153, 3970, 3382 and S.B. Nos. 2304, 2388, 2485, 2662, 2781 and 2819 had passed Final Reading at 7:36 o'clock p.m.

Conf. Com. Rep. No. 149 and S.B. No. 2821, SD 2, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2821, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 150 and S.B. No. 2875, SD 1, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 151 and S.B. No. 2856, SD 1, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2856, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CHILDREN AND YOUTH," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 152 and S.B. No. 2891, SD 2, HD 2, CD 1:

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

Committee was adopted and S.B. No. 2891, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR PROGRAMS TO REDUCE PRISON AND JAIL OVERCROWDING," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 153 and S.B. No. 2941, SD 2, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 2941, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL FISHERIES SPECIAL FUND," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 154 and S.B. No. 3042, SD 2, HD 2, CD 1:

Representative Amaral moved that the report of the Committee be adopted and S.B. No. 3042, SD 2, HD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Arakaki rose and stated:

"I would like to have the bulk of my comments, in strong support of the bill, inserted into the Journal," and the Chair, noting that there were no objections, "so ordered."

"However, I did want to point out something that I hope we'll all think about.

"This measure has to do with the Child Protective Services because we talked tonight about, first of all, the problems we've had in school with disruptive behavior. We also talked about the funding for mental health services. Finally, we talked about prison overcrowding. And I think we need to start thinking about the source of all these problems, and when we think about the source, we have to look at child abuse and neglect because it is one of the most devastating problems we have with our children now, and it is insidious to a point where I think the damage, if it were a childhood disease, we'd put a lot of resources into trying to prevent the results -- the devastating effects that it has.

"If you realize that over 90 percent of our prison inmates have been victims of abuse and neglect, when you think of most of our children who have problems in schools and who are in the mental health system had problems with abuse and neglect, clearly we need to do something about it. And the problem continues to drain resources in terms of trying to treat the symptoms, and clearly the system is not working.

"This bill does provide some hope and I think, through the efforts of the Chair of the Human Services Committee, Representative Chun Oakland, and also the Chair of the Senate Judiciary Committee, Senator Graulty, who worked on this collaborative effort for the past three years, we now have a model that I can say that the rest of the country would be looking to Hawaii for leadership, and the thing is that it uses private resources to do this three-year pilot program. It's going to provide a blueprint for change not just on certain parts of the system, but for the whole system. And so we're very hopeful.

"Finally, I just want to use this opportunity to really thank Representative Suzanne Chun Oakland for her persistence and her dedication not only on this issue, but many other issues, and for her caring and compassion.

We are going to miss her in this House -- we are going to miss her heart of gold. But on behalf of all the members, especially from the Keiki Caucus, I want to say 'thank you' for all your work.

"Thank you."

Further remarks by Representative Arakaki are hereby inserted:

"Mr. Speaker, I know we all share great concern for the plight of children.... We see in our children the pain of abuse and neglect... We see the pain of poverty, and we try to help... We see the pain of homelessness... We see the pain of hunger. The State of Hawaii and many private agencies spend a great deal of time, energy and resources putting out fires and rescuing children who are drowning in the waters of hopelessness and despair.

"It is frightening when you consider the number of child abuse and neglect cases have doubled over the last decade, and the number of serious abuse requiring hospitalization and treatment has increased dramatically. Child abuse and neglect not only result in demands for immediate utilization of resources for treatment, judicial procedures and out of home care.

"The long term costs, though somewhat immeasurable, is more impactful in terms of costs that are rising out of control, in terms of profound developmental behavior problems. Behavior problems that result in disruptive acts in school that has much to do with recent debates on changing the age of compulsory education. It affects the delivery of mental health services that force us to spend monies on a relatively small group of children and adolescents in our schools and community as required by the Felix-Waihee consent decree.

"Finally, the results of child abuse and neglect shows up in our prison system as adults with low self-esteem who turn to violence, substance abuse and criminal behavior to deal with the inner rage of an abusive childhood.

"Surveys show that over 90 percent of prison inmates were abused as children.

"Clearly the system is not working, but the effort represented by this bill is a significant change in how we view the problem. It acknowledges the problem of child abuse not as belonging only to the Department of Human Services, but indeed all departments that deal with children and for each and every community to address.

"The fact that private sources are providing resources to conduct the three-year pilot project is a good indication of the collaborative process involved.

"As a member of the NCSL's National Advisory Committee on Child Protective Services, I can tell you proudly, Mr. Speaker, that many states will be looking at this blueprint for change as a model for system reforms.

"Child abuse and neglect has been identified as a priority item for the Keiki Caucus and speaking for the Caucus, this bill represents a giant step forward in addressing the issue. The persistence and dedication of our Human Services Chair, Representative Suzanne Chun Oakland, and the Senate Judiciary Chair, Senator Rey Graulty, must be acknowledged. It is their leadership and their commitment that will make the difference in the lives of many children.

"I just want to take this opportunity to thank Representative Chun Oakland for her caring and compassion while serving as Chair of our Human Services

Committee. We will miss her and her heart of gold. Aloha, Representative Chun Oakland.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3042, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," having been read throughout, passed Final Reading by a vote of 51 ayes.

Conf. Com. Rep. No. 155 and S.B. No. 3240, SD 2, HD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and S.B. No. 3240, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2821, 2875, 2856, 2891, 2941, 3042 and 3240 had passed Final Reading at 7:41 o'clock p.m.

Conf. Com. Rep. No. 142 and H.C.R. No. 159, SD 2, CD 1:

On motion by Representative Amaral, seconded by Representative Thielen and carried, the report of the Committee was adopted and H.C.R. No. 159, SD 2, CD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF CIVIL SERVICE COMPENSATION PLANS, AND THE COSTS THEREOF," was Finally adopted.

At 7:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 7:49 o'clock p.m., the Speaker resumed the rostrum.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Conf. Com. Rep. No. 49 and H.B. No. 3427, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, Conf. Com. Rep. No. 49 and H.B. No. 3427, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," were recommitted to the Committee on Conference.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 666 to 708) were read by the Clerk and were placed on file:

Sen. Com. No. 666, informing the House that the H.B. No. 2800, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading in the Senate on April 29, 1996.

Sen. Com. No. 667, returning H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE FEES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 668, returning H.B. No. 547, entitled: "A BILL FOR AN ACT RELATING TO MOTOR

VEHICLES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 669, returning H.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 670, informing the House that the following bills passed Final Reading in the Senate on April 29, 1996:

H.B. No. 3419, HD 1, SD 1, CD 1, entitled: "RELATING TO LICENSING QUALIFICATIONS TO PRACTICE MEDICINE AND SURGERY";

H.B. No. 3086, HD 1, SD 1, CD 1, entitled: "RELATING TO MOTOR VEHICLE RENTALS";

H.B. No. 3398, SD 1, CD 1, entitled: "RELATING TO CHARITABLE SOLICITATIONS";

H.B. No. 3400, SD 1, CD 1, entitled: "RELATING TO BUSINESS REGISTRATION";

H.B. No. 3409, HD 1, SD 1, CD 1, entitled: "RELATING TO CONSUMER PROTECTION";

H.B. No. 291, SD 1, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS";

H.B. No. 4142, SD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW THE USE OF REVENUE BONDS FOR THE FUNDING OF A STATE PROPERTY INSURANCE PROGRAM PROVIDING HURRICANE INSURANCE COVERAGE";

H.B. No. 2549, HD 2, SD 2, CD 1, entitled: "RELATING TO THE STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES";

H.B. No. 3853, HD 1, SD 1, CD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

H.B. No. 3211, HD 1, SD 2, CD 1, entitled: "RELATING TO IMPACT FEES";

H.B. No. 3618, HD 2, SD 1, CD 1, entitled: "RELATING TO ADMINISTRATIVE RULES";

H.B. No. 4074, HD 1, SD 1, CD 1, entitled: "RELATING TO LAND EXCHANGE";

H.B. No. 3417, SD 1, CD 1, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY LICENSING";

H.B. No. 2359, SD 1, CD 1, entitled: "RELATING TO INSURANCE";

H.B. No. 3862, HD 2, SD 1, CD 1, entitled: "RELATING TO SCHOOL DISCIPLINE";

H.B. No. 871, SD 1, CD 1, entitled: "RELATING TO TIME SHARES";

H.B. No. 3102, HD 1, SD 2, CD 1, entitled: "RELATING TO CONTRACTORS";

H.B. No. 3760, HD 1, SD 1, CD 1, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

- H.B. No. 3434, HD 2, SD 2, CD 1, entitled: "RELATING TO EDUCATION";
- H.B. No. 3096, HD 1, SD 1, CD 1, entitled: "RELATING TO THE RETURN OF MERCHANDISE";
- H.B. No. 3809, HD 1, SD 2, CD 1, entitled: "RELATING TO THE SIGNS REQUIRED WHERE TOBACCO PRODUCTS ARE SOLD";
- H.B. No. 599, SD 1, CD 1, entitled: "RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE";
- H.B. No. 1866, HD 1, SD 1, CD 1, entitled: "RELATING TO PUBLIC AGENCY MEETINGS";
- H.B. No. 2603, HD 1, SD 1, CD 1, entitled: "RELATING TO JURORS";
- H.B. No. 2868, HD 1, SD 1, CD 1, entitled: "RELATING TO HIGHWAY SAFETY";
- H.B. No. 2975, SD 1, CD 1, entitled: "RELATING TO DRUGS";
- H.B. No. 3046, HD 1, SD 1, CD 1, entitled: "RELATING TO THE PENAL CODE";
- H.B. No. 3350, HD 1, SD 1, CD 1, entitled: "RELATING TO THE PAYMENT OF CHILD SUPPORT";
- H.B. No. 3596, SD 1, CD 1, entitled: "RELATING TO THE DISPOSITION OF AN ELECTION TIE";
- H.B. No. 3631, SD 1, CD 1, entitled: "RELATING TO THE SUMMONING OF JURORS";
- H.B. No. 3653, SD 1, CD 1, entitled: "RELATING TO HARASSMENT";
- H.B. No. 3666, HD 1, SD 1, CD 1, entitled: "RELATING TO NUISANCE ABATEMENT";
- H.B. No. 2726, HD 2, SD 2, CD 1, entitled: "RELATING TO THE AUDITOR";
- H.B. No. 3432, HD 1, SD 2, CD 1, entitled: "RELATING TO SCHOOL PERSONNEL IN THE DEPARTMENT OF EDUCATION";
- H.B. No. 3563, HD 1, SD 1, CD 1, entitled: "RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION";
- H.B. No. 1148, HD 2, SD 2, CD 1, entitled: "RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE";
- H.B. No. 4131, HD 3, SD 2, CD 1, entitled: "RELATING TO HUMAN SERVICES";
- H.B. No. 3421, HD 2, SD 2, CD 1, entitled: "RELATING TO CABLE COMMUNICATIONS";
- H.B. No. 3534, HD 2, SD 2, CD 1, entitled: "RELATING TO ENFORCEMENT";
- H.B. No. 3341, HD 2, SD 2, CD 1, entitled: "RELATING TO SALARY PAY PERIODS OF PUBLIC OFFICERS AND EMPLOYEES";
- H.B. No. 2514, HD 3, SD 2, CD 1, entitled: "RELATING TO THE TRANSITION TO WORK SYSTEM";
- H.B. No. 3439, HD 1, SD 1, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE OPERATING EXPENSES OF THE DEPARTMENT OF EDUCATION";
- H.B. No. 3293, HD 1, SD 1, CD 1, entitled: "RELATING TO PUBLIC LANDS";
- H.B. No. 3711, SD 2, CD 1, entitled: "RELATING TO INSURANCE";
- H.B. No. 3423, HD 1, SD 1, CD 1, entitled: "RELATING TO MOTOR VEHICLE WARRANTIES";
- H.B. No. 3101, HD 2, SD 2, CD 1, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";
- S.B. No. 2211, SD 2, HD 2, CD 1, entitled: "RELATING TO SCHOOL CONSTRUCTION PROJECTS";
- S.B. No. 3091, HD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 11, OF THE CONSTITUTION OF THE STATE OF HAWAII";
- S.B. No. 3170, SD 1, HD 2, CD 1, entitled: "RELATING TO WAIMANALO";
- S.B. No. 3079, SD 1, HD 1, CD 1, entitled: "RELATING TO EMPLOYEE STOCK OWNERSHIP PROGRAMS";
- S.B. No. 2003, SD 1, HD 2, CD 1, entitled: "RELATING TO FAMILY CHILD CARE";
- S.B. No. 608, SD 2, HD 2, CD 1, entitled: "RELATING TO PUBLIC LANDS";
- S.B. No. 2220, SD 1, HD 1, CD 1, entitled: "RELATING TO BURIAL PLOTS";
- S.B. No. 2998, SD 1, HD 2, CD 1, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";
- S.B. No. 1602, SD 1, HD 1, CD 1, entitled: "RELATING TO AIRPORT SECURITY";
- S.B. No. 2124, HD 1, CD 1, entitled: "RELATING TO DISPOSITION OF DEFENDANTS";
- S.B. No. 2186, SD 1, HD 1, CD 1, entitled: "RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES";
- S.B. No. 3248, SD 2, HD 2, SD 1, entitled: "RELATING TO OCEAN RECREATION MANAGEMENT";
- S.B. No. 2888, SD 1, HD 1, CD 1, entitled: "RELATING TO THE RELEASE OF PRETRIAL INMATES";
- S.B. No. 2446, SD 1, HD 1, CD 1, entitled: "RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES";
- S.B. No. 3021, SD 1, HD 1, CD 1, entitled: "RELATING TO EDUCATION";

- S.B. No. 2380, SD 1, HD 2, CD 1, entitled: "RELATING TO COMPULSORY SCHOOL ATTENDANCE";
- S.B. No. 2329, HD 1, CD 1, entitled: "RELATING TO PROFESSIONAL AND VOCATIONAL REGULATORY PROGRAMS";
- S.B. No. 2724, SD 1, HD 1, CD 1, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";
- S.B. No. 3159, SD 1, HD 1, CD 1, entitled: "RELATING TO INSURANCE, ANNUITIES AND SECURITIES ACTIVITIES OF BANKS";
- S.B. No. 1305, HD 1, CD 1, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";
- S.B. No. 2247, HD 1, CD 1, entitled: "RELATING TO MANSLAUGHTER";
- S.B. No. 2249, SD 1, HD 1, CD 1, entitled: "RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS";
- S.B. No. 2326, SD 1, HD 1, CD 1, entitled: "RELATING TO DOMESTIC VIOLENCE";
- S.B. No. 2381, SD 1, HD 1, CD 1, entitled: "RELATING TO MISSING CHILDREN";
- S.B. No. 2548, SD 1, HD 2, CD 1, entitled: "RELATING TO LANDOWNERS' LIABILITY";
- S.B. No. 2773, SD 1, HD 1, CD 1, entitled: "RELATING TO DRUG PRODUCT SELECTION";
- S.B. No. 2993, SD 1, HD 1, CD 1, entitled: "RELATING TO UNIFORM PROBATE CODE";
- S.B. No. 2152, SD 1, HD 2, CD 1, entitled: "RELATING TO EMPLOYEE BENEFIT PLANS";
- S.B. No. 2836, SD 2, HD 2, CD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- S.B. No. 2458, SD 2, HD 2, CD 1, entitled: "RELATING TO MARINE PATROL";
- S.B. No. 1720, SD 1, HD 1, CD 1, entitled: "RELATING TO BUSINESS REGISTRATION";
- S.B. No. 2723, SD 2, HD 1, CD 1, entitled: "RELATING TO LIMITED LIABILITY COMPANIES";
- S.B. No. 641, SD 2, HD 1, CD 1, entitled: "RELATING TO COMMUNICATIONS";
- S.B. No. 1735, SD 1, HD 2, CD 1, entitled: "RELATING TO LOANS";
- S.B. No. 2552, SD 1, HD 2, CD 1, entitled: "RELATING TO STATE DEPARTMENTS";
- S.B. No. 3232, SD 2, HD 2, CD 1, entitled: "RELATING TO STATE GOVERNMENT";
- S.B. No. 2087, SD 1, HD 2, CD 1, entitled: "RELATING TO PUBLIC SCHOOLS";
- S.B. No. 2090, SD 2, HD 2, CD 1, entitled: "RELATING TO PESTICIDES";
- S.B. No. 2278, SD 2, HD 1, CD 1, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT";
- S.B. No. 2333, SD 1, HD 1, CD 1, entitled: "RELATING TO PURCHASES OF SERVICES";
- S.B. No. 2522, SD 1, HD 2, CD 1, entitled: "RELATING TO COMMUNITY HOSPITALS";
- S.B. No. 2795, SD 2, HD 2, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION";
- S.B. No. 2902, HD 1, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- S.B. No. 2913, HD 1, CD 1, entitled: "RELATING TO THE TAX LIABILITY OF CONTRACTORS CONTRACTING WITH THE STATE OR COUNTIES";
- S.B. No. 3108, SD 2, HD 1, CD 1, entitled: "RELATING TO THE CLEAN HAWAII CENTER";
- S.B. No. 3135, SD 1, HD 1, CD 1, entitled: "RELATING TO BUDGET REDUCTIONS";
- S.B. No. 107, HD 1, CD 1, entitled: "RELATING TO COLLECTIVE BARGAINING";
- S.B. No. 865, SD 2, HD 2, CD 1, entitled: "RELATING TO PUBLIC LAND LIABILITY IMMUNITY";
- S.B. No. 2145, SD 1, HD 2, CD 1, entitled: "RELATING TO EDUCATION";
- S.B. No. 2264, SD 2, HD 2, CD 1, entitled: "RELATING TO SERVICES FOR THE INDIGENT";
- H.B. No. 2452, HD 3, SD 1, CD 1, entitled: "RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND";
- H.B. No. 2642, HD 1, SD 1, CD 1, entitled: "RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND";
- H.B. No. 1257, HD 2, SD 2, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- H.B. No. 3583, HD 2, SD 2, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- H.B. No. 3954, HD 2, SD 1, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- H.B. No. 3300, SD 1, CD 1, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";
- H.B. No. 3650, HD 1, SD 1, CD 1, entitled: "RELATING TO THE JUDICIARY";
- H.B. No. 2644, HD 1, SD 2, CD 1, entitled: "RELATING TO PENSION AND RETIREMENT SYSTEMS";
- H.B. No. 3340, HD 1, SD 1, CD 1, entitled: "RELATING TO THE POWERS AND DUTIES OF THE COMPTROLLER";
- H.B. No. 3342, HD 1, SD 1, CD 1, entitled: "RELATING TO REVENUE MAXIMIZATION";

- H.B. No. 3389, HD 1, SD 1, CD 1, entitled: "RELATING TO MUNICIPAL LEASES";
- H.B. No. 3554, HD 1, SD 1, CD 1, entitled: "RELATING TO AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION";
- H.B. No. 3565, HD 1, SD 1, CD 1, entitled: "RELATING TO BULK TRANSFERS";
- H.B. No. 3852, SD 2, CD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ETV HAWAII/ELEPHANT TELEVISION, INC";
- H.B. No. 3968, HD 2, SD 1, CD 1, entitled: "RELATING TO WORKERS' COMPENSATION INSURANCE";
- H.B. No. 3512, HD 2, SD 1, CD 1, entitled: "RELATING TO WORKERS' COMPENSATION";
- H.B. No. 3548, HD 1, SD 2, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY";
- H.B. No. 3505, HD 1, SD 1, CD 1, entitled: "RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE";
- H.B. No. 3538, HD 2, SD 1, CD 1, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";
- H.B. No. 3656, HD 2, SD 2, CD 1, entitled: "RELATING TO THE JUDICIARY HISTORY CENTER";
- H.B. No. 2729, HD 2, SD 1, CD 1, entitled: "RELATING TO FORFEITURE";
- H.B. No. 50, HD 2, SD 2, CD 1, entitled: "RELATING TO PERSONS WITH DISABILITIES";
- H.B. No. 3344, HD 2, SD 1, CD 1, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";
- H.B. No. 2636, HD 2, SD 1, CD 1, entitled: "RELATING TO CONTROLLED SUBSTANCES";
- H.B. No. 3493, HD 2, SD 2, CD 1, entitled: "RELATING TO NEWBORN METABOLIC SCREENING";
- H.B. No. 3498, SD 2, CD 1, entitled: "RELATING TO MENTAL HEALTH";
- H.B. No. 3332, SD 2, CD 1, entitled: "RELATING TO AGRICULTURE";
- H.B. No. 4008, HD 1, SD 1, CD 1, entitled: "RELATING TO AGRICULTURAL LOANS";
- H.B. No. 44, SD 1, CD 1, entitled: "RELATING TO STATE BONDS";
- H.B. No. 3138, HD 1, SD 2, CD 1, entitled: "RELATING TO EDUCATION";
- H.B. No. 1716, HD 1, SD 1, CD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- H.B. No. 1736, SD 1, CD 1, entitled: "RELATING TO PARENT-COMMUNITY NETWORKING CENTERS";
- H.B. No. 3773, HD 1, SD 1, CD 1, entitled: "RELATING TO THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL";
- H.B. No. 3399, HD 2, SD 1, CD 1, entitled: "RELATING TO BUSINESS REGISTRATION";
- H.B. No. 3154, HD 2, SD 2, CD 1, entitled: "RELATING TO PUBLIC ACCESS";
- H.B. No. 3362, HD 2, SD 1, CD 1, entitled: "RELATING TO DISTRICTS";
- H.B. No. 3964, HD 1, SD 2, CD 1, entitled: "RELATING TO STATE GOVERNMENT";
- H.B. No. 3153, HD 2, SD 2, CD 1, entitled: "RELATING TO ELECTIONS";
- H.B. No. 3970, HD 1, SD 1, CD 1, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";
- H.B. No. 3382, HD 1, SD 1, CD 1, entitled: "RELATING TO STATE FINANCES";
- S.B. No. 2304, SD 1, HD 2, CD 1, entitled: "RELATING TO GENERAL ASSISTANCE";
- S.B. No. 2388, SD 2, HD 1, CD 1, entitled: "RELATING TO HUMAN SERVICES";
- S.B. No. 2485, HD 2, CD 1, entitled: "RELATING TO PUBLIC EMPLOYMENT";
- S.B. No. 2662, SD 1, HD 2, CD 1, entitled: "RELATING TO THE DEVELOPMENTALLY DISABLED";
- S.B. No. 2781, SD 2, HD 3, CD 1, entitled: "RELATING TO EMERGENCY MEDICAL SERVICES";
- S.B. No. 2819, SD 2, HD 1, CD 1, entitled: "RELATING TO STATE FINANCES";
- S.B. No. 2821, SD 2, HD 2, CD 1, entitled: "RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT";
- S.B. No. 2875, SD 1, HD 2, CD 1, entitled: "RELATING TO ABSENTEE VOTING";
- S.B. No. 2856, SD 1, HD 2, CD 1, entitled: "RELATING TO THE OFFICE OF CHILDREN AND YOUTH";
- S.B. No. 2891, SD 2, HD 2, CD 1, entitled: "MAKING APPROPRIATIONS FOR PROGRAMS TO REDUCE PRISON AND JAIL OVERCROWDING";
- S.B. No. 2941, SD 2, HD 2, CD 1, entitled: "RELATING TO A COMMERCIAL FISHERIES SPECIAL FUND";
- S.B. No. 3042, SD 2, HD 2, CD 1, entitled: "RELATING TO CHILD PROTECTIVE SERVICES"; and
- S.B. No. 3240, SD 2, HD 2, CD 1, entitled: "RELATING TO STATE ENTERPRISE ZONES".

Sen. Com. No. 671, returning H.C.R. No. 159, SD 2, CD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF CIVIL SERVICE COMPENSATION PLANS, AND THE COSTS THEREOF," which was Finally adopted by the Senate on April 29, 1996.

Sen. Com. No. 672, informing the House that on April 26, 1996, the Senate reconsidered its action taken in disagreeing to the amendments proposed by the House to the following Senate Bills, and said Senate Bills passed Final Reading in the Senate on April 29, 1996:

S.B. No. 659, SD 3, HD 2, entitled: "RELATING TO THE ENVIRONMENT";

S.B. No. 1738, SD 1, HD 2, entitled: "RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT";

S.B. No. 2067, SD 1, HD 1, entitled: "RELATING TO HIGHER EDUCATION";

S.B. No. 2209, SD 2, HD 1, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";

S.B. No. 2210, SD 1, HD 1, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";

S.B. No. 2248, SD 1, HD 1, entitled: "RELATING TO FAMILY VIOLENCE";

S.B. No. 2402, SD 1, HD 2, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR ENERGY DEVELOPMENT";

S.B. No. 2405, SD 1, HD 1, entitled: "RELATING TO NET ENERGY METERING";

S.B. No. 2416, SD 1, HD 2, entitled: "RELATING TO CONTROLLED SUBSTANCES";

S.B. No. 2471, SD 1, HD 1, entitled: "RELATING TO TIME LIMITATIONS";

S.B. No. 2659, SD 1, HD 1, entitled: "RELATING TO WILDLIFE AND GAME MANAGEMENT";

S.B. No. 2682, SD 1, HD 2, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

S.B. No. 2699, SD 1, HD 2, entitled: "RELATING TO THE ESTABLISHMENT OF PATERNITY";

S.B. No. 2777, SD 2, HD 2, entitled: "RELATING TO WATER POLLUTION CONTROL";

S.B. No. 2789, SD 2, HD 1, entitled: "RELATING TO OBSOLETE OR UNENFORCEABLE HEALTH STATUTES";

S.B. No. 2811, SD 1, HD 1, entitled: "RELATING TO A DEFERRED COMPENSATION RETIREMENT PLAN FOR PART-TIME, TEMPORARY, AND SEASONAL/CASUAL EMPLOYEES";

S.B. No. 2848, SD 2, HD 1, entitled: "RELATING TO OCCUPATIONAL SAFETY AND HEALTH FEES";

S.B. No. 2850, SD 1, HD 1, entitled: "RELATING TO VOLUNTARY WITHHOLDING OF FEDERAL

AND STATE INCOME TAXES FROM UNEMPLOYMENT COMPENSATION";

S.B. No. 2866, SD 2, HD 2, entitled: "RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS";

S.B. No. 2887, HD 1, entitled: "RELATING TO CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE";

S.B. No. 2890, HD 1, entitled: "RELATING TO CORRECTIONS";

S.B. No. 2984, HD 1, entitled: "RELATING TO THE LANDLORD-TENANT CODE";

S.B. No. 2992, HD 1, entitled: "RELATING TO STADIUMS";

S.B. No. 2999, SD 2, HD 2, entitled: "RELATING TO HIGHWAYS";

S.B. No. 3011, SD 2, HD 2, entitled: "RELATING TO THE DEVELOPMENT OF SCHOOLS IN THE VILLAGES OF KAPOLEI";

S.B. No. 3154, SD 2, HD 2, entitled: "RELATING TO THE STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES";

S.B. No. 3165, SD 2, HD 2, entitled: "RELATING TO HEALTH CARE DATA DISCOVERY";

S.B. No. 3171, HD 1, entitled: "RELATING TO COURT REPORTERS";

S.B. No. 3198, SD 1, HD 1, entitled: "RELATING TO HANA MEDICAL CENTER";

S.B. No. 3231, SD 1, HD 2, entitled: "RELATING TO THE TAXATION OF REAL PROPERTY BY THE COUNTIES"; and

S.B. No. 3262, SD 2, HD 2, entitled: "RELATING TO CAPITAL LOAN PROGRAM".

Sen. Com. No. 673, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate Bills, and has agreed to the amendments and said bills passed Final Reading in the Senate on April 29, 1996:

S.B. 2322, SD 2, HD 2

S.B. 2401, SD 2, HD 2

S.B. 3110, SD 2, HD 2

Sen. Com. No. 674, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate Bills, and has agreed to the amendments and said bills passed Final Reading in the Senate on April 29, 1996:

S.B. 3134, SD 1, HD 1

S.B. 2750, SD 1, HD 2

S.B. 3266, SD 1, HD 1

Sen. Com. No. 675, returning H.B. No. 3337, HD 1, entitled: "RELATING TO THE NONPRESENTMENT OF WARRANTS AND CHECKS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 676, returning H.B. No. 3367, entitled: "RELATING TO STATE INVESTMENTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 677, returning H.B. No. 3370, entitled: "RELATING TO STATE TREASURY CASHIERING," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 678, returning H.B. No. 3383, SD 1, entitled: "AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE REIMBURSEMENT OF THE AIRPORT REVENUE FUND," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 679, returning H.B. No. 3540, HD 1, entitled: "RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 680, returning H.B. No. 3274, entitled: "RELATING TO REGISTRATION OF NEW MOTOR VEHICLES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 681, returning H.B. No. 3336, entitled: "RELATING TO HONEY BEE EXPORT SHIPMENTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 682, returning H.B. No. 3339, entitled: "RELATING TO PUBLIC WORKS PROJECT ASSESSMENTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 683, returning H.B. No. 3348, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID INVESTIGATIONS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 684, returning H.B. No. 3361, HD 2, entitled: "MAKING AN APPROPRIATION FOR THE HAWAII FILM FACILITY," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 685, returning H.B. No. 3369, HD 1, entitled: "RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 686, returning H.B. No. 3380, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAMS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 687, returning H.B. No. 3424, HD 2, entitled: "RELATING TO LIQUIDATION OF INSURERS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 688, returning H.B. No. 3425, HD 2, entitled: "MAKING AN EMERGENCY APPROPRIATION OUT OF THE SPECIAL FUND FOR THE ADMINISTRATION OF WORKERS' COMPENSATION INSURANCE," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 689, returning H.B. No. 3453, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 690, returning H.B. No. 3454, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 691, returning H.B. No. 3459, entitled: "RELATING TO THE DEPARTMENT OF HUMAN SERVICES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 692, returning H.B. No. 3461, entitled: "MAKING AN EMERGENCY FEDERAL FUND APPROPRIATION INCREASE FOR HEALTH CARE PAYMENTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 693, returning H.B. No. 3481, HD 1, entitled: "MAKING AN APPROPRIATION FOR MARTIN LUTHER KING, JR., HOLIDAY ACTIVITIES BY THE CIVIL RIGHTS COMMISSION," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 694, returning H.B. No. 3525, entitled: "RELATING TO THE HAWAII FISHERIES COORDINATING COUNCIL," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 695, returning H.B. No. 3537, HD 2, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 696, returning H.B. No. 3539, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 697, returning H.B. No. 3545, entitled: "RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 698, returning H.B. No. 3584, HD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII TUITION AND FEES SPECIAL FUND," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 699, returning H.B. No. 3603, HD 1, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 700, returning H.B. No. 3645, HD 1, entitled: "RELATING TO COLLECTION OF FINES AND COSTS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 701, returning H.B. No. 3648, HD 2, entitled: "RELATING TO DRIVER EDUCATION AND TRAINING FUND," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 702, returning H.B. No. 3724, entitled: "RELATING TO THE KAHOLAWE ISLAND RESERVE COMMISSION," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 703, returning H.B. No. 3769, HD 3, entitled: "RELATING TO PERSONS DISPOSSESSED OR DISPLACED BY VOLCANIC ERUPTIONS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 704, returning H.B. No. 3916, HD 1, entitled: "RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 705, returning H.B. No. 3976, HD 1, entitled: "RELATING TO THE ISSUANCE OF A SPECIAL PURPOSE REVENUE BOND TO ASSIST AN INDUSTRIAL ENTERPRISE," which passed Third Reading in the Senate on April 29, 1996.

Sen. Com. No. 706, returning H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE HAWAII NATIONAL GUARD'S (HING) DRUG DEMAND REDUCTION PROGRAM (DDR)," which was adopted by the Senate on April 29, 1996.

Sen. Com. No. 707, returning H.C.R. No. 55, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF STATE-PROVINCE RELATIONS OF FRIENDSHIP BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF CEBU OF THE REPUBLIC OF THE PHILIPPINES," which was adopted by the Senate on April 29, 1996.

Sen. Com. No. 708, returning H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FACILITATE AND PROMOTE THE USE OF VOLUNTEER GROUPS IN THE REPLANTING OF DESIGNATED ROADSIDE AREAS TO LOW GROWTH, LOW MAINTENANCE VEGETATION UNDER AN INTEGRATED VEGETATION MANAGEMENT (IVM) PROGRAM," which was adopted by the Senate on April 29, 1996.

FINAL READING

H.B. No. 404:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE FEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 547:

Representative Amaral moved that H.B. No. 547, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative McMurdo rose to speak in favor of H.B. No. 547 and H.B. No. 548, stating:

"I speak in support of these bills. We have been trying for twelve years to get these special license plates, and I want to thank the members of the committee that put this together.

"I can't tell you how pleased I know all the veterans are going to be, so thanks to all of you."

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

"Mr. Speaker, I think it was the first year that I was elected to the Legislature that some of the Pearl Harbor survivors came to me and asked me to introduce such a bill. I did. It did not make it through the Judiciary Committee that year, and I am absolutely delighted to see that this bill has finally made it through the process.

"This is long overdue. I think we're practically the only state in the nation that does not allow Pearl Harbor survivor license plates, and I think that was a bit of a disgrace. I am glad to see that this has made it through.

"Thank you."

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

"I would just like to thank the Chairman of the Transportation Committee, Representative Hiraki, for helping in this matter.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 547, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 548:

On motion by Representative Amaral, seconded by Representative Thielen and carried, H.B. No. 548, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 404, 547 and 548 had passed Final Reading at 8:02 o'clock p.m.

At 8:03 o'clock p.m., Representative Pepper asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:11 o'clock p.m.

FINAL READING

The following bills were taken from the Clerk's desk and the following actions taken:

H.B. No. 401, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 401, HD 2, and H.B. No. 401, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 1741, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1741, HD 2, and H.B. No. 1741, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AVIATION ARTIFACTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2384, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2384, HD 1, and H.B. No. 2384, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTION PERMITS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2411, HD 1, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2411, HD 1, and H.B. No. 2411, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2598, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2598, and H.B. No. 2598, SD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATIONS FOR EXAMINATION AND LICENSURE TO PRACTICE MEDICINE AND SURGERY," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2789, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2789, HD 1, and H.B. No. 2789, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOING OUT OF BUSINESS SALES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2957, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2957, and H.B. No. 2957, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2991, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2991, and H.B. No. 2991, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3208, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3208, HD 2, and H.B. No. 3208, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3241, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3241, HD 1, and H.B. No. 3241, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROXIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3333, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3333, and H.B. No. 3333, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3345, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3345,

HD 2, and H.B. No. 3345, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATION COUNCIL," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3520, SD 1:

Representative Okamura moved that the House agree to the amendments proposed by the Senate to H.B. No. 3520, and H.B. No. 3520, SD 1, having been read throughout, pass Final Reading, seconded by Representative Thielen.

Representative Meyer rose to speak against the bill, stating:

"While I know that there's no way around this -- this bill will be passed -- it's the principle that I have a problem with.

"This bill asks for an emergency appropriation of \$4.5 million to cover unemployment benefits for former State employees.

"In 1995, the Representative from Kona introduced a bill -- House Bill 768 -- which would change the way unemployment is figured for part-time workers. The idea was to not have part-time workers, or people that accept jobs that they know are in a very limited scope of time, such as legislative employees that are employed just for the time we're in session.

"This year, I also introduced a bill. After reading the testimony from the Director of the Department of Labor, she had some comments on how to improve on the bill and have it still do what we were looking to do. In her testimony, she pointed out that had there been a bill that would require a state employee to work at least six months, it would have been 8,051 unemployment claims that would not be covered, that would be 12 percent of the total of 65,000 claims for the period between 1994 and 1995.

"I am not saying that session workers don't work hard, and there are people that should get unemployment. But I think the public sector out there has the perception that unemployment is there to cover people who have been employed for some period of time and are laid off and absolutely cannot find work. And when we set a situation up where people can collect unemployment after working at a job that they knew would only last for three months, and perhaps continue year after year collecting unemployment, there's something wrong.

"And with the expenses that we have, and obviously this was not budgeted for, and now we must ask for another \$4.5 million, that's a substantial amount of money. No business could operate this way. So I cannot support this bill.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3520, and H.B. No. 3520, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR UNEMPLOYMENT BENEFITS TO FORMER STATE EMPLOYEES," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Meyer voting no.

H.B. No. 3533, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3533,

HD 2, and H.B. No. 3533, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3567, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3567, HD 1, and H.B. No. 3567, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROUNDING OF TAX RETURN ITEM ENTRIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3577, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3577, HD 2, and H.B. No. 3577, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF HAZARDOUS MATERIALS, HAZARDOUS WASTE, INFECTIOUS SUBSTANCES, AND MEDICAL WASTE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3581, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3581, and H.B. No. 3581, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3602, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3602, HD 1, and H.B. No. 3602, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3611, HD 1, SD 1:

Representative Okamura moved that the House agree to the amendments proposed by the Senate to H.B. No. 3611, HD 1, and H.B. No. 3611, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Ward.

Representative Ward rose and requested a conflict ruling, saying that he "announced a Vietnam veteran status," and the Chair ruled "no conflict."

Representative Ward then stated:

"Mr. Speaker, I speak in opposition to this bill for two primary reasons: One is constitutionality. Mr. Speaker, this is a taking away of benefits for those in the military who then worked for the State of Hawaii, and for the same reason that the high-three was told to be pro-active rather than getting on to our turf, if you will, or retroactive. And why it should be prospective rather than present is the same reason why this bill which then would also deny that benefit.

"The second reason is that it is eroding veterans' benefits, but fortunately, we passed tuition waivers today.

"Mr. Speaker, on behalf of firemen, legislators, police officers and judges, I want to speak against this bill in

that we are the first group to be spoken against, in terms of ERS devaluation of benefits. It's a hit on these particular people and is marginally, if not, unconstitutional. It needs to be examined for that as well as saying -- why are we singling out the military to start fixing the ERS system? It seems unjust and unfair.

"And for those reasons, Mr. Speaker, I would hope that my colleagues, who have been in the military, would examine that as well as the General of the State -- Governor Cayetano -- to look at this in terms of its precedent and for its military standing as well as its constitutionality.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3611, HD 1, and H.B. No. 3611, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Ward voting no.

H.B. No. 3616, HD 1, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3616, HD 1, and H.B. No. 3616, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3793, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3793, HD 1, and H.B. No. 3793, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 4010, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 4010, HD 2, and H.B. No. 4010, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 4063, SD 1:

Representative Okamura moved that the House agree to the amendments proposed by the Senate to H.B. No. 4063, and H.B. No. 4063, SD 1, having been read throughout, pass Final Reading, seconded by Representative Ward.

Representative Kahikina 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 Kahikina's remarks are as follows:

"Mr. Speaker, this bill contains several positive features:

- (1) It recognizes the Hawaiian language as an official language of the State.

- (2) It provides an opportunity for our children to learn their language and culture, thereby ensuring the perpetuation of their Hawaiian heritage.
- (3) Its importance, not only to the Hawaiian people, but to the State as well.

"Remember, our most important industry is tourism. We cannot disregard the Hawaiian language and culture and expect this industry to be successful.

"It is my hope that the State will continue to work towards expanding the Hawaiian Language Program on all islands, especially on the island of Oahu where the greatest number of Hawaiians resides."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 4063, and H.B. No. 4063, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that H.B. Nos. 401, 1741, 2384, 2411, 2598, 2789, 2957, 2991, 3208, 3241, 3333, 3345, 3520, 3533, 3567, 3577, 3581, 3602, 3611, 3616, 3793, 4010 and 4063 had passed Final Reading at 8:19 o'clock p.m.

SUSPENSION OF RULES

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

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Okamura, seconded by Representative Ward and carried, the House reconsidered its action taken on April 12, 1996, in disagreeing to the amendments proposed by the Senate to House Bills 1042 (SD 1); 2526 (SD 2); 2647, HD 1 (SD 1); 2809, HD 2 (SD 1); 3047, HD 1 (SD 1); 3349, HD 1 (SD 1); 3401, HD 1 (SD 1); 3522, HD 1 (SD 1); 3523, HD 1 (SD 1); 3542, HD 2 (SD 1); 3551, HD 1 (SD 1); 3766, HD 2 (SD 2); 3785, HD 1 (SD 1); 3789, HD 2 (SD 2); 3822 (SD 1); 3833, HD 1 (SD 2); and 4145, HD 2 (SD 1).

At 8:22 o'clock p.m., Representative Ward asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:25 o'clock p.m.

FINAL READING

H.B. No. 1042, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1042, and H.B. No. 1042, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2526, SD 2:

Representative Okamura moved that the House agree to the amendments proposed by the Senate to H.B. No.

2526, and H.B. No. 2526, SD 2, having been read throughout, pass Final Reading, seconded by Representative Ward.

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

"Mr. Speaker, what this measure does is to clearly state the duties of the Department of Health and establishes clearly duties of the Department of Human Services relative to domestic and sexual abuse.

"Mr. Speaker, in advocating for this measure, there is no intent to establish an entitlement here. What we are doing is clearly establishing that these departments are responsible for providing services.

"Thank you."

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

"Mr. Speaker, this is another example of one of those we could not get through the Conference Committee. We instead, in order to move this through, are essentially agreeing with the Senate version of this. The only thing that's missing and what we tried to get through conference was the clarification that this was not meant to be an entitlement.

"But what this bill intends to do, and what I hope this finally does, is to set into motion the setting of a priority by both the Department of Health and the Department of Human Services for domestic violence and sexual assault programs as part of their primary core services, and I hope that this establishes it once and for all.

"Thank you."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2526, and H.B. No. 2526, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC AND SEXUAL VIOLENCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 2647, HD 1, SD 1:

Representative Okamura moved that the House agree to the amendments proposed by the Senate to H.B. No. 2647, HD 1, and H.B. No. 2647, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Ward.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, I'm rather dismayed in the way that this came about. I think both sides spent a great deal of time stating their position and did it in the way that this body has established for them to provide the testimony and to speak to us. And it went through the process, I think, in an open manner and fair manner. And then all of a sudden -- it wasn't even in the last hours; I think it even happened after we adjourned on Friday night.

"On Friday night, the measure was dead, and all of a sudden -- I guess the lobbyists that were pushing for this so hard were able to convince some people in this body to come around and say, it's okay. The only way it would be okay then, at that point, would be if we accept the Senate version.

"The Senate version doesn't have the number of safeguards in it and aside from that, I just think that that is not a fair process in a bill that has been so

controversial. It's one thing if you go through the process and it's in the committee hearings, it's in the conference hearing, and a decision is reached and people feel that it was done in the spirit of democracy. It's another thing if -- I don't know if arms were twisted or what pressures were brought to bear, but it certainly happened after the Friday night deadline.

"I don't support the process, and I don't support the subject matter of the bill, Mr. Speaker, and I don't think it's in the best interest of our consumers to allow the quality of the level of eye care to be diminished which I think this bill does.

"So I am going to vote no, Mr. Speaker. I hope that we will not have some tragic experiences because of this going forward. I'm sorry to see it happen in the way it happened.

"Thank you."

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

"Mr. Speaker, I urge this State to join with the 46 other states that permit some form of therapeutic drug authority for optometrists.

"The measure before us is limited in its scope, and it does not permit invasive surgery nor the administration of oral pharmaceutical agents. It provides both adequate training and proper supervision over those who become licensed as therapeutically-certified optometrists.

"Passage of this bill will increase the accessibility of primary eye care services to the people of Hawaii. As a practical matter, Mr. Speaker, most people see their optometrists on a regular basis. Limited prescriptive authority for primary care specialists has been proven throughout the Mainland to be safe and efficient. The public interest is best served by freeing ourselves from a sentimental attachment to past practices.

"The bill before us represents a prudent and cautious approach to a highly emotional issue, and it is emotional. The bottom line, however, is that this measure is good for the people of Hawaii, it is good for their eyes, except mine, and good for their pocketbooks.

"Mr. Speaker, optometrists and ophthalmologists work together. Let's quit this turf battle, let's do what is right -- 46 other states have it. You know, those who oppose the bill keep talking about safety. I don't think our optometrists ought to be treated differently than optometrists in 46 other states, and I don't think anyone has been able to refute that. You think our optometrists here, who are local people who go to the Mainland and come back here, should be treated second rate? And the local kids who go up there and practice in 46 other states ought to be treated better? Come on, let's quit this bickering. Let's work together, and let's be part of the majority of the states.

"Thank you."

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

"I want to say I see eye to eye with the previous speaker. But, Mr. Speaker, on the concerns regarding process, I seem to recall, and it was just moments ago that we went through several items in our yellow action sheets, Mr. Speaker, and no one then talked about process, problems, arms being twisted, underhanded deals -- only when it comes to this bill. And as I understand the process, that we had that right up until the midnight

deadline to do what we just did with regard to House Bill 2647, so that argument is wilting just as the lei on my shoulders is.

"With regard to the concerns regarding protections, as I read the bill, there are a number, chief of which, Mr. Speaker, is the effective date -- 1999. And so those who are opposed to this measure, those who might have concerns, will have a couple of years to work those out in the Legislature with the appropriate committee process once again up until that time.

"So with that, Mr. Speaker, I urge my colleagues to vote in support of this measure.

"Thank you."

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

"I felt that the House position in many of the drafts that I saw this session was more balanced than even this particular draft is. I think in this area, we need to go very slowly, and I like the philosophical approach that I saw in House drafts where the ophthalmologist would be given a chance to be primary among those who would determine the TPA authority of optometrists, just as optometrists in another bill would be given the opportunity to show their good faith and good will in expanding the authority of opticians.

"I would rather go back to an even playing field rather than one stacked against any one profession or another, and I will vote for this measure with these reservations because of the opportunities that we'll have over the next three years to improve the law before it goes into effect.

"Thank you."

Representative Ward then rose in support of the bill with reservations, and requested that Representative Stegmaier's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

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

"Nobody has to twist my arm to do that. I have never been to an optometrist, I don't believe. I got my glasses somewhere but not from an optometrist.

"Those of us that represent very rural districts, as far as medical services of any kind, need this kind of expansion of medical services in order to serve our people at very minimum levels. And I urge our members to support this bill.

"Thank you."

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

"I feel that the way this is being presented to us this evening, it is most definitely an end run. There were optometrists, ophthalmologists roaming these halls and over in the Senate and waiting till midnight, and these are professional people spending hours and hours down here. Both sides gave their best shot -- it certainly looked for all the world that this bill was through for this year. And here it is. I don't understand how this was done properly because I thought you had to have it decked by midnight last Friday, and there was no discussion about this until just this evening, and that just doesn't sit well with me and I don't think it should sit well with many of the people in this room.

"I also have a problem that there are Representatives in this room who have brothers, uncles, cousins who are optometrists and that has not been mentioned in many of the committees. This is a reality and it certainly does make a difference on how they feel about this bill. It influences them.

"I come from a country district and I have received a lot of letters from constituents who, in Laie, would like to have their optometrists have therapeutic drug treatment, at least they think they do. Many people are very confused as to the difference between optometrists and ophthalmologists and opticians, and there is a great deal of difference in all three of them. And yet, my colleagues here would like to say that an optometrist is equal to an ophthalmologist, and I know each one of us knows that is not true.

"I will vote for this, not against this, but I personally do feel this is demonstrative of an end rum that the voters in this State do not appreciate and nor do I as a legislator.

"Thank you, Mr. Speaker."

Representative Swain then rose to speak in support of this bill with reservations, stating:

"I have learned more about the difference between the two, and I think if anybody here has had the education that I've had through both the lobbying efforts of both sides, I think we on the floor know what an ophthalmologist is, what an optometrist is, and what an optician is ... I almost confused myself as I said it, to tell you the truth.

"But the reason I stand with reservations is because I believe that this bill will pass and some of these rights will be afforded to the optometrists. There are 47 states that have it so I believe that it is inevitable that this will take place.

"Because of the personal experience of my own son with an ophthalmologist who has done a fabulous job in curing his eye problems, I feel that the safer side is with the ophthalmologist, and that's just because of the personal experiences that I have had with this.

"My concern with the bill, and knowing that it doesn't take effect until 1999, is that we can put into place the safeguards, the safety net that is absolutely necessary, so that there isn't any reduction in the care and so that we don't have the confusion.

"I appreciate the lobbying efforts. I think the optometrists and the ophthalmologists have done a great lobbying effort to help us to understand. I've learned a lot from both sides. That's why I appreciate that part of this, and I just hope that we continue to look at this so that we can make sure that the citizens of the State will receive the best care possible.

"Thank you."

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

"What I hope to do in the next few minutes is to provide reassurance for those who are speaking in favor of this measure but with reservations. I would like to list the main features of this bill.

"First of all, the bill provides for a joint formulary advisory committee. The composition of that advisory committee is two optometrists, two ophthalmologists, two pharmacists -- it seems to me a very carefully balanced

committee. The duty of that committee is to develop a formulary which shall not include controlled substances, it shall not include oral medications; it shall include only topical medications and only those topical medications which this formulary committee decides are safe to administer.

"Second, the bill clearly excludes treatment for glaucoma, it excludes invasive surgery from the things that the optometrist can do, and that, Mr. Speaker, is appropriate because those are, in fact, the purview of ophthalmologists. Ophthalmologists are trained in surgery, optometrists are not.

"The bill also requires that the optometrist who is to be certified pass an approved course, pass a national exam, complete a practicum, and listen to this, Mr. Speaker. The practicum is to be completed under the supervision of an ophthalmologist who then certifies the competency of the optometrist to use therapeutics.

"The bill further requires, Mr. Speaker, continuing education. Frankly, Mr. Speaker, I have some doubts about this. I have some doubts as to whether this bill places unwarranted control on the optometrists, a well-trained professional group. But for those who are concerned about safety of the community and appropriately so, I really think that this bill goes very far in protecting the safety of the community through what may be a little bit of excessive control by the ophthalmologists over the practice of optometrists.

"In any event, Mr. Speaker, nothing really happens for the next three years. And in those three years, I guess we can get further information from the 47 states that have already moved in this direction to further assure ourselves that we are not endangering the safety of our community. I personally am already confident of that. I hope the rest of the members can eventually become confident also.

"Thank you."

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

"I am glad this bill is brought to our attention now because, at this late hour, we do need an eye opener and besides, some of my best friends have eyes.

"This bill does not go far enough. It is still too restrictive but this is a good beginning for the future goals of the optometrists for certain kinds of TPA. Let's give the optometrists their rightful place in their profession. Thank goodness, they are still treating people of all ages with competence, knowledge, expertise and with compassion befitting their noble profession. They are most careful in the responsible and appropriate treatment to people of all ages. They themselves ensure the highest standards of health and safety, care, prevention and education, so let's give them their due. They have earned it already.

"I want to thank the conferees for bringing this bill back to life. Let's keep this bill going for further discussions, and I am sure we are headed in the right direction to protect our people. As Representative Pepper says, the 'eyes' have it.

"Thank you very much."

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

"A few years ago, we gave prescriptive authority to advanced practice nurses. The arguments for and against were the same, and it took several years of debate but we

made the decision. I think it's only fair that the men -- the optometrists -- get the same treatment.

"Thank you, Mr. Speaker."

Representative Thielen then rose on a point of clarification and asked:

"Is the former speaker assuming that all optometrists are male?"

Representative Lee answered in the negative.

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

"First, let me say this, Mr. Speaker. Although it is common knowledge that my wife is a physician, in response to Representative Meyer's concern, her practice is in a discipline unrelated to the bill and she would not be affected by the passage or failure of this bill. The persons most affected by this bill would be members of the public needing vision care, and it is on their behalf that I speak.

"At this time, Mr. Speaker, I would also like to request a ruling for a possible conflict of interest," and the Chair ruled "no conflict."

"At the forefront of the issue has been the protection of public safety, as far as I am concerned. I am proud to say that the House position has been to maintain public safety and we were told by leadership to maintain the House position at all cost during Conference Committee, and to provide public policy that is in the best interest of the people of the State of Hawaii.

"Two years ago, the Legislature commissioned a study by the Legislative Reference Bureau on the feasibility of a therapeutic drug law for optometrists. I would like to briefly remind the members of the conclusions and recommendations of this study:

'Is there a compelling need to adopt a TPA law in Hawaii?' The answer is no. While there appears to be a certain amount of interest -- commercial and otherwise -- in a TPA law, the level of compelling need demonstrated has been minimal, especially in terms of lack of or delayed treatment by ophthalmologists which is a concern of a lot that has led to significant patient impairment. The Legislature's decision of this issue will depend on the weight that it gives to testimony on patient safety and the impact on costs.'

"In addition, the Senate position provides for one hundred hours of classroom course, but the LRB report clearly stated: 'The mere hundred hour classroom course that some states require for current optometrists is insufficient to protect the public safety.' If what we are talking about is giving one hundred hours for optometrists, I would like to remind that when it comes to doctors, just being a physician requires a minimum of two years' residency training program, in addition to the speciality training program. The bill also provides, under the Senate bill, eight hours of continuing education. Physicians are required forty hours. So there's really quite a difference between the two.

"When it comes to TPA that we will be giving the optometrists under this law, during the hearing we found out that whatever that they're prescribing is about one hundred percent of what the ophthalmologist is prescribing under the TPA. And we also found out that if they were going to be allowed to do it, it is equivalent to about 75 percent of the practice of the ophthalmologist. And there is a difference between the requirements under

the Senate bill versus what is actually going on when it comes to ophthalmologists.

"The LRB report goes on to conclude:

'Given the number of questions still surrounding this issue, a wide-open statute is not recommended as an initial step. If a TPA statute is found to be unwarranted, it could be narrowed in a number of ways, such as having the formulary designed by the Board of Medical Examiners rather than the Board of Examiners in Optometry, limiting the formulary, restricting the types of conditions that can be treated, instituting patient referral requirements, and/or extensive reporting.'

"It is true that under the Senate bill, there is a mixed number of people -- all professions -- in the formulary, but we have to understand that formulary is different from certification. Under the Senate bill, the certification is all now under the Board of Examiners of Optometry rather than what has been recommended in the LRB report, that it should be under the Board of Medical Examiners if we want to do it for the sake of public safety.

"Contrary to the conclusions of the LRB report, as I said, the bill creates a hybrid committee for establishing the formulary composed of members of the Board of Examiners in Optometry, Board of Medical Examiners, Board of Pharmacy, and the faculty of the University of Hawaii School of Medicine.

"Mr. Speaker, during conference negotiations, to the credit of Chair Menor, the House considered House Bill 1169, HD 2, as the House position, and House Bill 2647, SD 1, as the Senate position. Chair Menor offered three conference drafts -- actually two, as the third one did not meet the deadline because we ran out of time to address public safety concerns -- but the Senate would not come to the table with any substantive concessions. It ended up this way because I hope, just like some of the concerns of the Minority as well as mine, that this is a done deal. I hope it is not.

"I cannot support any bill that does not live up to the standards of public safety that we have expounded under the House proposal and as we were directed by leadership to defend, and I further cannot support a motion negating our efforts to discuss these issues in good faith.

"I would like to thank Chair Menor for his willingness to put forth a position that clearly supports public safety. I would also like to thank my fellow members of the Consumer Protection and Commerce Committee who have also worked diligently toward resolution of this issue.

"As pointed out by Representative Swain, the effective date of this bill is July 1, 1999 -- three years from now. If we run out of time, Mr. Speaker, maybe we can come up with massaging the bill further, to see if there's a way that the optometrists and the ophthalmologists can hammer out the bill for improvement of this bill if we pass it, to really address some of the concerns.

"In closing, Mr. Speaker, let me repeat that the Senate position on House Bill 2647, to which we are agreeing, does not follow the standard of public safety which this body has safeguarded. It is for this reason, Mr. Speaker, that I am voting no on this bill.

"Thank you."

Representative Case then rose in opposition to the bill and requested that Representative Cachola's remarks be incorporated in the Journal as his own, and also, "if I may, reference my floor remarks of March 5, 1996 (26th

Day) on this bill. I am hopeful that the concerns expressed by the previous speaker and in my earlier remarks will be met in the next three years.

"Thank you."

The Chair "so ordered." (By reference only)

Representative Kawanakoa then rose and stated:

"In that this bill will not take effect until July 1, 1999, I will be voting with reservations."

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

"As Representative Pepper has notated, this seems like a very reasonable bill.

"I don't know if Representative Cachola meant 1966 ... I wasn't here then, but maybe the optometrists have been trying since 1966 -- I'm not sure. But they have that many cases. They are in 47 states, a public health service uses them and uses them as dictated without this formulary.

"I have spoken to a couple of Assistant Surgeon Generals and they are very happy with the performance of the optometrists they have on staff, and I think it's about time we did this.

"Thank you, Mr. Speaker."

Representative Takai then rose in support of the bill, saying:

"I think it is not only time to end this Legislature, but it is also time to vote on this bill. Therefore, Mr. Speaker, if you will permit me to enter my words into the Journal, that would suffice for me."

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

Representative Takai's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. 2647, House Draft 1, Senate Draft 1, which authorizes prescriptive privileges for Hawaii's optometrists. Forty-seven states, the military, the Veterans Administration, and the Public Health Service have all recognized the benefits of allowing certified optometrists to treat common eye conditions. Optometrists across the nation have a 20-year history of prescribing these medications and have established a very safe and efficacious track record.

"As first contact doctors, optometrists provide two-thirds of all primary eye care in the nation. In today's era of health care reform, treatment is shifting away from the specialist like the ophthalmologist and being placed in the hands of the primary care provider like the optometrist. Passing an optometric therapeutics law will bring frequently needed eye care services closer to the public in a very cost-effective fashion.

"Mr. Speaker, in 1990, the American Public Health Association adopted a resolution to support and encourage optometric therapeutic privileges. The resolution recognized optometry's advanced training and education, and the need to utilize health professionals to their highest level of expertise.

"As the APHA resolution stated, a therapeutics law will increase 'the availability, accessibility and cost-effectiveness of eye care to the American public through

lower fees for services and by a reduction in double visits and hospital emergency room visits.'

"Mr. Speaker, this bill is a step in the right direction because it will improve the standards of eye care in Hawaii. While it would certainly be one of the most restrictive laws in the nation, it would at least begin to reduce the unnecessary duplication of care that currently exists. Furthermore, the bill represents the 'go slow,' conservative approach that some legislators desire with this measure.

"The certification criteria called for in the bill are amongst the most rigorous in the nation. To use therapeutics, optometrists must complete and pass extensive education, testing, and clinical preceptorship requirements. The permitted list of medications (the formulary), which are primarily limited to topicals, will be decided by joint committee of optometrists, ophthalmologists, and pharmacists. This formulary committee will allow medicine to have input in this process, which they have so ardently desired. Clearly, this bill holds Hawaii optometrists to a standard higher than the rest of the nation. If enacted, the public's safety and welfare will be assured.

"Mr. Speaker, one undesirable stipulation in this bill is the effective date of July, 1999. A three-year period to promulgate rules and develop a formulary is excessive, if you consider the fact that similar rules for certification and limited formularies are available from other states. Hawaii's citizens should not be denied this care any longer than necessary.

"Mr. Speaker, the time has come for Hawaii to join the rest of the nation with this enhanced level of primary eye care delivery. Optometric therapeutic authority is a well-established and proven standard of care across the country. Hawaii's citizens stand to greatly benefit by the enactment of this bill."

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

"Just for clarification purposes, in response to the legislator from the Windward side who stated that perhaps the process was subverted, I just wanted to make clear that the process was not subverted in any way.

"Whenever a House bill is passed and it goes to the Senate and the Senate amends it, and vice versa, and it comes back to the originating body, the committee will disagree with the amendments and it goes to conference. At the point it goes to conference, if they cannot work out the differences and if the Chairs still feel that they want to pass the bill with the Senate amendments, or in the case of the Senate, with the House amendments, then it is a process that is always openly done and it is done in all legislative bodies. I just wanted to make that clarification.

"I also wanted to add, in speaking for the measure, that again reiterating, that 47 states allow prescriptive rights of some sort. In fact, I think the legislation that we're passing doesn't come close to what most other states offer in those states.

"And I also wanted to add that this measure has been with us for three years now, and I want to commend the optometrists in particular, who have been in our halls for the past three years. They have done a great job, I believe, in educating the members on this issue, and have conducted themselves in a very professional manner, and have been very genuine in their efforts in lobbying for this item.

"Thank you."

Representative Thielen then rose in response and stated:

"I understand the process that the Majority Leader said -- I recognize that. It's a different thing when they're on the action sheets that we've already put out the notice to agree. I think that the people that were so involved in this did feel that it was a after-midnight situation where the agreement was reached. They didn't have an opportunity to really be part of that process. That's the thing that I don't like. That's my response to that matter.

"My response to the issue that 47 other states do it. Well, let's hope we don't use that same analogy to legalize gambling in the State of Hawaii. Just because 48 other states have gone down the road to degradation is no reason we should do that.

"I still have a problem with it. I mean the fact that it's not going to take effect until July 1, 1999 -- does anyone in here believe that the optometrists won't be back next year to say, 'let's bounce that date up'? Do you think they're just going to rest with where it is now? I don't think so. And I do think it is a bill that, after due deliberation, due consideration, the House had come up with a solid version. I don't like to see us cave in to the football player on the Senate side.

"Thank you."

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

"And to clarify again for the member that clearly does not understand the process. Action sheets are on our desks daily. Each of them has a date at the top of them, and we give notice of our intent to agree. You all recall that you have this action sheet on your desk which is dated April 29, and you will notice the previous motion of intent to agree to that. None of this is behind closed doors, none of this is surreptitious, Mr. Speaker -- all of this is with due and proper notice to everyone. And what the House essentially is doing is agreeing to the amendments that were made by the Senate. That's all.

"Thank you, Mr. Speaker."

Representative Cachola rose in rebuttal to Representative Yamane, saying:

"You know, sometimes I make mistake in numbers but as a golfer, 99. . .you're a worse golfer, so 66 is usually what I think when I play golf. So a net 66, for example, is better than net 99. Also, Mr. Speaker, he is much younger than me but if you look at him and me, I look much younger but I am way older than him.

"Thank you."

Representative Yamane then rose in response and stated:

"I apologize, Representative Cachola. His 66 probably meant that's his par.

"Thank you."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2647, HD 1, and H.B. No. 2647, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Cachola, Case and Thielen voting no.

(Representative Kawanakoa voted aye with reservations.)

H.B. No. 2809, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2809, HD 2, and H.B. No. 2809, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3047, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3047, HD 1, and H.B. No. 3047, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DAMAGE TO PROPERTY," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3349, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3349, HD 1, and H.B. No. 3349, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3401, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3401, HD 1, and H.B. No. 3401, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3522, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3522, HD 1, and H.B. No. 3522, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3523, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3523, HD 1, and H.B. No. 3523, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3542, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3542, HD 2, and H.B. No. 3542, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT OF INMATE MONEYS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3551, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3551, HD 1, and H.B. No. 3551, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3766, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3766, HD 2, and H.B. No. 3766, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3785, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3785, HD 1, and H.B. No. 3785, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3789, HD 2, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3789, HD 2, and H.B. No. 3789, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3822, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3822, and H.B. No. 3822, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 3833, HD 1, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3833, HD 1, and H.B. No. 3833, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE SERVICE FEES," having been read throughout, passed Final Reading by a vote of 51 ayes.

H.B. No. 4145, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 4145, HD 2, and H.B. No. 4145, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," having been read throughout, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Marumoto voting no.

The Chair directed the Clerk to note that H.B. Nos. 1042, 2526, 2647, 2809, 3047, 3349, 3401, 3522, 3523, 3542, 3551, 3766, 3785, 3789, 3822, 3833 and 4145 had passed Final Reading at 9:06 o'clock p.m.

At 9:07 o'clock p.m., Representative Ward asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:10 o'clock p.m.

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

H.C.R. No. 5, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 5, HD 1, and H.C.R. No. 5, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU AND THE KAIMUKI NEIGHBORHOOD BOARD NO. 4 TO ASSIST IN IDENTIFYING AND SECURING A SITE TO ESTABLISH A COMMUNITY/SENIOR CITIZEN CENTER FOR THE KAIMUKI COMMUNITY," was Finally adopted.

H.C.R. No. 84, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 84, HD 1, and H.C.R. No. 84, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF AN INTERAGENCY TASK FORCE ON FOOD AND NUTRITION ASSISTANCE," was Finally adopted.

H.C.R. No. 150, HD 1, SD 2:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 150, HD 1, and H.C.R. No. 150, HD 1, SD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO REAFFIRM THE TRUST RESPONSIBILITY OF THE STATE FOR IMPROVING THE HEALTH STATUS OF HAWAIIANS TO THE HIGHEST POSSIBLE LEVEL," was Finally adopted.

H.C.R. No. 197, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 197, HD 1, and H.C.R. No. 197, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT CATCH AND RELEASE REGULATIONS FOR THE WAHIAWA PUBLIC FISHING AREA," was Finally adopted.

H.C.R. No. 220, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 220, and H.C.R. No. 220, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING NATIVE SPEAKERS OF THE HAWAIIAN LANGUAGE TO BE UNIQUE AND PRECIOUS CULTURAL RESOURCES OF THE STATE," was Finally adopted.

H.C.R. No. 259, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 259,

and H.C.R. No. 259, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO CONTINUE THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM," was Finally adopted.

H.C.R. No. 276, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 276, HD 1, and H.C.R. No. 276, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AN OPTIONAL RETIREMENT PLAN FOR UNIVERSITY OF HAWAII EMPLOYEES," was Finally adopted.

H.C.R. No. 284, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 284, and H.C.R. No. 284, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE ADMINISTRATION AND FUNCTIONING OF THE SPECIAL COMPENSATION FUND OF THE WORKERS' COMPENSATION SYSTEM," was Finally adopted.

H.C.R. No. 289, HD 2, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 289, HD 2, and H.C.R. No. 289, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RECOGNIZE AND INCORPORATE THE NONCONFRONTATIONAL ASPECTS OF TRADITIONAL HAWAIIAN CULTURE WITH RESPECT TO ITS DEALINGS WITH THE PAI OHANA'S CULTURAL AND RELIGIOUS ACTIVITIES AT AI'OPIO," was Finally adopted.

H.C.R. No. 324, HD 1, SD 1:

On motion by Representative Okamura, seconded by Representative Ward and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 324, HD 1, and H.C.R. No. 324, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING YOUTH ATHLETIC LEAGUES IN HAWAII TO ADOPT POLICIES DISCOURAGING TOBACCO AND ALCOHOL USE BY COACHES, PARENTS, AND FAMILY MEMBERS WHEN YOUTH ARE PRESENT," was Finally adopted.

At 9:12 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:13 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 332 to 337) were read by the Clerk and were disposed of as follows:

H.R. No. 332, entitled: "HOUSE RESOLUTION RELATING TO THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL," was offered by Representative Okamura.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 332 was adopted.

H.R. No. 333, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO EXPEND SUCH SUMS TO COMPLETE THE WORK OF THE EIGHTEENTH LEGISLATURE, REGULAR SESSION OF 1996, INCLUDING THE CARRYING OUT OF ANY OFFICIAL LEGISLATIVE BUSINESS IN THE INTERIM BETWEEN THE 1996 AND 1997 SESSIONS," was jointly offered by Representatives Souki, P. Oshiro, Okamura and Ward.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 333 was adopted.

H.R. No. 334, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 60TH DAY," was jointly offered by Representatives Souki, P. Oshiro, Okamura and Ward.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 334 was adopted.

H.R. No. 335, entitled: "HOUSE RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, REGULAR SESSION OF 1996," was jointly offered by Representatives Souki, P. Oshiro, Okamura and Ward.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 335 was adopted.

H.R. No. 336, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO DESIGNATE WHICH OF THE EMPLOYEES AND OFFICERS OF THE HOUSE BE GIVEN ADDITIONAL EMPLOYMENT TO MEET THE WORK AFTER THE SESSION AND IS FURTHER AUTHORIZED TO DETERMINE THE PERIOD OF EMPLOYMENT," was jointly offered by Representatives Souki, P. Oshiro, Okamura and Souki.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 336 was adopted.

H.R. No. 337, entitled: "HOUSE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1996 AND THE CONVENING OF THE REGULAR SESSION OF 1997," was jointly offered by Representatives Okamura, Amaral, Ward and Thielen.

On motion by Representative Okamura, seconded by Representative Ward and carried, H.R. No. 337 was adopted.

ANNOUNCEMENTS

Representative Shon rose and stated:

"I'd just like to offer that none of us really know how many of us will return next year but we do know that at least three amongst us have indicated that they will not return, and I would like to, at this time, offer my good wishes to those three who have taught me a lot and always remind me of higher ideals.

"The first is an individual who actually shares with me my first district, and who has always been a beacon of

feisty independence that has always, for myself, indicated that there is no substitute for a strong voice for those things for which we believe in, and that is Representative Mary-Jane McMurdo.

"Second is an individual who has always reminded me that being well-informed is the highest goal and responsibility of us all, and that is Representative Virginia Isbell.

"And the third is an individual who continues to remind me that the persistence defense of those who are weakest amongst us is also the highest goal for me, and that is Representative Suzanne Chun Oakland.

"And for all three of you, I would personally just like to say -- I will miss you, and I'm sure many of us will, and for myself, while you will not be here physically, if I do return, I know I will carry your qualities with me into the future.

"Thank you for all the work that you have done."

Representative Isbell then rose and stated:

"I would like to thank all of you for your wonderful notes, your beautiful leis, and your pen set. When I first came, I thought, you know, if I've got five children, I really should get one for each one of them so I thought I better stay for ten years. Every two years you get one of these (and held up a pen set) and I thought that would be a nice heirloom for them, so I got a couple of extras. So I said I better stay and get one for each of my grandchildren so that's why I'm leaving -- I finally got everybody taken care of. You're going to miss my sense of humor, I bet.

"There's also a lot of things that we have done through the years and living for four years, I think it was, in the other building, I felt like a mole crawling out of a hole every time I go outside because you never knew when you're outside. You're outside but you're still inside until you really get outside.

"But I want to congratulate the freshmen class. There's eighteen of you that came in this past biennium and it was one of the largest classes I've ever seen, and today you graduate. No more excuses from now on. We won't accept anything like, 'Oh, I didn't know,' but now you know. The learning curve, I know, has been straight up and you have done very well, and I'm very proud of all of you. And don't forget to package up your pen and take it with you because otherwise, someone else will hock away with it.

"I also wanted to recite to you just one little poem that I learned when I was about eight years old, and my grandmother taught it to me. It has always been something that I have used and thought of and gone through many difficult times:

'If you think you're beaten, you are;
If you think you dare not, you don't;
But if you like to win and think you can't, it's almost
sure you won't;
If you think you'll lose, you've lost;
For out in the world we find success begins with a
fellow's will;
It's all in the state of mind.
Life's battles don't always go to the strongest or
swiftest man;
But sooner or later the one who wins is the one who
thinks he can.'

"Aloha to all of you."

Representative Ward then rose and stated:

"Before we have the two other farewell addresses, I want to say, on behalf of the Minority, we will miss those three.

"Mr. Speaker, you know why I ask those hard questions in the Finance Committee? Representative Isbell was my mentor. Her tenacity, her perseverance and her probing questions will be definitely missed.

"And to Representative McMurdo who is going to really retire, we wish you the best, to really enjoy yourself.

"And to our member who would upgrade her seat credential, we wish you the best, and we will miss you.

"And, Mr. Speaker, for you and for our colleagues here, it's been a great pleasure to be in the marketplace of ideas, the place where the State of Hawaii has improved time and again.

"So thank you, and for these other speeches to come, I just want you to know that we are with you as you leave.

"Aloha."

Representative McMurdo then rose and stated:

"I had a little training at this when I left the Senate, but I think this almost means more to me because you all have been so warm, you've welcomed me. We've had our battles together, we've had our fun together, we've stuck together on so many things, and I feel so fulfilled because I have served in both houses, and it is really something.

"You know, when I left last time, part of it was because of the reapportionment, and I really didn't feel that I had finished the business that I came here twelve years to start. But today, I do feel that I have finished my job in the Legislature as I see it. And I may not leave, you know. I may leave this, but my district still has a lot of problems and I think I'll be involved in many of those.

"But I want to say to all of you ... thank you for your friendship; to Mr. Speaker, for all of your support, and to the staff -- you have all been wonderful.

"And believe me, Virginia, I think you're going to make a great mayor, but I also wanted to say, if I can remember -- I'm just as bad as Representative Yonamine tonight; I can't remember what I was going to say -- except God bless, and I don't think I have to say it here. Who knows what I will lobby on next.

"Thank you very much and aloha."

Representative Chun Oakland then rose and stated:

"I am very happy and very proud to have served with all of you. You folks are very hardworking and very conscientious people, and Devon said not to cry, but I am sorry.

"A lot of times the public doesn't see the hard work of the Legislature and the staff, and having come from being a staff member a while ago, and seeing how many things people have to sacrifice personally to serve the people of our State, I am very proud of all of you -- very proud.

"And I guess to my classmates, there's a few of us left from 1990 -- Gene, Cynthia, David and Alex. And I know in 1991, our Opening Day was the formal declaration of Desert Storm and instead of celebrating, we

were quite very concerned. And in 1992 -- 911, Hurricane Iniki hit. And in 1993/1994/1995, the plantations started to close down, but irrespective of all of that -- the turmoil -- I think the people here have fared well and the people in our State have fared well. There's the strength like the bamboo -- being flexible and strong.

"I have to thank my colleagues, the women's group early on. Representative Hagino, who is no longer here, had made some comments about the women, that even though we were quite small in numbers, there was a real positive impact when it came to some of the issues. I thank the women here and the males in our House who have supported a lot of things relating to the family.

"And to all the legislators who have been so very much supportive of children and youth issues, you folks have really come through with a lot of things.

"To you, Mr. Speaker and the leadership, in terms of a number of reforms that we have seen in the legislative process, I know we worked and have succeeded in many of the open government types of reforms, and I appreciate all that you and everyone here in the body have supported.

"To the Minority, I think you are friends as well as the Majority, and I hope that this body and the Senate will be friends in the years to come, and in whatever way my spirit is with you. Good luck in what you do this coming year, and go get 'um.

"Thank you."

Representative Nekoba then rose and stated:

"I just wanted to clarify ... the only reason I didn't want Representative Chun Oakland to cry is because I didn't bring any Kleenex for me or her today, so I thought I was going to be in trouble.

"I also want to add my kudos to the ladies and I will try to be quick but like Representative Kawanana, I didn't talk all day because I wanted to save it for right now, so bear with me, members, I will try to make this very quick.

"Being the youngest member in the House has its advantages, one of which is the elder statesman take it upon themselves to help you out, and I have been very, very lucky to be helped out by some of the greatest ladies and gentlemen of the House. You have helped me grow, and three of those individuals, unfortunately, are leaving me, and hopefully, one I'll see over in the Senate. But I would like to thank you each for what you have given to me over the years.

"Representative Chun Oakland, for your heart, which worked on me to no end, but also for your caring and listening. I appreciate it.

"Representative McMurdo, I've only known you for two years but I've heard many great stories about you and it's nice to know that they're all true, and I wish you luck in all the other things that you endeavor.

"And to my partner in Finance, one thing that I will always remember is every time you asked the hard-nosed question, every time you made a department head sweat -- this year more than any other -- you leaned over to me, grabbed me by the arm and said, 'Now remember that because I'm not going to be around next year to do that for you, so it's up to you to take up that torch.' Anyway, it's something that I took as a call to action. I hope I can live up to it, and I thank you very much for everything you have taught me.

"Thank you, Mr. Speaker."

Representative Okamura then rose and stated:

"I would like to offer my aloha and mahalo to the three women that are leaving us.

"Representative McMurdo, although your stay here in the House has been brief -- only for two years -- you started out eight years in the Senate and you ended up in class, going out as a State Representative. I also want to thank you for your service as Chair of the Public Safety Committee, and for all of your commitment to the betterment of our State. I am going to miss you because I am going to miss all of your glib statements and your appropriate and very timely motions. Thank you and aloha.

"To Representative Chun Oakland, I have tremendous respect and aloha for you. I have known you for many years now, and you're a very powerful woman. When I first met you, I thought, here's this real young, innocent girl, but you have touched us -- all of us -- with your compassion. And what makes you powerful is that you have your compassion and you're also, at the same time, very, very tough like an opihī. You know, you show compassion but you don't budge from your commitment to your beliefs, and I think that you inspire us with your aloha for the disadvantaged in our society. My best to you.

"To my classmate and colleague, Representative Isbell, we came in together many years ago -- 16 years ago, to be exact. When Virginia joined us, she was a Republican. She's going out also in class -- as a Democrat. Representative Isbell, when she first came to the House -- the first couple of years -- all she wore was Kona coffee hapi coats. That's all she wore. Look at her today -- what a classy lady! And all the years I have known her, she continually amazes me with her skills and her knowledge. I've always said, and I told her this in the past, that I consider her a Renaissance woman. It just amazes me, the things that she knows, the things that she does -- from canoe paddling, being fluent in the Hawaiian language, in the arts, her singing -- it's endless. I am truly going to miss you, and I wish you well.

"Good luck to all of you."

Representative Abinsay then rose and stated:

"Representative Devon Nekoba said that he is the youngest member of this body, and I can also say that I am the newest member of this body. I wasn't about to say anything more although I would like to say something, but it has been a long day and you have heard a lot about some of the things that transpired during the last many hours. But I think I am compelled to say a few words, if I may, to also summarize my experience here, being a newcomer. And now, yes, I am ready tonight and with that, Mr. Speaker, I would like to couple that by extending my deepest appreciation for all the support extended to me during this session, and I think the appropriate time is as we culminate this session.

"If I may continue, Mr. Speaker, once again, as the newest member of this honorable body and with no political experience whatsoever, I came here as a student with the intent of learning the legislative process. At first, I was overwhelmed by the magnitude of the work and the responsibilities of a lawmaker. But in every endeavor, the key to success is sheer hard work, unwavering interest, devotion to duty, and prayers for guidance from the Almighty.

"I pause today and ask myself if I had been focused in my goal as a good student. Was I always present and on time during sessions? Have I done my homework? Have I followed most of the rules and policies of the House? Did I meet all of my expectations and those of my family? Looking back, Mr. Speaker, I honestly believe that my answer to these questions is 'yes.'

"Did I address the concerns of my constituents which are primarily for better education of our youth and caring for the elderly? I introduced a bill which establishes the school-to-work transition program within the Department of Education which will make available on campus career development, employment, social and health counseling assistance to high school students across this State.

"By the way, Mr. Speaker, I would like to acknowledge the very kind words of my colleagues here when they were discussing this bill and recognizing the importance of this measure. Yes, I did work very hard to make sure that this bill is going to be passed, hopefully, and signed by the Governor in its present form or final form, meaning that the same employees must be transferred together with the program. As a community leader, I did have the opportunity personally to work with them on the social and health aspects of this program, together with the Police Department. They truly do exemplify the true spirit of working together, and hence I was very much in support of this bill. And I would be remiss, Mr. Speaker, if I am not going to recognize also the support extended to me in the process of my following up on this bill to the three chairpersons of the different committees; namely, the Committee on Education; Labor; and Finance Committee, and the chairpersons are Representative David Stegmaier, Representative Nobu Yonamine, and Representative Calvin Say.

"I would like, at this time, Mr. Speaker, to go ahead and follow through with what I have done in this session. Through the initiative of my office, a proclamation was given by the Governor designating February 12 through February 17 as Care Home Service Providers Week to recognize the many people giving care to the elderly. I also took part in the deliberations of controversial bills, including the compulsory school attendance, same-sex marriage, and the gambling bills. My first and only purpose envisioned in this honorable chamber is about a young man named Brian Vilorio, who is a role model to his peers due to his remarkable accomplishments in the area of sports as well as in academics. And because of the support of this body, I was oriented on issues and the legislative process quickly and effectively.

"I also would like to recognize all the committee staff who gave me their full cooperation, and to my honorable staff who, by their efficiency and hard work, have made my work easier.

"The response that I received from my constituents through the survey we have conducted on important issues was very informative and inspiring, and after tonight's session, Mr. Speaker, I will have the opportunity to report to them in the months ahead.

"And lastly, Mr. Speaker, it has been an interesting experience of serving you in leading us through the process. To the Finance Committee Chairman, Representative Calvin Say, thank you for the gracious accommodations that you have afforded me throughout the session. Indeed, the information that you have extended to all of us during the long hours of committee hearings made all of us better legislators.

"Overall, the past four months have been very challenging. For me, it has been a wonderful experience,

especially today's deliberations. And like what Representative Devon Nekoba said, again, I really intended to keep my mouth shut tonight, hoping that I would have a chance to say something like this this evening, and so I decided to just listen to tonight's deliberations because I believed it was the right thing to do, to keep my mouth shut, to stay focused on this beautiful place and be alert most of the time.

"So in summary, Mr. Speaker, summarizing the entire session, as far as my experience is concerned, I would like to end now by way of a quotation. When Bill Bradley, the Senator from New Jersey, was a young basketball star for the New York Knicks, he learned the basic lesson of leadership and later on translated it during the early years of his political life, that in the process of campaigning for political office, very often Senator Bradley mentioned the following lines in his speeches, and I quote: 'If you do the right thing at the right time and at the right place, people will know. Besides, even if they don't know, for as long as you know, that's all that matters.'

"Once again, to you, Mr. Speaker, and to the honorable members of this body, mahalo and aloha -- maraming salamat po."

Representative Kawakami then rose and stated:

"I have grown very fond of the three women who are leaving, and using the term that Ed Case used one day -- his seatmate, Mary-Jane. Virginia has been my seatmate all this year and, you know, for the last month I have been trying to tell her to change her mind, and she said, 'Try again,' and I'm still trying. But if she does change her mind -- Virginia, we would love to have you back.

"I would like to say that the House Women's Caucus is going to lose three feisty women. But that's no problem, Mr. Speaker, because we're going to recruit maybe Yamane, maybe Nekoba, and maybe Takai, so you know, we have three replacements. It doesn't matter any more -- same sex. . .

The Chair interrupted and remarked: "Brian would look nice in a dress."

Representative Kawakami continued, saying:

"Anyway, Mr. Speaker, we're of the same vintage, we walk in the same gait, and you're of the same vintage also, Mr. Speaker, as is Representative Kanoho.

"But we want to wish the three women good luck in their new endeavors -- Mayor Isbell; Neighborhood Board, probably Chairperson Mary-Jane; and Senator Chun Oakland. These three women, I know, will do very well in whatever they do.

"And Virginia, I say to you, 'Don't worry, I'll find somebody to take me to the fund-raisers.' We go to every fund-raiser, but I've already lined up two people to take me, so don't worry about it.

"To all of you -- we'll miss you in the House, there's no doubt about it, but good luck in your new endeavors.

"Thank you, Mr. Speaker."

Representative Tom then rose and stated:

"Mr. Speaker, first of all, the night is late but I just wanted to take this opportunity before midnight to wish Representative Ken Ito, who looks younger everyday, a 'Happy Birthday.' It's his birthday today and Ken Ito keeps looking younger, and he's my neighbor from

Kaneohe, and Ken, we're going to have many more birthdays to come.

"Finally, Mr. Speaker, I just wanted to real quickly tell you personally -- 'Thank you for being just the greatest Speaker. You taught me a lot and I will never forget it.'

"Thank you."

Representative Halford then rose and stated:

"Just briefly, I want to thank the three women who are leaving. They have always been, without exception, helpful, informative, always responsive -- thank you.

"Also, I would like to say that I am honored to have been a member of the Legislature. I made many friends of colleagues. I appreciate that, it means a lot -- thank you.

"And I would like to thank the people that have allowed this to happen, that made this all happen -- the people who work with the Sergeant-at-Arms and the Clerk's offices -- thank you very much.

"Aloha."

Representative Garcia then rose and stated:

"As a member of the Class of 1995 also, along with Representative Halford, I had to speak out, with the passage of the moment that we are experiencing here with the moving on of the three women that we have been honoring tonight. I would like to say that this comes as an inspiration because my daughter had just rented the video, **The Wizard of Oz**, so I would like to use that as a parallel to what I am going to say here.

"For Suzanne Chun Oakland, I think the best gift that she has ever given to us as freshmen and to the rest of the members here in this House, is the heart of gold that she has extended to issues that she so richly supports and will continue to do so in her new capacity as a member of the Senate.

"To Virginia Isbell, the intelligence that she has brought to the issues in all the years and in all the time that I have known her, because, Mr. Speaker, I've had a unique perspective in dealing with these women. Not only have I had a chance to observe them on the inside but on the outside, as someone who held the microphone to them in the years in my other capacity. I've gotten to know them even before I became a member of this House, and the intelligence that Virginia brought to the issues as Chair of the respective committees, and as a member of the Committees on Labor and Finance this year.

"And especially to my favorite lady, if I had a favorite among the three -- Mary-Jane -- for her courage. The courage that she brought to the issues that she championed -- initiative, the convention center and in her present capacity as Chairman of the Public Safety and Military Affairs Committee. To Mary-Jane, I know your words of an old soldier -- they just fade away -- but this feisty little lady is going to be working for her district in Waikiki in another capacity.

"But to all three, Mr. Speaker, on behalf of the Class of 1995, our best wishes to you all in your new life, and we'll be seeing you around.

"Thank you."

The Chair then asked the Clerk to enter his prepared remarks into the Journal, and stated:

"I just want to say that I enjoyed working with all of you. To those of you who are leaving, good luck to the ladies, we are going to miss you. You have been good friends, good legislators.

"To the freshmen -- congratulations! You are no longer freshmen. You have been a very good class, and we can see good things for you in the future.

"To the House leadership, I want to thank you all for the support that you have given me throughout the year. I would not have been able to do it without you.

"To the Chairs and Vice Chairs, thank you very much. You are the captains. You are the ones who have done the job for us.

"To all the members of the House, thank you for being a legislator, and being part of this wonderful process that we have here. And I wish you all good luck in this coming election, and I hope to see you all here next year.

"Good luck and God bless."

The Speaker's remarks are hereby inserted:

"This was a year of tough decisions.

"I'd like to thank the Chairs and Vice Chairs for tackling this session's tough issues. I'd also like to thank the leadership teams for steering the House through these hard times. And finally to each and every member of the House, mahalo for your courage and wisdom in making tough choices.

"When we began this session in January, we faced much uncertainty due to the anticipated \$250 million budget shortfall. At that time, we promised to take fiscal and personal responsibility in our actions.

"Putting together the State budget is never an easy task. But this year the 18th Legislature faced the monumental task of setting priorities with severely limited State funds in addressing the many needs of the people of Hawaii.

"In response to government expansion and the increase in program spending over the past several years, we committed ourselves to work within the budgetary constraints to provide for essential and immediate public services and programs.

"In addition to balancing the budget, the public demanded that we address other major issues facing the State: fiscal accountability, education, workers' compensation, crime and public safety, economic development, and family and community concerns.

Fiscal Accountability

* Affirmed the State's commitment to provide quality health care for the people of our State by creating the Hawaii Health Systems Corporation to administer the community hospital system which will free health facilities from unwarranted bureaucratic oversight.

* Streamlined government by:

- (1) Revamping the Office of State Planning by renaming it the Office of Planning and transferring it to the Department of Business, Economic Development, and Tourism and amending its functions;
- (2) Establishing legislative policies for reorganization; and

(3) Mandating the Governor to develop implementation strategies that focus on the feasibility of consolidation of specific departments and the reorganization of others.

- * Reduced ocean-related accidents and protected the State and counties from unlimited liability from activities in the ocean and at public beaches by establishing a legally adequate warning system.

Education

- * Established a zero-tolerance for drugs and alcohol in public schools by giving school principals more power to suspend students.
- * Provided the mechanism to construct the University of Hawaii West Oahu Campus, by establishing a special fund and exchanging land in Kapolei for the site of the campus.

Workers' Compensation Reform

- * Established an office in the Department of Labor and Industrial Relations to help injured workers, employers, insurers, and health care providers through the system, thereby reducing adversity and expediting the processing of workers' compensation claims.
- * Facilitated the establishment of the Hawaii Employers' Mutual Insurance Company, or HEMIC. HEMIC will be a nonprofit company that will provide workers' compensation insurance for high-risk businesses. HEMIC will replace the existing workers' compensation assigned risk pool and provide workers' compensation coverage of Hawaii employers, including employers who have in good faith, but without success, sought workers' compensation coverage in the voluntary market.

Crime and Public Safety

- * Increased the penalty for 'ice'.

Economic Development

- * Established a blue ribbon task force on small business to review state laws and rules that act as an impediment to small business.
- * Appropriated funds for agricultural research and development including working toward diversified agriculture.
- * Improved the effectiveness of the current enterprise zone law.

Family and Community Concerns

- * Provided for extensions of Family Court protective orders.
- * Appropriated emergency funding to ensure continuation of payments for services to emotionally disturbed children and adolescents.
- * Extended general assistance eligibility to 24 months for all persons age 18-65.
- * Established the Parent-Community Networking Centers to overcome barriers to providing excellence in education and to create a caring school and community.

* Created a unified single entry point system for elderly and disabled persons to obtain access to, and obtain a full range of appropriate services from, the long-term care system in Hawaii.

* Allowed for a court-approved agreement for the direct payment of child support between parents in certain circumstances.

"But, while we successfully addressed the budget, I know that many of us are disappointed because other issues remain unresolved, such as gaming, same-sex marriage, and auto insurance reform. Those of you who know me well know that no one is more disappointed than I. However, all of these issues received public hearing where extensive public testimony was presented. I don't think anyone would disagree with the statement that these issues were fully discussed. All of these issues got a fair shot in the legislative process. Above all, our job is to strike the proper balance. The democratic process must be respected more than the issues that we considered. The time just wasn't right to pass them.

"Thank you all for your efforts on these major issues, as well as the many other issues that we wrestled with during this session. Through consensus and hard work, we have risen to the challenges we faced at the beginning of this session."

At 9:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:52 o'clock p.m., the Clerk made the following announcement:

"A verbal communication transmitted by the Senate and personally delivered by the Senate Majority Leader, Senate Majority Floor Leader and Senate Minority Leader, informing the House that at approximately 4:55 o'clock p.m. this day, the Senate adjourned sine die."

Representative Okamura then rose and stated:

"As a final announcement, I would like to ask all of my colleagues to join me in extending our appreciation and mahalo to the support staff. Without their help, the work would never get done here, and we would especially like to commend them: Pat Mau-Shimizu, Chief Clerk; C.J. Leong, Assistant Clerk, and their staff; the Majority Research Office -- Chief Researcher Linda Oamilda and her staff; Chief Attorney Jim Funaki and his staff; and our Sergeant-at-Arms, Kevin Ebata, and Assistant Sergeant-at-Arms, Frank Arakaki, and their entire staff for all the hard work that they have put in. We oftentimes are impatient with some of you; we don't mean to be rude sometimes, and you folks have always acted with utmost patience, and we know the long hours that you put in -- uncompensated hours -- so I would like to ask all of my colleagues to stand and give them a round of applause."

The members of the House all stood and gave the above-mentioned persons a round of applause.

Representative Thielen then rose and stated:

"I would also like to thank the Minority staff, Mr. Speaker, for all of the fine work that they have done. We may be few in numbers, Mr. Speaker, but with the help of the Minority staff, they make us seem larger than we are, and I deeply appreciate that. I am sure that all of you will join me in saying 'thank you' to them. You may not always be thrilled with what we say, but you must recognize that their work is very conscientious, very dedicated, very thorough, and we certainly owe them a great deal of support for their efforts.

"Thank you."

ADJOURNMENT

Representative Okamura moved that the House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, adjourn Sine Die, seconded by Representative Ward and carried.

At 9:55 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, adjourned Sine Die.

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE**

Gov. Msg. No. 209 informing the House that on May 1, 1996, he signed the following bills into law:

Senate Bill No. 2518 as Act 63, entitled: "RELATING TO FINANCIAL SERVICES LOAN COMPANIES";

Senate Bill No. 2538 as Act 64, entitled: "RELATING TO UNFAIR AND DECEPTIVE PRACTICES";

Senate Bill No. 2637 as Act 65, entitled: "RELATING TO INSURANCE COMPANIES";

Senate Bill No. 2746 as Act 66, entitled: "RELATING TO MOTOR VEHICLE ADVERTISING"; and

Senate Bill No. 2962 as Act 67, entitled: "RELATING TO GOVERNMENT REGULATION".

Gov. Msg. No. 210 informing the House that on May 6, 1996, he signed the following bill into law:

House Bill No. 3461 as Act 68, entitled: "MAKING AN EMERGENCY FEDERAL FUND APPROPRIATION INCREASE FOR HEALTH CARE PAYMENTS".

Gov. Msg. No. 211 transmitting copies of the 1995 Hawaii Real Estate Commission Annual Report, submitted by the Hawaii Real Estate Commission, Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs, pursuant to Section 467-4(5), Hawaii Revised Statutes.

Gov. Msg. No. 212 informing the House that on May 9, 1996, he signed the following bills into law:

House Bill No. 3348 as Act 69, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID INVESTIGATIONS";

House Bill No. 3361 as Act 70, entitled: "MAKING AN APPROPRIATION FOR THE HAWAII FILM FACILITY";

House Bill No. 3369 as Act 71, entitled: "RELATING TO PROCUREMENT";

House Bill No. 3439 as Act 72, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE OPERATING EXPENSES OF THE DEPARTMENT OF EDUCATION";

House Bill No. 3454 as Act 73, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR CHILD FOSTER CARE PAYMENTS";

House Bill No. 3520 as Act 74, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR UNEMPLOYMENT BENEFITS TO FORMER STATE EMPLOYEES"; and

Senate Bill No. 2795 as Act 75, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION".

Gov. Msg. No. 213 transmitting copies of the 1994-1995 Annual Report, prepared by the Hawaii Labor Relations Board in accordance with Section 89-5, Hawaii Revised Statutes.

Gov. Msg. No. 214 informing the House that on May 10, 1996, he signed the following bills into law:

House Bill No. 3425 as Act 76, entitled: "MAKING AN EMERGENCY APPROPRIATION OUT OF THE SPECIAL FUND FOR THE ADMINISTRATION OF WORKERS' COMPENSATION INSURANCE";

House Bill No. 3540 as Act 77, entitled: "RELATING TO PUBLIC SAFETY"; and

House Bill No. 3548 as Act 78, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY".

Gov. Msg. No. 215 informing the House that on May 10, 1996, he signed the following bill into law:

Senate Bill No. 2836 as Act 79, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM".

Gov. Msg. No. 216 transmitting copies of the Annual Report prepared by the Department of Economic Development and Tourism.

Gov. Msg. No. 217 transmitting copies of the Annual Report for Hawaii Foreign-Trade Zone No. 9.

Gov. Msg. No. 218 transmitting copies of the 1995 Annual Report, prepared by the Convention Center Authority (CCA), pursuant to Act 7 of the Seventeenth State Legislature, Special Session of 1993.

Gov. Msg. No. 219 informing the House that on June 5, 1996, he signed the following bill into law:

House Bill No. 3341 as Act 80, entitled: "RELATING TO SALARY PAY PERIODS OF PUBLIC OFFICERS AND EMPLOYEES".

Gov. Msg. No. 220 informing the House that on June 6, 1996, he signed the following bills into law:

Senate Bill No. 2777 as Act 81, entitled: "RELATING TO WATER POLLUTION CONTROL";

Senate Bill No. 1305 as Act 82, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

Senate Bill No. 3108 as Act 83, entitled: "RELATING TO THE CLEAN HAWAII CENTER";

Senate Bill No. 2999 as Act 84, entitled: "RELATING TO HIGHWAYS";

House Bill No. 547 as Act 85, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 548 as Act 86, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 3046 as Act 87, entitled: "RELATING TO THE PENAL CODE"; and

House Bill No. 4010 as Act 88, entitled: "RELATING TO PUBLIC LANDS".

Gov. Msg. No. 221 informing the House that on June 7, 1996, he signed the following bills into law:

- Senate Bill No. 2446 as Act 89, entitled: "RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES";
- House Bill No. 3862 as Act 90, entitled: "RELATING TO SCHOOL DISCIPLINE";
- House Bill No. 2514 as Act 91, entitled: "RELATING TO THE TRANSITION TO WORK SYSTEM";
- Senate Bill No. 2723 as Act 92, entitled: "RELATING TO LIMITED LIABILITY COMPANIES";
- Senate Bill No. 1720 as Act 93, entitled: "RELATING TO BUSINESS REGISTRATION"; and
- House Bill No. 1042 as Act 94, entitled: "RELATING TO EMPLOYMENT".
- Gov. Msg. No. 222 informing the House that on June 12, 1996, he signed the following bill into law:
- Senate Bill No. 2866 as Act 95, entitled: "RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS".
- Gov. Msg. No. 223 transmitting copies of the Department of Transportation's Annual Report for fiscal year ending June 30, 1995.
- Gov. Msg. No. 224 transmitting copies of the following: **Report to the Eighteenth Legislature, State of Hawaii, 1996, Pursuant to Section 329-3, Hawaii Revised Statutes Requiring a Report by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances (HACDACS).**
- Gov. Msg. No. 225 transmitting copies of the Assessment for Repair and Maintenance, War Memorials and Veterans' Cemeteries, pursuant to Section 6E-1, Hawaii Revised Statutes and Act 63, SLH 1995.
- Gov. Msg. No. 226 informing the House that on June 14, 1996, he signed the following bills into law:
- House Bill No. 404 as Act 96, entitled: "RELATING TO LIQUOR LICENSE FEES";
- House Bill No. 1741 as Act 97, entitled: "RELATING TO AVIATION ARTIFACTS";
- House Bill No. 2358 as Act 98, entitled: "RELATING TO PUPIL TRANSPORTATION";
- House Bill No. 2359 as Act 99, entitled: "RELATING TO INSURANCE";
- House Bill No. 2384 as Act 100, entitled: "RELATING TO INSTRUCTION PERMITS";
- House Bill No. 2411 as Act 101, entitled: "RELATING TO LIQUOR";
- House Bill No. 2433 as Act 102, entitled: "RELATING TO MOTOR CARRIERS";
- House Bill No. 2598 as Act 103, entitled: "RELATING TO QUALIFICATIONS FOR EXAMINATION AND LICENSURE TO PRACTICE MEDICINE AND SURGERY";
- House Bill No. 2729 as Act 104, entitled: "RELATING TO FORFEITURE";
- House Bill No. 2957 as Act 105, entitled: "RELATING TO HIGHWAY SAFETY";
- House Bill No. 3101 as Act 106, entitled: "RELATING TO THE CONDOMINIUM PROPERTY REGIMES";
- House Bill No. 3241 as Act 107, entitled: "RELATING TO CONDOMINIUM PROXIES";
- House Bill No. 3274 as Act 108, entitled: "RELATING TO REGISTRATION OF NEW MOTOR VEHICLES";
- House Bill No. 3293 as Act 109, entitled: "RELATING TO PUBLIC LANDS";
- House Bill No. 3333 as Act 110, entitled: "RELATING TO FEED";
- House Bill No. 3336 as Act 111, entitled: "RELATING TO HONEY BEE EXPORT SHIPMENTS";
- House Bill No. 3337 as Act 112, entitled: RELATING TO THE NONPRESENTMENT OF WARRANTS AND CHECKS";
- House Bill No. 3339 as Act 113, entitled: RELATING TO PUBLIC WORKS PROJECT ASSESSMENTS";
- House Bill No. 3344 as Act 114, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";
- House Bill No. 3345 as Act 115, entitled: "RELATING TO THE HAWAII EDUCATION COUNCIL";
- House Bill No. 3349 as Act 116, entitled: "RELATING TO THE DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION";
- House Bill No. 3367 as Act 117, entitled: "RELATING TO STATE INVESTMENTS";
- House Bill No. 3383 as Act 118, entitled: "AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE REIMBURSEMENT OF THE AIRPORT REVENUE FUND";
- House Bill No. 3389 as Act 119, entitled: "RELATING TO MUNICIPAL LEASES";
- House Bill No. 3398 as Act 120, entitled: "RELATING TO CHARITABLE SOLICITATIONS";
- House Bill No. 3424 as Act 121, entitled: "RELATING TO LIQUIDATION OF INSURERS";
- House Bill No. 3432 as Act 122, entitled: "RELATING TO SCHOOL PERSONNEL IN THE DEPARTMENT OF EDUCATION";
- House Bill No. 3434 as Act 123, entitled: "RELATING TO EDUCATION";
- House Bill No. 3481 as Act 124, entitled: "MAKING AN APPROPRIATION FOR MARTIN LUTHER KING, JR., HOLIDAY ACTIVITIES BY THE CIVIL RIGHTS COMMISSION";
- House Bill No. 3498 as Act 125, entitled: "RELATING TO MENTAL HEALTH";
- House Bill No. 3505 as Act 126, entitled: "RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE";

House Bill No. 3525 as Act 127, entitled: "RELATING TO THE HAWAII FISHERIES COORDINATION COUNCIL";

House Bill No. 3534 as Act 128, entitled: "RELATING TO ENFORCEMENT";

House Bill No. 3537 as Act 129, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION FOR CRIMINAL INJURIES";

House Bill No. 3545 as Act 130, entitled: "RELATING TO THE DEPARTMENT OF PUBLIC SAFETY";

House Bill No. 3563 as Act 131, entitled: "RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION";

House Bill No. 3565 as Act 132, entitled: "RELATING TO BULK TRANSFERS";

House Bill No. 3567 as Act 133, entitled: "RELATING TO THE ROUNDING OF TAX RETURN ITEM ENTRIES";

House Bill No. 3577 as Act 134, entitled: "RELATING TO TRANSPORTATION OF HAZARDOUS MATERIALS, HAZARDOUS WASTE, INFECTIOUS SUBSTANCES, AND MEDICAL WASTE";

House Bill No. 3581 as Act 135, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 3631 as Act 136, entitled: RELATING TO THE SUMMONING OF JURORS";

House Bill No. 3645 as Act 137, entitled: "RELATING TO COLLECTION OF FINES AND COSTS";

House Bill No. 3656 as Act 138, entitled: "RELATING TO THE JUDICIARY HISTORY CENTER";

House Bill No. 3769 as Act 139, entitled: "RELATING TO PERSONS DISPOSSESSED OR DISPLACED BY VOLCANIC ERUPTIONS";

House Bill No. 3773 as Act 140, entitled: "RELATING TO THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL";

House Bill No. 3852 as Act 141, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ETV HAWAII/ELEPHANT TELEVISION, INC.";

House Bill No. 3853 as Act 142, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 1735 as Act 143, entitled: "RELATING TO LOANS";

Senate Bill No. 2210 as Act 144, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";

Senate Bill No. 2220 as Act 145, entitled: "RELATING TO BURIAL PLOTS";

Senate Bill No. 2381 as Act 146, entitled: "RELATING TO MISSING CHILDREN";

Senate Bill No. 2459 as Act 147, entitled: "RELATING TO EMERGENCY AMBULANCE SERVICE PERSONNEL";

Senate Bill No. 2471 as Act 148, entitled: "RELATING TO TIME LIMITATIONS";

Senate Bill No. 2502 as Act 149, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

Senate Bill No. 2532 as Act 150, entitled: "RELATING TO NURSES";

Senate Bill No. 2548 as Act 151, entitled: "RELATING TO LANDOWNERS' LIABILITY";

Senate Bill No. 2659 as Act 152, entitled: "RELATING TO WILDLIFE AND GAME MANAGEMENT";

Senate Bill No. 2682 as Act 153, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

Senate Bill No. 2699 as Act 154, entitled: "RELATING TO THE ESTABLISHMENT OF PATERNITY";

Senate Bill No. 2724 as Act 155, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";

Senate Bill No. 2848 as Act 156, entitled: "RELATING TO OCCUPATIONAL SAFETY AND HEALTH FEES";

Senate Bill No. 2850 as Act 157, entitled: "RELATING TO VOLUNTARY WITHHOLDING OF FEDERAL AND STATE INCOME TAXES FROM UNEMPLOYMENT COMPENSATION";

Senate Bill No. 2887 as Act 158, entitled: "RELATING TO CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE";

Senate Bill No. 2992 as Act 159, entitled: "RELATING TO STADIUMS";

Senate Bill No. 3021 as Act 160, entitled: "RELATING TO EDUCATION"; and

Senate Bill No. 3266 as Act 161, entitled: "RELATING TO REAL PROPERTY".

Gov. Msg. No. 227 informing the House that on June 14, 1996, he signed the following bill into law:

Senate Bill No. 2380 as Act 162, entitled: "RELATING TO COMPULSORY SCHOOL ATTENDANCE".

Gov. Msg. No. 228 informing the House that on June 17, 1996, he signed the following bills into law:

House Bill No. 50 as Act 163, entitled: "RELATING TO PERSONS WITH DISABILITIES";

House Bill No. 401 as Act 164, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

House Bill No. 871 as Act 165, entitled: "RELATING TO TIME SHARES";

House Bill No. 1148 as Act 166, entitled: "RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE";

House Bill No. 2526 as Act 167, entitled: "RELATING TO DOMESTIC AND SEXUAL VIOLENCE";

- House Bill No. 2603 as Act 168, entitled: "RELATING TO JURORS";
- House Bill No. 2868 as Act 169, entitled: "RELATING TO HIGHWAY SAFETY";
- House Bill No. 3047 as Act 170, entitled: "RELATING TO CRIMINAL DAMAGE TO PROPERTY";
- House Bill No. 3086 as Act 171, entitled: "RELATING TO MOTOR VEHICLE RENTALS";
- House Bill No. 3102 as Act 172, entitled: "RELATING TO CONTRACTORS";
- House Bill No. 3153 as Act 173, entitled: "RELATING TO ELECTIONS";
- House Bill No. 3154 as Act 174, entitled: "RELATING TO PUBLIC ACCESS";
- House Bill No. 3211 as Act 175, entitled: "RELATING TO IMPACT FEES";
- House Bill No. 3300 as Act 176, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";
- House Bill No. 3342 as Act 177, entitled: "RELATING TO REVENUE MAXIMIZATION";
- House Bill No. 3350 as Act 178, entitled: "RELATING TO THE PAYMENT OF CHILD SUPPORT";
- House Bill No. 3362 as Act 179, entitled: "RELATING TO DISTRICTS";
- House Bill No. 3370 as Act 180, entitled: "RELATING TO STATE TREASURY CASHIERING";
- House Bill No. 3399 as Act 181, entitled: "RELATING TO BUSINESS REGISTRATION";
- House Bill No. 3400 as Act 182, entitled: "RELATING TO BUSINESS REGISTRATION";
- House Bill No. 3419 as Act 183, entitled: "RELATING TO LICENSING QUALIFICATIONS TO PRACTICE MEDICINE AND SURGERY";
- House Bill No. 3421 as Act 184, entitled: "RELATING TO CABLE COMMUNICATIONS";
- House Bill No. 3423 as Act 185, entitled: "RELATING TO MOTOR VEHICLE WARRANTIES";
- House Bill No. 3459 as Act 186, entitled: "RELATING TO THE DEPARTMENT OF HUMAN SERVICES";
- House Bill No. 3551 as Act 187, entitled: "RELATING TO INCOME TAXATION";
- House Bill No. 3533 as Act 188, entitled: "RELATING TO BOATING";
- House Bill No. 3542 as Act 189, entitled: "RELATING TO GARNISHMENT OF INMATE MONEYS";
- Senate Bill No. 865 as Act 190, entitled: "RELATING TO PUBLIC LAND LIABILITY IMMUNITY";
- Senate Bill No. 1602 as Act 191, entitled: "RELATING TO AIRPORT SECURITY";
- Senate Bill No. 1738 as Act 192, entitled: "RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT";
- Senate Bill No. 2124 as Act 193, entitled: "RELATING TO DISPOSITION OF DEFENDANTS";
- Senate Bill No. 2144 as Act 194, entitled: "RELATING TO CONSERVATION EASEMENTS";
- Senate Bill No. 2186 as Act 195, entitled: "RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES";
- Senate Bill No. 2209 as Act 196, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";
- Senate Bill No. 2247 as Act 197, entitled: "RELATING TO MANSLAUGHTER";
- Senate Bill No. 2248 as Act 198, entitled: "RELATING TO FAMILY VIOLENCE";
- Senate Bill No. 2249 as Act 199, entitled: "RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS";
- Senate Bill No. 2322 as Act 200, entitled: "RELATING TO FIREARMS";
- Senate Bill No. 2326 as Act 201, entitled: "RELATING TO DOMESTIC VIOLENCE";
- Senate Bill No. 2329 as Act 202, entitled: "RELATING TO PROFESSIONAL AND VOCATIONAL REGULATORY PROGRAMS";
- Senate Bill No. 2401 as Act 203, entitled: "RELATING TO INFORMATION TECHNOLOGY";
- Senate Bill No. 2402 as Act 204, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR ENERGY DEVELOPMENT";
- Senate Bill No. 2405 as Act 205, entitled: "RELATING TO NET ENERGY METERING";
- Senate Bill No. 2416 as Act 206, entitled: "RELATING TO CONTROLLED SUBSTANCES";
- Senate Bill No. 2726 as Act 207, entitled: "RELATING TO FINANCIAL INSTITUTIONS";
- Senate Bill No. 2750 as Act 208, entitled: "RELATING TO PHARMACISTS";
- Senate Bill No. 2773 as Act 209, entitled: "RELATING TO DRUG PRODUCT SELECTION";
- Senate Bill No. 2781 as Act 210, entitled: "RELATING TO EMERGENCY MEDICAL SERVICES";
- Senate Bill No. 2789 as Act 211, entitled: "RELATING TO OBSOLETE OR UNENFORCEABLE HEALTH STATUTES";
- Senate Bill No. 2811 as Act 212, entitled: "RELATING TO DEFERRED COMPENSATION RETIREMENT PLAN FOR PART-TIME, TEMPORARY, AND SEASONAL/CASUAL EMPLOYEES";

Senate Bill No. 2819 as Act 213, entitled: "RELATING TO STATE FINANCES";

Senate Bill No. 2821 as Act 214, entitled: "RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT";

Senate Bill No. 2875 as Act 215, entitled: "RELATING TO ABSENTEE VOTING";

Senate Bill No. 2888 as Act 216, entitled: "RELATING TO THE RELEASE OF PRETRIAL INMATES";

Senate Bill No. 2890 as Act 217, entitled: "RELATING TO CORRECTIONS";

Senate Bill No. 2891 as Act 218, entitled: "MAKING APPROPRIATIONS FOR PROGRAMS TO REDUCE PRISON AND JAIL OVERCROWDING";

Senate Bill No. 2902 as Act 219, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 2941 as Act 220, entitled: "RELATING TO A COMMERCIAL FISHERIES SPECIAL FUND";

Senate Bill No. 2984 as Act 221, entitled: "RELATING TO LANDLORD-TENANT CODE";

Senate Bill No. 3068 as Act 222, entitled: "RELATING TO TELECOMMUNICATION SERVICE OFFENSES";

Senate Bill No. 3110 as Act 223, entitled: "RELATING TO EMPLOYMENT SECURITY";

Senate Bill No. 3158 as Act 224, entitled: "RELATING TO THE INSURANCE CODE";

Senate Bill No. 3159 as Act 225, entitled: "RELATING TO INSURANCE, ANNUITIES AND SECURITIES ACTIVITIES OF BANKS";

Senate Bill No. 3171 as Act 226, entitled: "RELATING TO COURT REPORTERS"; and

Senate Bill No. 3231 as Act 227, entitled: "RELATING TO THE TAXATION OF REAL PROPERTY BY THE COUNTIES".

Gov. Msg. No. 229 informing the House that on June 18, 1996, he signed the following bill into law:

House Bill No. 3789 as Act 228, entitled: "RELATING TO PUBLIC CONTRACTS".

Gov. Msg. No. 230 transmitting the following Senate Bills, without his approval and with his statements of objections relating to these measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2662

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without

my approval, Senate Bill No. 2662, entitled, 'A Bill for an Act Relating to the Developmentally Disabled.'

The purpose of Senate Bill No. 2662 is to ensure that individuals with developmental disabilities who will be transitioning into the community from Waimano Training School and Hospital (WTSH) will continue to receive funding for community-based services. Specifically, the bill provides that when an individual leaves WTSH, the funds needed to allow the individual to receive community-based services are required to follow that individual when he or she moves into the community.

Although the intent of this bill is to help individuals with developmental disabilities, there are a number of problems with the bill. If the provision requiring funds to follow developmentally disabled individuals is construed to require the Department of Health to fund community-based services for these individuals, the provision may create a conflict with section 333F-13, Hawaii Revised Statutes, which was recently amended by the Legislature to require parents, guardians of the property, or other persons responsible for the support of any persons receiving developmental disability services, to pay for the care and treatment of that individual.

The bill also contains potentially conflicting formulas on how the Department of Health is to arrive at the amount of funds required to follow the developmentally disabled individual into the community. Finally, Act 189, Session Laws of Hawaii 1995, has existing safeguards to ensure that community-based services will be available for former WTSH residents.

For the foregoing reasons, I am returning Senate Bill No. 2662 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 2662, entitled, 'A Bill for an Act Relating to the Developmentally Disabled,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 2662 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2662 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO

Governor of Hawaii"

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

June 17, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3079

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3154

Honorable Members
Eighteenth Legislature
State of Hawaii

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3079, entitled, 'A Bill for an Act Relating to Employee Stock Ownership Programs.'

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3154, entitled, 'A Bill for an Act Relating to the State Policy Concerning the Utilization of Volunteer Services.'

The purpose of Senate Bill No. 3079 is to require the Department of Business, Economic Development, and Tourism (DBEDT) to establish a program to support and encourage expanded opportunities for employee ownership and participation in Hawaii businesses.

The purpose of Senate Bill No. 3154 is to encourage greater employer participation in school-to-work activities by providing workers' compensation coverage for students in work-based learning situations who are not paid wages directly by private employers.

Under section 201-2, Hawaii Revised Statutes, DBEDT is generally authorized to 'stimulate through research and demonstration projects those industrial and economic development efforts which offer the most immediate promise of expanding the economy of the State.' The employee ownership and participation program described in this bill may be implemented through DBEDT's general statutory authority.

This bill does not accomplish its purpose, and in the process, it unwisely creates potential liability for the State under the State Tort Liability Act. The bill attempts to encourage greater employer participation by providing employers with liability protection. To do this, the bill makes the unremunerated student intern a volunteer under chapter 90, Hawaii Revised Statutes. This was done apparently in an effort to provide the employer with protection from personal injury liability pursuant to section 386-5, Hawaii Revised Statutes, a portion of the State's Workers' Compensation Law. That section makes the rights and remedies afforded employees under that chapter 'exclusive' of 'all other liability of the employer to the employee.' However, the unremunerated student intern is not an employee under the Workers' Compensation Law. Therefore, no legal protection will be provided the participating employers. Further, volunteers are employees of the State for purposes of the State Tort Liability Act. As a result, the tort of the unremunerated student intern will, in most cases, be the tort of the State of Hawaii. This bill therefore creates potential liabilities for the State under circumstances in which the State does not have actual control and supervision of the interns.

For the foregoing reasons, I am returning Senate Bill No. 3079 without my approval.

For the foregoing reasons, I am returning Senate Bill No. 3154 without my approval.

Respectfully,

Respectfully,

/s/ Benjamin J. Cayetano

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 3079, entitled, 'A Bill for an Act Relating to Employee Stock Ownership Programs,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 3154, entitled, 'A Bill for an Act Relating to the State Policy of Utilization of Volunteer Services,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 3079 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3079 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

WHEREAS, Senate Bill No. 3154 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3154 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 3165

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3165, entitled, 'A Bill for an Act Relating to Health Care Data Discovery.'

The purpose of this bill is to allow information relating to medical treatment to be communicated to data collection organizations for the purpose of analyzing aggregate treatment outcomes, trends, and costs, or public reporting, without making the information subject to discovery or admission into evidence in any civil or administrative proceeding involving the health care provider submitting the information or the organization collecting the data. The bill also provides that the '[i]nformation, documents, or records made in the regular course of business by a physician, health care professional, hospital, or other health care organization, or other medical care provider shall be discoverable and admissible as evidence in any civil or administrative proceeding.'

I believe that the actual purpose of the bill was to immunize from discovery or admission into evidence any health care data submitted to a data collection organization, but, at the same time, to prevent the mere submission of the health care data from being used to shield the source material from discovery. However, as passed, the bill amends section 622-59, Hawaii Revised Statutes, to mandate that records made in the regular course of business by health care providers be discoverable and admissible as evidence without exception or qualification. I believe that this provision conflicts with established confidentiality statutes.

For example, the physician-patient privilege found in Rule 504 (b), Hawaii Rules of Evidence, provides that a patient may refuse to disclose and prevent others from disclosing confidential communications made for the purpose of diagnosis or treatment. Taken literally, Senate Bill No. 3165 would make such confidential information contained in medical records 'made in the regular course

of business . . . discoverable and admissible in evidence.' This was not the intended result of the bill.

Furthermore, Section 6 of Article I of the State Constitution provides in part, 'the right of the people to privacy is recognized and shall not be infringed without the showing of compelling state interest.' This constitutional right to privacy extends to certain highly personal and intimate affairs of people's lives, and may prohibit disclosure of information contained in medical, financial, or employment records. By making records maintained by medical care providers discoverable and admissible in evidence, this bill conflicts with the constitutional right to privacy. Again, this was not the intended result of this bill.

For the foregoing reasons, I am returning Senate Bill No. 3165 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 3165, entitled, 'A Bill for an Act Relating to Health Care Data Discovery,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 3165 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 3165 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 231 returning the following House Bills, without his approval and with his statements of objections relating to these measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 1736

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1736, entitled, 'A Bill for an Act Relating to Parent-Community Networking Centers.'

The purpose of House Bill No. 1736 is to establish parent-community networking centers within the Department of Education and to identify the goals and objectives of that program.

This bill is unnecessary. Such centers have been in operation without formal statutory basis. The Department of Education should be allowed to develop such centers as needs arise. Further, there is no reason why the goals and purposes envisioned under this bill cannot be achieved by entities such as the parent-teacher-student associations at each school.

For the foregoing reasons, I am returning House Bill No. 1736 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 1736, entitled, 'A Bill for an Act Relating to Parent-Community Networking Centers,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 1736 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1736 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2539

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2539, entitled, 'A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds for Energy Development.'

The purpose of House Bill No. 2539 is to authorize the Department of Budget and Finance to issue special purpose revenue bonds in a total amount not to exceed \$50,000,000 for the purpose of assisting Encogen Hawaii, L.P., or a partnership in which Encogen Hawaii, L.P., is a partner, to establish a cogeneration power plant and related facilities.

While House Bill No. 2539 only expressly authorizes the issuance of special purpose revenue bonds, an authorization to issue bonds has long been considered to include an implied appropriation. Accordingly, House Bill No. 2539 is considered to be an appropriations bill subject to Section 9 of Article VII of the Constitution of the State of Hawaii, which prohibits the passage of an appropriations bill, except for bills to cover the expenses of the Legislature or recommended by the Governor for immediate passage, prior to the passage and transmittal to the Governor of the supplemental appropriations bill. House Bill No. 2539 is not a bill to cover the expenses of the Legislature nor a bill recommended by the Governor for immediate passage, but it was passed on April 26, 1996, prior to the passage and transmittal on April 29, 1996, of the House Bill No. 2800, the supplemental appropriations bill. Consequently, I believe that House Bill No. 2539 violates the order of passage requirement of Section 9 of Article VII of the State Constitution and cannot validly become law.

For the foregoing reasons, I am returning House Bill No. 2539 without my approval.

I wish to remind the Legislature that last year it violated the same order of passage requirement of Section 9 of Article VII of the State Constitution. The constitutional violation forced me to veto thirty-three bills and required the Legislature to convene in special session in June 1995 to pass replacement bills.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2539, entitled, 'A Bill for an Act Relating to the Authorization of Special Purpose Revenue Bonds for Energy Development,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2539 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2539

with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2644

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2644, entitled, 'A Bill for an Act Relating to Pension and Retirement Systems.'

The purposes of House Bill No. 2644 are to repeal the provision in section 88-107, Hawaii Revised Statutes, that accelerates liquidation of the unfunded benefit obligations of the Employees' Retirement System by the State and counties, and to authorize the Employees' Retirement System to retain attorneys.

In 1994, the Legislature amended section 88-107 to accelerate liquidation of the unfunded benefit obligations of the Employees' Retirement System by the State and counties. The purpose of the amendment was to address the unfunded pension benefit obligation that in 1994 grew from \$1.6 billion to \$1.8 billion.

Section 2 of Article XVI of the State Constitution provides that '[m]embership in any employees' retirement systems of the State or any political subdivision thereof shall be a contractual relationship, the accrued benefits of which shall not be diminished or impaired'. This provision establishes a contractual relationship between the employee and the retirement system and provides that retirement benefits that have accrued cannot be diminished or impaired. Failure to liquidate the unfunded pension obligations creates an inappropriate level of risk to the beneficiaries of the Employees' Retirement System and, therefore, raises questions as to the constitutional validity of this bill.

The Department of the Attorney General provides legal services to state government agencies on the legal subject matter areas that are applicable to government agencies. Because of the growing complexity of the law, government agencies typically cannot be served by a single lawyer. The Attorney General has established procedures for the review of work by supervisors and, when appropriate, by committees of specialists in various areas of law. In addition, procedures have been established for handling conflicting positions by maintaining a separation of personnel involved in opposing representations. The Attorney General has been attempting to accommodate the needs of the government agencies, while reducing the cost of expensive contracts with private attorneys and developing and retaining expertise within the department to ensure long-term consistency and continuity in the provision of legal services.

The Employees' Retirement System funds a full-time deputy attorney general position that is assigned to advise the System. I believe that the System and the State of Hawaii will best be served by that full-time deputy attorney general providing legal services under the review procedures established by the Attorney General. In the event the System has special needs that cannot be met by the Attorney General, the Attorney General already has statutory authority to hire outside counsel.

For the foregoing reasons, I am returning House Bill No. 2644 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2644, entitled, 'A Bill for an Act Relating to Pension and Retirement Systems,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2644 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2644 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3096

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3096, entitled, 'A Bill for an Act Relating to the Return of Merchandise.'

The purpose of House Bill No. 3096 is to clarify the law relating to the return of merchandise by replacing the existing refunds and exchanges statute with a new section

that addresses the return of merchandise issue as it relates to current industry practices.

However, this bill significantly undermines the interests of consumers by: (1) arbitrarily reducing the time period to obtain a refund or exchange from sixty to forty-five days and (2) allowing merchants who do not require proof of purchase for a refund or exchange to only pay the current selling price or most recent sale price, not the original purchase price. In addition, this bill increases ambiguity in the law and makes enforcement more difficult by adding a definition of 'unsuitable for resale' that appears to conflict with or make redundant other parts of the new section.

For the foregoing reasons, I am returning House Bill No. 3096 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3096, entitled, 'A Bill for an Act Relating to the Return of Merchandise,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3096 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3096 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3138

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3138, entitled, 'A Bill for an Act Relating to Education.'

The purpose of House Bill No. 3138 is to improve and enhance the public education system. Among other things, this bill provides an unlimited deduction for charitable contribution of educational technology equipment and services made to public educational institutions.

While House Bill No. 3138 promotes charitable contributions of educational technology equipment and services to our schools and university system, I believe that this bill raises significant problems in the efficient administration of our state tax laws.

In particular, under this bill, schools accepting contributions must certify in writing the value of the contributions. I believe it would be unduly burdensome to place this responsibility on our public educational institution personnel. Given the rapid pace of technological change, up-to-date technical expertise would be necessary to accurately appraise the fair market value of contributions made to our schools. I believe that reliance on donor-provided valuations, in the absence of independent appraisals, may cause an overstatement in the valuation of such contributions and, consequently, result in a loss of tax revenues to the State.

In addition, this bill permits a charitable deduction to be taken for services provided to public educational institutions for educational technology. I believe that this provision will cause problems for the public educational institution personnel who will be responsible for trying to ascertain the value of such services and may lead to potential abuse of this provision.

For the foregoing reasons, I am returning House Bill No. 3138 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3138, entitled, 'A Bill for an Act Relating to Education,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3138 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3138 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3382

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3382, entitled, 'A Bill for an Act Relating to State Finances.'

The purpose of House Bill No. 3382 is to require state and county agencies to pay interest on overdue bills at a rate equal to the prime rate plus two percent, up to a maximum of twelve percent a year. In addition, this bill repeals section 37-53, Hawaii Revised Statutes, which permits executive departments to transfer excess moneys from their special funds to the general fund.

The provision in this bill regarding the payment of interest on overdue bills in this bill is identical to a provision contained in Senate Bill No. 2819, which was also passed by the Legislature. Since I intend to approve Senate Bill No. 2819, there is no necessity to also approve this bill.

In addition, the repeal of section 37-53, which permits executive departments to transfer excess moneys in their departments' special funds to the general fund, reduces the State's flexibility in addressing changing fiscal conditions. Since the State must accomplish its budgeted objectives within the limitations of available revenues, the repeal of section 37-53 reduces the options available to the State to address changing fiscal conditions.

For the foregoing reasons, I am returning House Bill No. 3382 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3382, entitled, 'A Bill for an Act Relating to State Finances,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3382 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii,

giving notice of my plan to return House Bill No. 3382 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3401

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3401, entitled, 'A Bill for an Act Relating to the Insurance Code.'

The purpose of House Bill No. 3401 is to make technical corrections to certain provisions of the Insurance Code. Pursuant to section 431:1-100, Hawaii Revised Statutes, chapter 431 of the Hawaii Revised Statutes is known as the Insurance Code. However, section 4 of the bill amends the powers, duties, and functions of the Hawaii Hurricane Relief Fund that are contained in chapter 431P, Hawaii Revised Statutes. Section 14 of Article III of the State Constitution provides that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The subject of the bill as expressed in its title is limited to the Insurance Code and does not include the Hawaii Hurricane Relief Fund. Since the subject matter of section 4 of the bill is not within the scope of the title, section 4 of the bill violates Section 14 of Article III of the State Constitution.

Additionally, section 3 of the bill amends section 431:16-115, Hawaii Revised Statutes, by deleting the requirement that the Insurance Commissioner approve the insurer's plan for recoupment of an assessment made by the Property and Liability Insurance Guaranty Association. In the past, the Commissioner has encountered difficulties with the plan for recoupment, because some insurers have recovered amounts in excess of a proper recoupment. The amendment in section 3 of the bill results in a significant and unreasonable diminution of the Commissioner's control over the recoupment process.

For the foregoing reasons, I am returning House Bill No. 3401 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to

return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3401, entitled, 'A Bill for an Act Relating to the Insurance Code,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3401 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3401 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3602

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3602, entitled, 'A Bill for an Act Relating to Housing.'

The purposes of House Bill No. 3602 are to exempt the Maunalaha subdivision from all state and county subdivision and housing development standards and to require the Office of Hawaiian Affairs to report to the Legislature on the status of this self-help project.

However, the stated premise of this bill is that the residents have been unable to finance the upgrading or rebuilding of their homes due to substandard infrastructure. Exempting this subdivision from development standards would not enhance the residents' access to financing, because financial institutions are unlikely to assume the credit risk for an area lacking adequate infrastructure and governmental review and permitting.

Furthermore, this bill exempts an undefined area for an unlimited period from all state and county subdivision and housing standards. Such an exemption adversely affects the government's ability to ensure the health and safety of residents. There is inadequate access for firefighting and other emergency vehicles, and the availability of adequate water service, sewage disposal, drainage facilities, and other utilities is unknown. Our communities should assure that residents have the minimum requirements to ensure the health, safety and welfare of the residents. Under this bill, one cannot be assured that conditions harmful or dangerous may not result.

For the foregoing reasons, I am returning House Bill No. 3602 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3602, entitled, 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3602 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3602 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3618

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3618, entitled, 'A Bill for an Act Relating to Administrative Rules.'

House Bill No. 3618 provides authority for the review of executive agency administrative rules by the Joint Legislative Management Committee established under chapter 21E, Hawaii Revised Statutes.

Chapter 91, Hawaii Revised Statutes, provides procedures for adoption, amendment, or repeal of administrative rules, which include public notice and hearings for the purpose of giving the public the opportunity to submit data, views, or arguments regarding the rules prior to adoption, amendment or repeal. Furthermore, any interested person has the ability to petition an agency to adopt, amend, or repeal

administrative rules, to seek a judicial declaratory judgment from a circuit court as to the validity of an agency rule, and to petition an agency for a declaratory ruling as to the applicability of any statutory provision of any rule or order of an agency. Because adequate safeguards and sufficient means for public input in the current process for adopting rules, as well as avenues for review and challenge of administrative rules already exist, the additional review proposed by this bill is unnecessary.

For the foregoing reasons, I am returning House Bill No. 3618 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3618, entitled, 'A Bill for an Act Relating to Administrative Rules,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3618 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3618 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 17, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3964

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3964, entitled, 'A Bill for an Act Relating to State Government.'

The purpose of House Bill No. 3964 is to streamline the operations of state government by: authorizing notice of invitation for bids through electronic media; limiting the types of projects for which the Housing Finance and

Development Corporation may issue certifications to qualified persons or firms for exemption from general excise taxes; authorizing filing of tax documents by electronic, telephonic, or optical means; providing for assessments and service charges for electronic funds transfers to the State; and establishing penalties for failure to remit taxes after election to remit them by electronic funds transfer.

The purpose of the general excise tax exemption for housing developments of the Housing Development and Finance Corporation (HFDC) is to achieve cost savings to assure the economic feasibility in the development of a housing project which would encourage and enable the production of as many lower cost housing units as possible. The repeal of the general excise tax exemption will have a significant adverse impact on the feasibility and affordability of housing projects with lower cost housing units. In these times of economic uncertainty, it is important to have as many incentives to build affordable housing as possible.

In addition, Section 14 of Article III of the State Constitution provides in part that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The purpose of the requirement is to prevent hodgepodge legislation, to prevent surprise of fraud upon the Legislature by means of provisions in bills of which titles give no intimation, and to apprise people of proposed matters of legislation. Although this bill technically satisfies the requirements of Section 14 of Article III of the State Constitution because all of the sections in the bill relate to some aspect of government, nevertheless, because of the variety of specific topics addressed by this bill, an argument can be made that the title gives inadequate notice to the public about the various amendments made by this bill.

For the foregoing reasons, I am returning House Bill No. 3964 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3964, entitled, 'A Bill for an Act Relating to State Government,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3964 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3964 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 17th day of June, 1996

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

Gov. Msg. No. 232 informing the House that on June 18, 1996, he signed the following bills into law:

House Bill No. 44 as Act 229, entitled: "RELATING TO STATE BONDS";

House Bill No. 599 as Act 230, entitled: "RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE";

House Bill No. 3340 as Act 231, entitled: "RELATING TO THE POWERS AND DUTIES OF THE COMPTROLLER";

House Bill No. 3453 as Act 232, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 3522 as Act 233, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 3523 as Act 234, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 3538 as Act 235, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";

House Bill No. 3539 as Act 236, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";

House Bill No. 3583 as Act 237, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 3584 as Act 238, entitled: "RELATING TO THE UNIVERSITY OF HAWAII TUITION AND FEES SPECIAL FUND";

House Bill No. 3596 as Act 239, entitled: "RELATING TO THE DISPOSITION OF AN ELECTION TIE";

House Bill No. 3603 as Act 240, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 3611 as Act 241, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 3616 as Act 242, entitled: "RELATING TO LEAVE SHARING";

House Bill No. 3648 as Act 243, entitled: "RELATING TO DRIVER EDUCATION AND TRAINING FUND";

House Bill No. 3650 as Act 244, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 3653 as Act 245, entitled: "RELATING TO HARASSMENT";

House Bill No. 3666 as Act 246, entitled: "RELATING TO NUISANCE ABATEMENT";

House Bill No. 3711 as Act 247, entitled: "RELATING TO INSURANCE";

House Bill No. 3760 as Act 248, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 3766 as Act 249, entitled: "RELATING TO GOVERNMENTAL ASSISTANCE";

House Bill No. 3817 as Act 250, entitled: "RELATING TO DEPARTMENT OF TAXATION PUBLICATIONS";

House Bill No. 3833 as Act 251, entitled: "RELATING TO STATE SERVICE FEES";

House Bill No. 3916 as Act 252, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 4008 as Act 253, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 4063 as Act 254, entitled: "RELATING TO HIGHER EDUCATION";

House Bill No. 4074 as Act 255, entitled: "RELATING TO LAND EXCHANGE";

Senate Bill No. 3134 as Act 256, entitled: "RELATING TO THEFT OF UTILITY SERVICES";

Senate Bill No. 3170 as Act 257, entitled: "RELATING TO WAIMANALO"; and

Senate Bill No. 3248 as Act 258, entitled: "RELATING TO OCEAN RECREATION MANAGEMENT".

Gov. Msg. No. 233 returning House Bill No. 3724, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3724

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3724, entitled, 'A Bill for an Act Relating to the Kaho'olawe Island Reserve Commission.'

The purpose of House Bill No. 3724 is to authorize the Kaho'olawe Island Reserve Commission to employ or retain its own attorney, rather than be provided legal services by the Department of the Attorney General.

The Department of the Attorney General provides legal services to state government agencies in the legal subject matter areas that are applicable to government agencies. Because of the growing complexity of the law, government agencies typically cannot be served by a single lawyer. The Attorney General has established procedures for the review of work by supervisors and, when appropriate, by committees of specialists in various areas of law. In addition, procedures have been established for handling conflicting position by maintaining a separation of personnel involved in opposing representations. The Attorney General has been attempting to accommodate the needs of the government agencies, while reducing the cost of expensive contracts with private attorneys and developing and retaining expertise within the department to ensure long-term consistency and continuity in the provision of legal services.

The Kaho'olawe Island Reserve Commission has agreed to fund a full-time deputy attorney general position that

will be assigned to advise the Commission. In March, I approved the Attorney General's request to establish that deputy attorney general position and the Attorney General is in the process of formally establishing the position and filling it. I believe that the Commission and the State of Hawaii will best be served by that full-time deputy attorney general providing legal services under the review procedures established by the Attorney General.

For the foregoing reasons, I am returning House Bill No. 3724 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3724, entitled, 'A Bill for an Act Relating to the Kaho'olawe Island Reserve Commission,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3724 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3724 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 234 returning the following House Bills, without his approval and with his statements of objections relating to these measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2549

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2549, entitled, 'A Bill for an Act Relating to the State Planning Council on Developmental Disabilities.'

The purpose of this bill is to amend chapter 333E, Hawaii Revised Statutes, (1) to prohibit the Department of Health from interfering with the functions of the State Planning Council on Developmental Disabilities; (2) to require the Council to monitor, evaluate, and comment upon the deinstitutionalization plans for Waimano Training School and Hospital; (3) to require the Council to submit annually to the Legislature and the Governor an analysis of any budget requests that affect individuals with developmental disabilities; and (4) to substitute the phrase 'individuals with developmental disabilities' for the phrase 'the developmentally disabled' wherever it occurs in chapter 333E.

However, federal law already requires that the designated state agency provide assurances that it and other state offices 'will not interfere with systemic change, capacity building, and advocacy activities, budget, personnel, State plan development, or plan implementation of the State Developmental Disabilities Council.' Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994, Pub. L. No. 103-230, § 122 (c) (5) (M). There is no compelling reason to enact these federal requirements into state law. With respect to the other amendments that require the Council to monitor, evaluate, and comment upon deinstitutionalization plans for Waimano Training School and Hospital and require the Council to submit annual analyses of budget requests affecting individuals with developmental disabilities, the bill mandates that the Council perform specific tasks that are already within its broad powers. Nothing prevents the Council from performing these functions under existing law. Consequently, this bill is unnecessary.

For the foregoing reasons, I am returning House Bill No. 2549 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2549, entitled, 'A Bill for an Act Relating to the State Planning Council on Developmental Disabilities,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2549 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2549 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2809

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2809, entitled, 'A Bill for an Act Relating to Culture.'

The purpose of House Bill No. 2809 is to require the Department of Education to assess user fees for the use of school facilities. In particular, this bill requires that the Department of Education establish separate rates for special and unique facilities such as the Pearl City Cultural Center.

Section 14 of Article III of the State Constitution requires that the subject of a bill be expressed in its title. The subject of this bill is the assessment of user fees at Department of Education facilities. This is a fiscal matter and is inconsistent with the subject expressed in the title of this bill, 'culture.' Consequently, I believe that this bill violates the subject-title requirement of Section 14 of Article III of the State Constitution and cannot validly become law.

In addition, I believe that this bill is not necessary because the Department of Education's current fee schedule adequately addresses the various uses of its facilities, including facilities such as the Pearl City Cultural Center. Accordingly, I believe this measure is not needed.

For the foregoing reasons, I am returning House Bill No. 2809 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2809, entitled, 'A Bill for an Act Relating to Culture,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2809 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of

Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2809 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3793

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3793, entitled, 'A Bill for an Act Relating to Endangered Species.'

The purpose of House Bill No. 3793 is to authorize the Department of Land and Natural Resources (DLNR) to adopt administrative rules to allow the propagation, possession, ownership, and sale of selected endangered plant species grown from cultivated nursery stock and not collected or removed from the wild. This bill is unnecessary, because the existing law authorizes DLNR to adopt administrative rules to effectuate the purpose of this bill. In fact, DLNR is in the process of adopting administrative rules to allow responsible commercial use of threatened and endangered plants.

For the foregoing reasons, I am returning House Bill No. 3793 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3793, entitled, 'A Bill for an Act Relating to Endangered Species,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3793 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 3793

with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 235 returning the following Senate Bills, without his approval and with his statements of objections relating to these measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 641

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 641, entitled, 'A Bill for an Act Relating to Communications.'

The purpose of Senate Bill No. 641 is to extend through fiscal year 1996-1997 an unspent appropriation of \$62,000 made for fiscal year 1995-1996 for grants-in-aid to the neighbor island public access organizations to purchase taping and other equipment needed for broadcasting state legislative proceedings.

Given the State's financial condition, the purchase of taping and other broadcast equipment is not a priority. Furthermore, cable franchise fees paid by cable companies to support public, educational, and governmental programming are viable alternate sources of funding.

For the foregoing reasons, I am returning Senate Bill No. 641 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 641, entitled, 'A Bill for an Act Relating to Communications,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 641 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this

proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 641 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2087

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2087, entitled, 'A Bill for an Act Relating to Public Schools.'

This bill provides that the State of Hawaii is the responsible employer for purposes of workers' compensation coverage of a student participation in a vocation student internship program sponsored by the University of Hawaii and limits the workers' compensation coverage to those students who are paid wages directly by the private employers who are participating in the vocational internship programs sponsored by either the University of Hawaii or the Department of Education. This bill also exempts public schools from chapter 103D, Hawaii Revised Statutes, for purchases of goods or services or construction costs that are less than \$5,000. These procurements shall not be artificially divided or parceled so as to defeat the purpose and intent of chapter 103D, Hawaii Revised Statutes.

If the vocational student intern is paid wages just as any other employee of the private employer, I question why the vocational student intern must be deemed to be an employee of the State for workers' compensation coverage. Furthermore, the added cost to the State of providing workers' compensation coverage for vocational student interns of the University of Hawaii is unknown and the impact on the work force of the expansion of vocational student internship programs is also unknown.

Section 103D-305, Hawaii Revised Statutes, already provides that small purchases (less than \$10,000 for supplies or services and less than \$25,000 for construction) may be made in accordance with rules adopted by the Procurement Policy Office. Sections 3-122-74 through 3-122-74, Hawaii Administrative Rules, require that three price quotes be solicited for expenditures of at least \$1,000 but less than \$10,000 for goods and services, and for expenditures of \$4,000 or more but less than \$25,000 for construction. The effect of this bill is to exempt the Department of Education from the requirement of obtaining price quotes designed to foster competition in the small purchase context. The exemption of the Department of Education compromises the integrity of the process that was designed to ensure fair and equitable treatment of all persons who deal with the State's procurement system.

For the foregoing reasons, I am returning Senate Bill No. 2087 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 2087, entitled, 'A Bill for an Act Relating to Public Schools,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 2087 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2087 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 18, 1996

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2152

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2152, entitled, 'A Bill for an Act Relating to Employee Benefit Plans.'

The purpose of Senate Bill No. 2152 is to authorize the Department of Education and the University of Hawaii to make payments to custodial accounts established on behalf of their employees pursuant to section 403 (b) (7) of the Internal Revenue Code of 1986, which allows employees of educational institutions, hospitals, and religious organizations to invest in tax-sheltered annuities and other investment vehicles.

Both the Department of Education and the University of Hawaii lack the expertise to select investment companies such as mutual fund companies. Although the bill includes a provision indemnifying the State, the

Department of Education, and the University of Hawaii for liabilities resulting from the performance of any investment product purchased on behalf of their employees, of concern is the absence of reasonable safeguards to ensure that investment companies are qualified and monitored. An additional concern is that the Department of Education and the University of Hawaii lack the expertise and personnel resources to properly implement and administer this bill's proposed program and no additional funds were appropriated for the administration of the program.

Finally, 403 (b) pension plans have stringent rules which, if not followed, could result in the loss of status and tax advantages and in severe tax consequences to the organization. Recently, such pension plans have come under scrutiny by the Internal Revenue Service. Many colleges and universities have been subjected to Internal Revenue Service examination, with one university having been assessed \$80,000,000 in penalties and back taxes. Given the lack of personnel and expertise to implement and administer such a program and the severe tax consequences that could result from less than perfect administration, I believe that the Department of Education and the University of Hawaii are not ready to undertake such a venture at this time.

For the foregoing reasons, I am returning Senate Bill No. 2152 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, Senate Bill No. 2152, entitled, 'A Bill for an Act Relating to Employee Benefit Plans,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, Senate Bill No. 2152 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2152 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 18th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 236 returning House Bill No. 2800, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS

HONOLULU

June 19, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2800Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2800, entitled, 'A Bill for an Act Relating to the State Budget.'

The purpose of House Bill No. 2800 is to provide supplemental appropriations to the Executive Branch by amending Act 218, Session Laws of Hawaii 1995 (the General Appropriations Act of 1995), and other appropriations and authorizations for the 1995-1997 fiscal biennium. While the bill as a whole has merit, I object to the \$300,000 portion of the special fund appropriation for the transportation, communication, and utilities budget program (budget program identifier BUF 901), item J-6 of section 3 of Act 218, Session Laws of Hawaii 1995, as amended by section 3 of House Bill No. 2800, that is for hiring a private consultant to review the issue of the overheading versus undergrounding of utility lines.

While the study has merit, the proviso in section 80.1 of Act 218, as added by paragraph (41) of section 4 of the bill, states that the Office of the Auditor shall select the consultant, determine the scope and requirements of the contract, and administer the contract. Appropriation of moneys to the Public Utilities Commission, an executive branch agency, but conditioning the expenditure of those moneys on the selection, determination, and administration decisions of the Office of the Auditor, a legislative branch agency, appears to violate the doctrine of separation of powers. Consequently, I have reduced by \$300,000 the appropriation of \$5,529,993 for BUF 901 for fiscal year 1996-1997, item J-6 of section 3 of this bill (on page 57), to \$5,229,993, and correspondingly reduced the \$300,000 specified in the proviso added by paragraph (41) of section 4 of this bill (page 91) to \$0.

In addition, certain provisions of this bill do not appear to deal with its subject as expressed in its title. Section 14 of Article III of the State Constitution requires a subject-title correlation, and provisos that attempt to repeal or modify existing statutes, or are unrelated to an appropriation in a general or supplemental appropriations act, violate this requirement. Some examples of provisos in section 4 of the bill that are unrelated to an appropriation include those contained in paragraph (9) on page 78, requiring the Department of Health to comply with mandates by the United States Department of Justice relating to the Hawaii State Hospital; paragraph (12) on page 79, requiring the Department of Health to work to expedite execution of the federal grant for the Hawaii ohana project and to provide all available resources necessary to facilitate the expenditure of grant moneys; paragraph (19) on page 81, authorizing the Department of Human Services to transfer funds among programs 'as needed'; paragraph (21) on page 81, requiring the health care payments budget program to conduct a study on various drug therapies in treatment of patients in the Med-QUEST program; paragraph (28) on page 84, prohibiting the Department of Education from reducing funds from existing programs to fund programs and initiatives not specifically authorized by the Legislature; paragraph (34) on page 86, permitting the Department of Education to transfer allocated resources; paragraph (35) on page 87, requiring the Department of Education, the Department of Human Services, and the Department of

Health to develop and implement interagency working agreements regarding services provided to children, to develop methods to pursue federal reimbursements for such services, and to submit reports to the Legislature; and paragraph (36) on page 89, requiring the Office of the Auditor to perform a management audit of all noninstructional positions at the University of Hawaii, Manoa.

Provisos in section 4 of this bill that are invalid because they conflict with or attempt to repeal general law include the provisos contained in paragraph (8) on page 78 and paragraph (11) on page 79, which appear to be attempts to amend sections 37-36 and 37-37, Hawaii Revised Statutes, which give the Governor flexibility in budget execution (furthermore, these paragraphs appear to be inoperative since no moneys appropriated for fiscal year 1996-1997 have been restricted -- the only restrictions imposed were on appropriations for fiscal year 1995-1996 in furtherance of statutory budget execution authority); paragraph (28) on page 84, which appears to amend section 37-37 (a), Hawaii Revised Statutes; and paragraph (42) on page 93, which appears to amend section 37-71 (f), Hawaii Revised Statutes, by limiting the contingency to 'emergencies' rather than permitting the contingency fund to be used for 'unexpected or unforeseen needs,' which is within the ordinary meaning of the word 'contingency.' However, these provisions of this bill do not appear to be subject to a line item veto.

For the foregoing reasons, I am returning House Bill No. 2800 only with the reduction in appropriations set forth above totaling \$300,000 for fiscal year 1996-1997 for operating purposes.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of HawaiiP R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2800, entitled, 'A Bill for an Act Relating to the State Budget,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2800 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2800 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 19th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 237 returning the following House Bills, without his approval and with his statements of objections relating to these measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 19, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2897

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2897, entitled, 'A Bill for an Act Relating to Education.'

The purposes of this bill are to require the Department of Education to submit annual expenditure reports by location and function as part of its annual status report to the Governor and the Legislature and to require certification of dental health for school-aged children entering public or private school for the first time.

Although the two purposes of this bill appear to be within the subject expressed in its title, 'education,' and do not make this bill constitutionally invalid, I believe that the two purposes of this bill are sufficiently different that the inclusion of both in the same bill was inappropriate. Furthermore, this bill imposes another mandatory requirement on parents. I believe that matters such as medical and dental health care should be left to parents to provide and government should encourage the provision of such care through the education of the parents and not by enactment of laws imposing mandatory requirements.

For the foregoing reasons, I am returning House Bill No. 2897 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 2897, entitled, 'A Bill for an Act Relating to Education,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 2897 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2897 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 19th day of June, 1996

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

"EXECUTIVE CHAMBERS
HONOLULU

June 19, 1996

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 3409

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3409, entitled, 'A Bill for an Act Relating to Consumer Protection.'

The Office of Disciplinary Counsel has indicated that absent express statutory or judicial authority, attorneys in the Office of Consumer Protection risk violating the Supreme Court's Rules of Professional Conduct if their investigators use undercover techniques in civil investigations.

Many government agencies, including the Department of the Attorney General, are authorized by statute to conduct investigations in civil matters to protect the public and the use of undercover operation is a necessary and integral part of these efforts and a proper exercise of the State's police powers. By expressly authorizing one government agency to use undercover techniques, this bill may be used to suggest that other agencies lack such authority and, thus, may be detrimental to the State's efforts to protect consumers.

For the foregoing reasons, I am returning House Bill No. 3409 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature;

WHEREAS, House Bill No. 3409, entitled, 'A Bill for an Act Relating to Consumer Protection,' passed by the Legislature, was presented to the Governor within the aforementioned period;

WHEREAS, House Bill No. 3409 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii,

giving notice of my plan to return House Bill No. 3409 with my objections thereon to the Legislature as provided in said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 19th day of June, 1996.

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawaii"

Gov. Msg. No. 238 informing the House that on June 19, 1996, he signed the following bills into law:

House Bill No. 3493 as Act 259, entitled: "RELATING TO NEWBORN METABOLIC SCREENING";

House Bill No. 3512 as Act 260, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 3968 as Act 261, entitled: "RELATING TO WORKERS' COMPENSATION INSURANCE";

Senate Bill No. 2522 as Act 262, entitled: "RELATING TO COMMUNITY HOSPITALS";

Senate Bill No. 3198 as Act 263, entitled: "RELATING TO HANA MEDICAL CENTER";

House Bill No. 3417 as Act 264, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY LICENSING";

Senate Bill No. 2145 as Act 265, entitled: "RELATING TO EDUCATION"; and

House Bill No. 2800 as Act 287, entitled: "RELATING TO THE STATE BUDGET".

Gov. Msg. No. 239 informing the House that on June 18, 1996, he signed the following bills into law:

House Bill No. 291 as Act 266, entitled: "RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS";

House Bill No. 1866 as Act 267, entitled: "RELATING TO PUBLIC AGENCY MEETINGS";

House Bill No. 2636 as Act 268, entitled: "RELATING TO CONTROLLED SUBSTANCE";

House Bill No. 2642 as Act 269, entitled: "RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND";

House Bill No. 2726 as Act 270, entitled: "RELATING TO THE AUDITOR";

House Bill No. 2789 as Act 271, entitled: "RELATING TO GOING OUT OF BUSINESS SALES";

House Bill No. 3208 as Act 272, entitled: "RELATING TO SMALL BUSINESSES";

House Bill No. 3554 as Act 273, entitled: "RELATING TO AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION";

House Bill No. 3785 as Act 274, entitled: "RELATING TO HEALTH CARE";

House Bill No. 3822 as Act 275, entitled: "RELATING TO THE STATEWIDE TRAFFIC CODE";

House Bill No. 3954 as Act 276, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 3970 as Act 277, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";

House Bill No. 3976 as Act 278, entitled: "RELATING TO THE ISSUANCE OF A SPECIAL PURPOSE REVENUE BOND TO ASSIST AN INDUSTRIAL ENTERPRISE";

Senate Bill No. 107 as Act 279, entitled: "RELATING TO COLLECTIVE BARGAINING";

Senate Bill No. 2067 as Act 280, entitled: "RELATING TO HIGHER EDUCATION";

Senate Bill No. 2090 as Act 281, entitled: "RELATING TO PESTICIDES";

Senate Bill No. 2278 as Act 282, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT";

Senate Bill No. 2485 as Act 283, entitled: "RELATING TO PUBLIC EMPLOYMENT";

Senate Bill No. 3011 as Act 284, entitled: "RELATING TO THE DEVELOPMENT OF SCHOOLS IN THE VILLAGES OF KAPOLEI";

Senate Bill No. 3135 as Act 285, entitled: "RELATING TO BUDGET REDUCTIONS"; and

Senate Bill No. 3240 as Act 286, entitled: "RELATING TO STATE ENTERPRISE ZONES".

Gov. Msg. No. 240 informing the House that he signed the following bills into law on the dates indicated:

June 18, 1996

Senate Bill No. 2993 as Act 288, entitled: "RELATING TO UNIFORM PROBATE CODE".

June 19, 1996

Senate Bill No. 2304 as Act 289, entitled: "RELATING TO GENERAL ASSISTANCE".

June 20, 1996

Senate Bill No. 2998 as Act 290, entitled: "RELATING TO ENVIRONMENTAL PROTECTION".

Gov. Msg. No. 241 informing the House that on June 24, 1996, he signed the following bills into law:

House Bill No. 1257 as Act 291, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 2647 as Act 292, entitled: "RELATING TO OPTOMETRY"; and

House Bill No. 3332 as Act 293, entitled: "RELATING TO AGRICULTURE".

Gov. Msg. No. 242 informing the House that on June 25, 1996, he signed the following bills into law:

House Bill No. 1716 as Act 294, entitled: "RELATING TO THE UNIVERSITY OF HAWAII"; and

Senate Bill No. 608 as Act 295, entitled: "RELATING TO PUBLIC LANDS".

Gov. Msg. No. 243 informing the House that on July 1, 1996, he signed the following bills into law:

Senate Bill No. 2458 as Act 296, entitled: "RELATING TO MARINE PATROL";

Senate Bill No. 2552 as Act 297, entitled: "RELATING TO STATE DEPARTMENTS";

Senate Bill No. 2856 as Act 298, entitled: "RELATING TO THE OFFICE OF CHILDREN AND YOUTH"; and

Senate Bill No. 3232 as Act 299, entitled: "RELATING TO STATE GOVERNMENT";

Gov. Msg. No. 244 informing the House that on July 3, 1996, he signed the following bills into law:

House Bill No. 4131 as Act 300, entitled: "RELATING TO HUMAN SERVICES";

Senate Bill No. 2388 as Act 301, entitled: "RELATING TO HUMAN SERVICES";

Senate Bill No. 3042 as Act 302, entitled: "RELATING TO CHILD PROTECTIVE SERVICES";

Senate Bill No. 2003 as Act 303, entitled: "RELATING TO FAMILY CHILD CARE";

House Bill No. 3380 as Act 304, entitled: "RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS";

Senate Bill No. 2264 as Act 305, entitled: "RELATING TO SERVICES FOR THE INDIGENT";

House Bill No. 2991 as Act 306, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 4145 as Act 307, entitled: "RELATING TO THE HAWAII HURRICANE RELIEF FUND";

House Bill No. 2975 as Act 308, entitled: "RELATING TO DRUGS";

House Bill No. 2452 as Act 309, entitled: "RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND";

Senate Bill No. 2333 as Act 310, entitled: "RELATING TO PURCHASES OF SERVICES";

Senate Bill No. 3262 as Act 311, entitled: "RELATING TO CAPITAL LOAN PROGRAM";

House Bill No. 3809 as Act 312, entitled: "RELATING TO THE SIGNS REQUIRED WHERE TOBACCO PRODUCTS ARE SOLD".

Senate Bill No. 2280 as Act 313, entitled: "RELATING TO CIGARETTE SALES BY MOBILE FOOD VENDORS"; and

Senate Bill No. 2913 as Act 314, entitled: "RELATING TO THE TAX LIABILITY OF CONTRACTORS CONTRACTING WITH THE STATE OR COUNTIES".

Gov. Msg. No. 245 informing the House that after considerable study and reflection, he has decided to permit the following measure to become law on July 3, 1996, without his signature, pursuant to Section 16 of Article III of the State Constitution:

Senate Bill No. 659 as Act 315, entitled: "RELATING TO THE ENVIRONMENT".

Gov. Msg. No. 246 transmitting copies of the following: **Vital Signs Hawai'i, 1994 Supplement, Key Indicators of health Status in Hawai'i.**

Gov. Msg. No. 247 transmitting copies of the 1995 Annual Report to the State Legislature on special purpose revenue bonds financing of electric utility capital improvement programs, prepared by the Public Utilities Commission.

Gov. Msg. No. 248 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 January 1, 1996 to June 30, 1996, pursuant to Section 126 of Act 289, SLH 1993.

Gov. Msg. No. 249 transmitting copies of the following pursuant to Section 341-6, Hawaii Revised Statutes: **25th Anniversary, 1995 Annual Report, An Assessment of Hawaii's Environmental Health.**

Gov. Msg. No. 250 transmitting copies of the Federal Funds Report for the Department of Transportation (Pursuant to Act 218, Section 192, Session Laws of Hawaii, 1995 Regular Session of the Eighteenth State Legislature).

**DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE**

Dept. Com. No. 10 from the Department of Commerce and Consumer Affairs, Real Estate Branch, transmitting copies of the Real Estate Commission's July 1996 issue of the Real Estate Bulletin.

Dept. Com. No. 11 from Herman M. Aizawa, Ph.D., Superintendent, Department of Education, transmitting copies of **The Superintendent's Sixth Annual Report on School Performance and Improvement in Hawaii**, which is a statewide summary of performance and progress being made in Hawaii's public school system. It includes multi-year data wherever relevant and possible, and also takes account of context, process and outcomes in reporting and analyzing educational indicators. The **Report** also includes data for the nation and from other states for comparison with those from Hawaii.

Dept. Com. No. 12 from Yukio Naito, Chairman, Public Utilities Commission, Department of Budget and Finance, transmitting copies of Hawaiian Electric Company, Inc.'s report on House Concurrent Resolution No. 46.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 11 from Gregory D. Watson, Administrative Assistant to Representative Karyne Jones Conley, District 120, Bexar County, Texas State Legislature, informing the House that H.C.R. No. 14 (1995) has been printed in its entirety in the U.S. Senate's portion of the **Congressional Record** on March 27, 1996. It was earlier merely summarized in the U.S. House of Representatives' portion of the **Record** last year on May 17, 1995.

Misc. Com. No. 12 from James L. Taylor, Office of the Chief of Naval Operations, Department of the Navy, acknowledging receipt of House Resolution No. 157, expressing support of the U.S.S. Missouri Memorial Association's efforts to acquire Battleship MISSOURI as a memorial.

Misc. Com. No. 13 from Gilbert Felli, Sports Director, International Olympic Committee, acknowledging receipt of House Resolution No. 173, requesting recognition and designation of surfing and outrigger canoe racing as Olympic sports.

Misc. Com. No. 14 from Bertrand Landrieu, Chief of Staff, Office of the President of the Republic, acknowledging receipt of House Resolution No. 41, denouncing French nuclear testing in the Pacific and calling for France to fund environmental monitoring efforts.

Misc. Com. No. 15 from Pablo P. Garcia, Provincial Governor, Republic of the Philippines, Province of Cebu, acknowledging receipt of House Concurrent Resolution No. 55.

Misc. Com. No. 16 to Mr. Allen W. Hoof, Hawaii State Archives, from the Honorable Joseph M. Souki, Speaker, House of Representatives, the Honorable Norman Mizuguchi, President of the Senate, Patricia Mau-Shimizu, Chief Clerk, House of Representatives, and David Woo, Chief Clerk of the Senate, which reads as follows:

"May 1, 1996

Mr. Allen W. Hoof
Hawaii State Archives
Archives Building
Iolani Palace Grounds
Honolulu, Hawaii 96813

RE: Delivery of Lists of Parcels Identified as Hawaiian Home Lands

Dear Mr. Hoof:

Enclosed with this letter you will find lists of parcels of land identified as Hawaiian Home Lands by the Hawaiian Homes Commission (hereinafter referred to as 'dtat'). This data includes, for most parcels, the relevant tax map keys and grant numbers. Along with the hard copies of the data there is also included a computer disk containing the data. Enclosed also is a copy of a letter dated April 27, 1995, from Kali Watson, chairperson of Hawaiian Homes Commission, to Representative Dennis A. Arakaki, Co-chair of the House Conference Committee on H.B. No. 1828, covering transmittal of the data.

The data was originally required to be deposited in the Hawaii Archives in connection with the provisions of Section 5 of House Bill No. 1828, H.D. 2, S.D. 1, C.D. 1, (hereinafter referred to as 'H.B. No. 1828') and its accompanying Conference Committee Report No. 114, as adopted at the Regular Session of 1995 of the Hawaii State Legislature.

Conference Committee Report No. 114 described the need for public access to the data in the third paragraph on page 4 of the report, as follows:

'To this end, the Legislature has caused a completed printed copy of this information, along with a copy of the department's letter (dated April 27, 1995), to be deposited with the department as well as the State Archives in order to ensure that public access.'

The official text of Conference Committee Report No. 114 may be found at pages 1007-1009 of the 1995 House Journal, Regular Session of 1995, Eighteenth State Legislature.

H.B. No. 1828, as adopted at the Regular Session of 1995 of the Hawaii State Legislature, was vetoed by the Governor. Thereafter, the Hawaii State Legislature met in Special Session in 1995 and reenacted substantially the same bill in the form designated as House Bill No. 10-S as reported in House Standing Committee Report 10-S which embraced and adopted by reference Conference Committee Report No. 114. House Bill No. 10-S was approved by the Governor as Act 14 of the Eighteenth State Legislature, Special Session 1995.

Yours very truly,

/s/ Joseph M. Souki, Speaker, House of Representatives
/s/ Norman Mizuguchi, President, Senate
/s/ Patricia Mau-Shimizu, Chief Clerk, House of Representatives
/s/ David Woo, Chief Clerk, Senate

cc: Kali Watson
Hawaiian Homes Commission

Enclosures"

Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
Waimanalo, Oahu																	
10532	8/20/37	1	4	1	1	1	0.335	11291	2/2/46	1	4	1	2	17	0.43		
10084 & 9860	5/26/32 & 2/14/31	1	4	1	1	13	0.192	11561	5/10/48	1	4	1	2	16	0.44		
9860	2/14/31	1	4	1	1	11	0.025	11795	7/6/46	1	4	1	2	9	0.43		
10105	9/3/32	1	4	1	1	12	0.545	9889	8/25/30	1	4	1	2	7	2.252		
10565	12/18/37	1	4	1	1	8	0.45	10142	2/20/33	1	4	1	2	4	0.118		
10566	12/18/37	1	4	1	1	7	0.45	10527	7/31/37	1	4	1	2	5	0.449		
10564	12/15/37	1	4	1	1	9	0.41	9960	2/14/31	1	4	1	2	3	0.296		
10563	12/18/37	1	4	1	1	2	0.468	10527	7/31/37	1	4	1	2	2	0.347		
11100	1/11/43	1	4	1	2	20	0.21	Acreage Sub-Total							8.227		
11675	1/27/49	1	4	1	2	18	0.38	Total Statewide							301.502		

Hawaii Public Land Claims by Grant Numbers/Dispositions

Grant No./Disposition	Gr./Dsp.	Tax Map Key			Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No./Disposition	Gr./Dsp.	Tax Map Key			Sect	Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Key								Div	Zone	Key					
Puukapu																			
Gov. Pro	4/13/32	3	6	3	1	3		71	EO-1572			3	2	1	6	10		2.4	
Keaukaha/Panaewa									GL2899			3	2	1	6	13		2.16	
EO-246		3	2	1	1	12(por)		29.187	RP5516			3	2	1	6	33		0.503	
EO-1027		3	2	1	1	12(por)		0				3	2	1	6	66(por)		2.94	
EO-740		3	2	1	1	12(por)		0				3	2	1	6	77		0.764	
EO-2381		3	2	1	1	12(por)		0	RP3755			3	2	1	6	78(por)		0.046	
GL1936		3	2	1	1	12(por)		0				3	2	1	6	79		0.565	
GL2030		3	2	1	1	12(por)		0	RP5498			3	2	1	6	84(por)		0.437	
GL2031		3	2	1	1	12(por)		0	RP5517			3	2	1	6	66(por)		0.294	
GL1937		3	2	1	1	12(por)		0				3	2	1	7	11			
GL1936		3	2	1	1	12(por)		0				3	2	1	7	19			
HTS Plat 801-B		3	2	1	1	12(por)		0				3	2	1	7	20			
CSF 15879		3	2	1	1	12(por)		0				3	2	1	7	21			
		3	2	1	3	2		1.05				3	2	1	7	22			
		3	2	1	3	8		1.01				3	2	1	7	23			
		3	2	1	3	13		1.33				3	2	1	7	24			
		3	2	1	3	16		0.45				3	2	1	7	25			
		3	2	1	3	17		0.483				3	2	1	7	26			
		3	2	1	3	18		0.114				3	2	1	7	27			
		3	2	1	3	22		0.269				3	2	1	7	28			
		3	2	1	3	25(por)		2.52				3	2	1	7	29			
		3	2	1	3	28		1.787				3	2	1	7	30			
		3	2	1	5	1		3.817				3	2	1	7	31			
		3	2	1	5	9		0.118				3	2	1	7	32		0.188	
		3	2	1	5	12		0.115				3	2	1	7	34		0.19	
		3	2	1	5	13		0.72				3	2	1	7	35		0.185	
		3	2	1	5	14		0.232				3	2	1	7	36		1.221	
		3	2	1	5	16		2.95				3	2	1	7	37		3	
		3	2	1	5	17		0.75				3	2	1	7			2.486	
		3	2	1	5	20(por)		1.21				3	2	1	8	21		0.413	
		3	2	1	5	21		1.09				3	2	1	8	20		5.465	
		3	2	1	5	22		1.19				3	2	1	9	1		1.224	
		3	2	1	5	28		2.319				3	2	1	9	5		0.236	
		3	2	1	5	32		0.749				3	2	1	9	6		25.366	
		3	2	1	5	33		0.586				3	2	1	9	7		0.083	
		3	2	1	5	34		0.531				3	2	1	9	11		2.6	
		3	2	1	5	35		0.495				3	2	1	9	12		3.73	
		3	2	1	5	39		0.012				3	2	1	9	26		0.211	
		3	2	1	5	41		0.015				3	2	1	9	29		0.334	
		3	2	1	5	42		0.025				3	2	1	9	31		0.017	
		3	2	1	5	45		0.213				3	2	1	9	37		0.571	
		3	2	1	5	46		1.054				3	2	1	9	38		0.024	
		3	2	1	5	47		0.013				3	2	1	9	39		0.054	
		3	2	1	6	4		0.256				3	2	1	9	40		3.904	
		3	2	1	6	85						3	2	1	9	41			

Hawaii Public Land Claims by Grant Numbers/Dispositions

Grant No./Disposition	Gr./Dsp. Date	Tax Map Key Div Zone Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No./Disposition	Gr./Dsp. Date	Tax Map Key Div Zone Sect	Plat	Parcel	CPR	Land Area (Acres)
		3 2 1	9	42		2.66			3 2 1	14	8		0.005
		3 2 1	9	43		0.689			3 2 1	14	13		21.091
		3 2 1	9	44		0.203			3 2 1	14	35		7.383
		3 2 1	9	47		0.01			3 2 1	14	36		5.48
		3 2 1	9	48		0.028			3 2 1	14	37		0.31
		3 2 1	9	49(Port)		0.05			3 2 1	14	67		0.473
		3 2 1	9	50		0.045			3 2 1	16	1		50.887
		3 2 1	9	51		0.008			3 2 1	16	3		3.445
		3 2 1	9	52		0.09			3 2 1	17	18		17.417
		3 2 1	9	53		0.011			3 2 1	17	19		1.922
		3 2 1	9	54		0.005			3 2 1	17	21		0.405
		3 2 1	9	55		0.001			3 2 1	17	46		0.554
		3 2 1	9	60(port)		0.103			3 2 1	17	47		0.575
		3 2 1	9	62		0.0003			3 2 1	17	48		0.596
		3 2 1	10	33		3.706			3 2 1	17	51		1.229
		3 2 1	11	2		1.505			3 2 1	17	53		1.09
		3 2 1	11	7		0.96			3 2 1	17	54		4.166
		3 2 1	12	1		43.594			3 2 1	17	57		0.425
		3 2 1	12	3		442.486			3 2 1	17	58		0.691
		3 2 1	12	4		74.314			3 2 1	17	65		1.99
		3 2 1	12	5		1.956			3 2 1	17	67		0.491
		3 2 1	12	6		2.34			3 2 1	17	68		4.426
		3 2 1	12	7		5			3 2 1	18	8		9.026
		3 2 1	12	9(port)		479.926			3 2 1	18	14		0.308
		3 2 1	12	25		1.42			3 2 1	19	9		0.54
		3 2 1	12	26		4.499			3 2 1	19	15		0.541
		3 2 1	12	29		184.82			3 2 1	19	29		0.489
		3 2 1	12	58		0.918			3 2 1	19	30		
		3 2 1	12	69		0.016			3 2 1	19	31		
		3 2 1	12	131		5.51			3 2 1	19	31		
		3 2 1	13	2		2759.206			3 2 1	19	31		
		3 2 1	13	9		4.663			3 2 1	19	31		
		3 2 1	13	10		61.174			3 2 1	19	31		
		3 2 1	13	11		37.3			3 2 1	19	31		
		3 2 1	13	142		40			3 2 1	19	31		
		3 2 1	13	143		160.558			3 2 1	19	31		
		3 2 1	13	148		40			3 2 1	19	31		
		3 2 1	13	150		35.4	GL-S-4139		3 2 1	19	31		
		3 2 1	13	151		8.727	GL-S-4139		3 2 1	19	31		
		3 2 1	13	152		19.482	EO-2125		3 2 1	19	31		
		3 2 1	13	153		70.659	EO-2921		3 2 1	19	31		
		3 2 1	13	154		176	GL-S-6535		3 2 1	19	31		
		3 2 1	13	155		367			3 2 1	19	31		
		3 2 1	13	156		20	EO-2125		3 2 1	19	31		
		3 2 1	14	69		0.242	EO-2125		3 2 1	19	31		
		3 2 1	14	20		0.044	GL-S-5001		3 2 1	19	31		
		3 2 1	14	20					3 2 1	19	31		
		3 2 1	27	2		0.229			3 2 1	27	2		0.229
		3 2 1	27	1		19.451			3 2 1	27	1		19.451
		3 2 1	29	19		0.11			3 2 1	29	19		0.11
		3 2 1	29	.1		4.382			3 2 1	29	.1		4.382
		3 2 1	29	26		0.133			3 2 1	29	26		0.133
		3 2 1	29	8,7		0.785			3 2 1	29	8,7		0.785
		3 2 1	29	11		1			3 2 1	29	11		1
		3 2 1	29	16		0.232			3 2 1	29	16		0.232
		3 2 1	32	10		0.988			3 2 1	32	10		0.988

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
GR-11030	1/14/42	3	2	1	1	12	Portion	13.240	GR-11940.6	9/17/36	3	2	1	6	81	0.289	
GR-13573	1/28/59	3	2	1	1	12	Portion	0.258	GR-11940.6	9/17/36	3	2	1	6	82	0.175	
GR-9116	10/13/26	3	2	1	1	12	Portion	0.258	GR-11940.6	9/17/36	3	2	1	6	83	0.172	
GR-13016	1/9/56	3	2	1	1	12	Portion	0.258	GR-14905	12/7/70	3	2	1	6	86	0.033	
GR-9293	7/16/27	3	2	1	1	12	Portion	0.258	GR-11940.6	9/17/36	3	2	1	6	87	1	
GR-10856	7/11/40	3	2	1	1	12	Portion	0.525	GR-10679	10/31/38	3	2	1	7	45	0.082	
GR-12158	9/12/51	3	2	1	1	12	Portion	0.092	GR-12486	11/4/53	3	2	1	7	49	0.544	
GR-11900	3/6/50	3	2	1	1	12	Portion	0.077	GR-11784	6/21/49	3	2	1	8	6	Portion	
GR-12370	11/28/52	3	2	1	1	12	Portion	0.359	GR-8080	7/10/22	3	2	1	8	6	Portion	
GR-13449	3/5/58	3	2	1	1	12	Portion	0.154	GR-10112	9/20/32	3	2	1	8	8	0.114	
GR-13614	5/1/49	3	2	1	1	12	Portion	0.462	GR-10560	12/9/37	3	2	1	8	13	0.126	
GR-9069	7/28/26	3	2	1	1	12	Portion	0.147	GR-10718	3/2/39	3	2	1	8	13	0.126	
GR-13339	5/27/57	3	2	1	1	12	Portion	0.253	GR-10737	5/27/39	3	2	1	8	15	0.229	
GR-13084	5/9/56	3	2	1	1	12	Portion	0.176	GR-10595	3/4/38	3	2	1	8	16	0.229	
GR-9038	6/1/26	3	2	1	1	12	Portion	0.479	GR-11646.3	11/4/48	3	2	1	8	18	1.04	
GR-12892	6/4/55	3	2	1	1	12	Portion	0.253	GR-8680	5/19/25	3	2	1	8	23	3.913	
GR-13357	9/12/57	3	2	1	1	12	Portion	0.253+	GR-11646.3	11/4/48	3	2	1	8	24	4.642	
GR-13619	5/11/59	3	2	1	1	12	Portion	0.253±	GR-11646.3 & 11/4/1948 &	5/19/25	3	2	1	8	25	3.574	
GR-13410	12/18/57	3	2	1	1	12	Portion	0.3	GR-8680	5/19/25	3	2	1	8	25	3.574	
GR-8610	2/4/25	3	2	1	1	12	Portion	0.34	GR-11646.3 & 11/4/1948 &	5/19/25	3	2	1	8	26	3.381	
GR-13076	4/21/56	3	2	1	1	12	Portion	0.253+	GR-8680	5/19/25	3	2	1	8	26	3.381	
GR-10678	10/31/38	3	2	1	3	23	Portion	0.263	GR-11646.3	11/4/48	3	2	1	8	27	1	
GR-8618	2/17/25	3	2	1	3	23	Portion	0.268	GR-11646.3	11/4/48	3	2	1	8	28	0.547	
GR-13279	2/5/57	3	2	1	3	23	Portion	0.199	GR-11646.3	11/4/48	3	2	1	8	29	0.537	
GR-11082	10/13/42	3	2	1	3	23	Portion	0.152	GR-11472	10/31/47	3	2	1	9	3	Portion	
GR-11550	5/17/48	3	2	1	3	24	Portion	0.686	GR-11473	10/30/47	3	2	1	9	3	Portion	
GR-10743	6/6/39	3	2	1	3	25	Portion	0.092	GR-11473	10/30/47	3	2	1	9	4	Portion	
GR-10788	11/27/39	3	2	1	3	25	Portion	0.275	GR-9072	7/28/26	3	2	1	9	5	1.224	
GR-13560	12/30/58	3	2	1	3	26	Portion	0.153	GR-9072	7/28/26	3	2	1	9	4	5.60	
GR-10119	10/22/32	3	2	1	5	18	Portion	2.34	GR-14013	11/14/62	3	2	1	9	8	3.45	
GR-10377	5/1/36	3	2	1	5	18	Portion	0.319	GR-10052	1/26/32	3	2	1	10	11	Portion	
GR-11940.6	10/3/39	3	2	1	5	27	Portion	0.121	GR-10035	11/13/31	3	2	1	10	13	Portion	
GR-10448	9/17/36	3	2	1	6	1	Portion	4.663	GR-10049	12/23/31	3	2	1	10	13	Portion	
GR-10446	9/17/36	3	2	1	6	2	Portion	0.46	GR-10108	9/21/32	3	2	1	10	21	0.115	
GR-10448	9/17/36	3	2	1	6	29	Portion	0.053	GR-10109	9/21/32	3	2	1	10	22	0.115	
GR-10548	10/22/37	3	2	1	6	38	Portion	0.126	GR-10109	9/21/32	3	2	1	10	23	0.115	
GR-10547	10/15/37	3	2	1	6	39	Portion	0.253	GR-10387	6/9/36	3	2	1	10	24	0.344	
GR-11055	5/18/42	3	2	1	6	69	Portion	0.347	GR-10336	11/8/35	3	2	1	10	28	Portion	
GR-11940.6	9/17/36	3	2	1	6	68	Portion	0.61	GR-10108	9/21/32	3	2	1	10	28	Portion	
GR-10446	9/17/36	3	2	1	6	69	Portion	0.036	GR-10108	9/21/32	3	2	1	10	35	0.126	
GR-11940.6	9/17/36	3	2	1	6	70	Portion	1.151	GR-10335	11/8/35	3	2	1	10	35	0.115	
GR-11940.6	9/17/36	3	2	1	6	72	Portion	0.012	GR-11490	2/24/48	3	2	1	10	36	7.819	
GR-11940.6	9/17/36	3	2	1	6	71	Portion	0.362	GR-13866	1/23/62	3	2	1	10	40	0.758	
GR-11940.6	9/17/36	3	2	1	6	73	Portion	0.381	GR-14618	3/9/67	3	2	1	10	42	0.744	
GR-11940.6	9/17/36	3	2	1	6	74	Portion	0.373	GR-14101	7/30/63	3	2	1	10	43	2.341	
GR-11940.6	9/17/36	3	2	1	6	75	Portion	0.352	GR-10450	10/6/36	3	2	1	11	1	0.603	
GR-11940.6	9/17/36	3	2	1	6	76	Portion	0.351	GR-10701	1/27/39	3	2	1	11	3	1.447	
GR-11940.6	9/17/36	3	2	1	6	76	Portion	0.351	GR-10437	8/19/36	3	2	1	11	6	0.354	
GR-11940.6	9/17/36	3	2	1	6	80	Portion	0.351	GR-10010	8/17/31	3	2	1	14	1	0.436	

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
GR-13230	11/7/56	3	2	1	14	2	0.445	GR-10764	8/26/39	3	2	1	17	8	0.918		
GR-11452	9/8/47	3	2	1	14	3	0.539	GR-9775	11/5/29	3	2	1	17	9	0.459		
GR-9600	11/17/28	3	2	1	14	4	0.18	GR-10842	6/12/40	3	2	1	17	10	0.805		
GR-9601	11/7/28	3	2	1	14	7	0.02	GR-10114	10/6/32	3	2	1	17	11	0.611		
GR-10351	1/22/36	3	2	1	14	9	0.403	GR-12694	9/28/54	3	2	1	17	13	0.574		
GR-10339	11/22/35	3	2	1	14	10	0.54	GR-10185	9/29/33	3	2	1	17	14	0.724		
GR-10382	5/19/36	3	2	1	14	10	0.539	GR-9923	12/11/30	3	2	1	17	16	0.918		
GR-13050	2/29/56	3	2	1	14	10	0.754	GR-9952	2/3/31	3	2	1	17	16	0.459		
GR-10455	10/16/36	3	2	1	14	14	0.445	GR-9725	7/24/29	3	2	1	17	17	0.459		
GR-10292	4/4/35	3	2	1	14	15	0.499	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10227	6/4/34	3	2	1	14	16	0.36	GR-9552	9/6/28	3	2	1	17	20	0		
GR-13338	5/27/57	3	2	1	14	16	3.80	GR-9552	9/6/28	3	2	1	17	20	0		
GR-8039	3/31/22	3	2	1	14	21	0.18	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10629	6/15/38	3	2	1	14	25	0.77	GR-9552	9/6/28	3	2	1	17	20	0		
GR-8039	3/21/22	3	2	1	14	30	0.444	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10645	7/29/18	3	2	1	14	30	2.45	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10025	10/7/31	3	2	1	14	44	0.81	GR-9552	9/6/28	3	2	1	17	20	0		
GR-9779	11/5/29	3	2	1	14	45	0.239	GR-9552	9/6/28	3	2	1	17	20	0		
GR-9779	11/5/29	3	2	1	14	51	0.241	GR-9552	9/6/28	3	2	1	17	20	0		
GR-15280	10/15/75	3	2	1	14	53	0.357	GR-9552	9/6/28	3	2	1	17	20	0		
GR-9779	11/5/29	3	2	1	14	54	0.657	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10156	4/8/33	3	2	1	14	54	0.173	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10156	4/8/33	3	2	1	14	63	0.145	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10156	4/8/33	3	2	1	14	64	0.398	GR-9552	9/6/28	3	2	1	17	20	0		
GR-11818	9/6/49	3	2	1	14	66	0.198	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0.195	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10157	4/8/33	3	2	1	14	72	0	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10009	8/17/31	3	2	1	14	73	0.329	GR-9552	9/6/28	3	2	1	17	20	0		
GR-11062	6/30/42	3	2	1	16	2	0.310	GR-9552	9/6/28	3	2	1	17	20	0		
GR-13417	1/13/58	3	2	1	16	5	0.5	GR-9552	9/6/28	3	2	1	17	20	0		
GR-12046	2/20/51	3	2	1	16	6	0.201	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10096	8/22/32	3	2	1	17	1	0.462	GR-9552	9/6/28	3	2	1	17	20	0		
GR-9995	6/10/31	3	2	1	17	2	0.923	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10151	3/25/33	3	2	1	17	3	0.462	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10800	12/21/39	3	2	1	17	4	0.335	GR-9552	9/6/28	3	2	1	17	20	0		
GR-10407	7/20/36	3	2	1	17	5	0.459	GR-9552	9/6/28	3	2	1	17	20	0		
GR-9917	11/25/30	3	2	1	17	6	0.459	GR-9552	9/6/28	3	2	1	17	20	0		

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		Div	Zone	Sect							Div	Zone	Sect				
GR-9348	11/17/27	3	2	1	17	27	0.339	GR-9783	11/22/29	3	2	1	18	13		0.413	
GR-9754	9/25/29	3	2	1	17	28	0.288	GR-9774	10/23/29	3	2	1	18	13		0.413	
GR-9490	5/21/28	3	2	1	17	29	0.241	GR-10363	3/10/36	3	2	1	18	14		0.49	
GR-10621	5/19/38	3	2	1	17	30	0.23	GR-10363	3/10/36	3	2	1	18	15		0.49	
GR-9788	12/8/29	3	2	1	17	31	0.572	GR-10363	3/10/36	3	2	1	18	16	Portion	0.515	
GR-8836	8/20/25	3	2	1	17	32	0.871	GR-10363	3/10/36	3	2	1	18	17	Portion	0.515	
GR-10353	1/22/36	3	2	1	17	32	0.717	GR-10363	3/10/36	3	2	1	18	18	Portion	0.491	
GR-9738	8/16/29	3	2	1	17	33	0.346	GR-10319	8/28/35	3	2	1	18	19		0.491	
GR-9817	2/20/30	3	2	1	17	34	0.215	GR-10319	8/28/35	3	2	1	18	20		0.429	
GR-9738	8/16/29	3	2	1	17	35	0.291	GR-9907	9/29/30	3	2	1	18	21		0.413	
GR-10096	8/22/32	3	2	1	17	36	0.462	GR-9591	11/17/28	3	2	1	18	22		0.413	
GR-11903	3/6/50	3	2	1	17	37	0.321	GR-9119	10/13/26	3	2	1	18	23		1.281	
GR-10777	10/5/39	3	2	1	17	38	0.516	GR-10007	8/3/31	3	2	1	18	24		0.413	
GR-12731	10/28/54	3	2	1	17	39	0.296	GR-9747	8/27/29	3	2	1	18	25		0.413	
GR-13362	8/16/51	3	2	1	17	40	0.319	GR-9605	11/28/28	3	2	1	18	27		0.278	
GR-13362	8/16/51	3	2	1	17	41	0.343	GR-9605	11/28/28	3	2	1	18	28	Portion	0.374	
GR-12841	3/23/55	3	2	1	17	42	0.366	GR-9636	2/1/29	3	2	1	18	28	Portion	0.375	
GR-12841	3/23/55	3	2	1	17	43	0.389	GR-10237	7/10/34	3	2	1	18	30	Portion	0.551	
GR-11574	6/9/48	3	2	1	17	44	0.412	GR-10061	2/23/32	3	2	1	18	33		0.991	
GR-12552	4/13/54	3	2	1	17	45	0.535	GR-12585	6/21/54	3	2	1	19	1		0.785	
GR-11923	5/3/50	3	2	1	17	49	0.619	GR-11151	9/14/43	3	2	1	19	2	Portion	0.248	
GR-9754	9/25/29	3	2	1	17	50	0.641	GR-10669	9/30/38	3	2	1	19	2	Portion	0.459	
GR-10842	6/12/40	3	2	1	17	52	0.323	GR-11035	3/6/42	3	2	1	19	3	0.992	0.533	
GR-10546	8/4/37	3	2	1	17	55	0.473	GR-10404	7/20/36	3	2	1	19	3		0.459	
GR-13085	8/6/56	3	2	1	17	56	0.182	GR-9723	7/8/29	3	2	1	19	4		0.459	
GR-9788	12/8/29	3	2	1	17	59	1.745	GR-10182	9/19/33	3	2	1	19	4		0.069	
GR-9490	5/21/28	3	2	1	17	60	0.459	GR-9579	10/22/38	3	2	1	19	5		0.459	
GR-13287	4/18/57	3	2	1	17	61	0.168	GR-10835	5/7/40	3	2	1	19	6	Portion	0.541	
GR-10800	12/21/39	3	2	1	17	62	0.193	GR-9798	12/23/29	3	2	1	19	6	Portion	0.459	
GR-10185	9/29/33	3	2	1	17	63	0.344	GR-9233	4/14/27	3	2	1	19	7	Portion	0.459	
GR-10621	5/19/38	3	2	1	17	64	0.321	GR-0581	1/22/38	3	2	1	19	7	Portion	0.082	
GR-9490	5/21/28	3	2	1	17	64	0.141	GR-9736	5/19/27	3	2	1	19	8		0.459	
GR-10800	12/21/39	3	2	1	17	67	0.37	GR-9265	3/14/27	3	2	1	19	10	Portion	1.107	
GR-10605	4/8/38	3	2	1	18	1	0.195	GR-9214	3/3/28	3	2	1	19	10	Portion	0.537	
GR-10605	4/8/38	3	2	1	18	2	0.248	GR-9928	12/13/30	3	2	1	19	13	1	0.459	
GR-13275	2/1/57	3	2	1	18	2	0.604	GR-9928	12/13/30	3	2	1	19	14	2	0	
GR-11306	4/22/46	3	2	1	18	3	0.372	GR-9928	12/13/30	3	2	1	19	14	3	0	
GR-10061	2/23/32	3	2	1	18	7	0.488	GR-9928	12/13/30	3	2	1	19	14	4	0	
GR-10048	12/23/31	3	2	1	18	7	0.564	GR-9928	12/13/30	3	2	1	19	14	5	0	
GR-9562	10/1/28	3	2	1	18	7	0.936	GR-9928	12/13/30	3	2	1	19	14	6	0	
GR-9747	8/27/29	3	2	1	18	7	1.009	GR-9928	12/13/30	3	2	1	19	14	7	0	
GR-10570	1/4/38	3	2	1	18	9	0.78	GR-9928	12/13/30	3	2	1	19	14	8	0	
GR-9452	11/22/29	3	2	1	18	11	0.459	GR-9928	12/13/30	3	2	1	19	14	9	0	
GR-9783	11/22/29	3	2	1	18	11	0.651	GR-9928	12/13/30	3	2	1	19	14	10	0	
		3	2	1	18	11	0.551	GR-9928	12/13/30	3	2	1	19	14	11	0	
		3	2	1	18	12	0.413	GR-9928	12/13/30	3	2	1	19	14	12	0	
		3	2	1	18	12				3	2	1	19	14	13	0	

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
GR-9928	12/13/30	3	2	1	19	14	14	GR-10062	2/26/32	3	2	1	19	19	19	0.459	
GR-9928	12/13/30	3	2	1	19	14	15	GR-10182	9/19/33	3	2	1	19	21	21	0.39	
GR-9928	12/13/30	3	2	1	19	14	16	GR-10183	9/19/33	3	2	1	19	22	22	0.459	
GR-9928	12/13/30	3	2	1	19	14	17	GR-10506	5/20/37	3	2	1	19	24	24	0.271	
GR-9928	12/13/30	3	2	1	19	14	18	GR-9233	4/14/27	3	2	1	19	25	25	0.459	
GR-9928	12/13/30	3	2	1	19	14	19	GR-10491	4/6/27	3	2	1	19	25	25	0.082	
GR-9928	12/13/30	3	2	1	19	14	20	GR-10763	8/16/39	3	2	1	19	26	26	0.542	
GR-9928	12/13/30	3	2	1	19	14	21	GR-0581	1/22/38								
GR-9928	12/13/30	3	2	1	19	14	22	GR-12638	8/17/54	3	2	1	19	32	32	0.499	
GR-9928	12/13/30	3	2	1	19	14	23	GR-11151	9/14/43	3	2	1	19	34	34	0.344	
GR-9928	12/13/30	3	2	1	19	14	24	GR-12584	6/21/54	3	2	1	19	35	35	0.787	
GR-9928	12/13/30	3	2	1	19	14	25	GR-10506	5/20/37	3	2	1	19	36	36	0.271	
GR-9928	12/13/30	3	2	1	19	14	26	GR-9736	4/14/27	3	2	1	19	37	37	0.459	
GR-9928	12/13/30	3	2	1	19	14	27			3	2	1	19	38	38	0.459	
GR-9928	12/13/30	3	2	1	19	14	28	GR-8185	1/22/23	3	2	2	3	3	Portion	0.135	
GR-9928	12/13/30	3	2	1	19	14	29	GR-8029	3/22/22	3	2	2	4	1	Portion	0.004	
GR-9928	12/13/30	3	2	1	19	14	30	GR-8029	3/22/22	3	2	2	4	1	Portion	0.002	
GR-9928	12/13/30	3	2	1	19	14	31	GR-11569	5/17/48	3	2	2	4	1	Portion	0.356	
GR-9928	12/13/30	3	2	1	19	14	32	GR-14338	6/18/65	3	2	2	4	2	Portion	0.037	
GR-9928	12/13/30	3	2	1	19	14	33	GR-14338	6/18/65	3	2	2	4	60	Portion	0.04	
GR-9928	12/13/30	3	2	1	19	14	34			3	2	2	11	43	1.692	0.107	
GR-9928	12/13/30	3	2	1	19	14	35	GR-8280	8/23/23	3	2	2	11	43		0.137	
GR-9928	12/13/30	3	2	1	19	14	36	GR-10160	4/25/33	3	2	2	11	43		0.185	
GR-9928	12/13/30	3	2	1	19	14	37	GR-10444	9/11/36	3	2	2	11	43		0.065	
GR-9928	12/13/30	3	2	1	19	14	38	GR-11489	2/18/48	3	2	2	11	44	Portion	0.493	
GR-9928	12/13/30	3	2	1	19	14	39			3	2	2	12	1		2.278	
GR-9928	12/13/30	3	2	1	19	14	40			3	2	2	12	4		4.037	
GR-9928	12/13/30	3	2	1	19	14	41		1/22/23	3	2	2	13	3	Portion	0.405	
GR-9928	12/13/30	3	2	1	19	14	42			3	2	2	14	2		3.902	
GR-9928	12/13/30	3	2	1	19	14	43	GR-14338		3	2	2	14	10	1	0.069	
GR-9928	12/13/30	3	2	1	19	14	44			3	2	2	14	10	2	0	
GR-9928	12/13/30	3	2	1	19	14	45			3	2	2	14	10	3	0	
GR-9928	12/13/30	3	2	1	19	14	46			3	2	2	14	10	4	0	
GR-9928	12/13/30	3	2	1	19	14	47			3	2	2	14	10	5	0	
GR-9928	12/13/30	3	2	1	19	14	48			3	2	2	14	10	6	0	
GR-9928	12/13/30	3	2	1	19	14	49			3	2	2	14	10	7	0	
GR-9928	12/13/30	3	2	1	19	14	50			3	2	2	14	10	8	0	
GR-9928	12/13/30	3	2	1	19	14	51			3	2	2	14	10	9	0	
GR-9928	12/13/30	3	2	1	19	14	52			3	2	2	14	10	10	0	
GR-9928	12/13/30	3	2	1	19	14	53			3	2	2	14	10	11	0	
GR-9928	12/13/30	3	2	1	19	14	54			3	2	2	14	10	12	0	
GR-9928	12/13/30	3	2	1	19	14	55			3	2	2	14	10	13	0	
GR-9928	12/13/30	3	2	1	19	14	56			3	2	2	14	10	14	0	
GR-9928	12/13/30	3	2	1	19	14	57			3	2	2	14	10	15	0	
GR-9928	12/13/30	3	2	1	19	14	58			3	2	2	14	10	16	0	
GR-13832	10/31/61	3	2	1	19	16				3	2	2	14	10	17	0	
GR-9579	10/22/38	3	2	1	19	17	0.381			3	2	2	14	10	18	0	
GR-9441	3/3/28	3	2	1	19	18	0.459			3	2	2	14	10	19	0	

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		3	2	14	10	21	0			3	2	14	10	71	0
		3	2	14	10	22	0			3	2	14	10	72	0
		3	2	14	10	23	0			3	2	14	10	73	0
		3	2	14	10	24	0			3	2	14	10	74	0
		3	2	14	10	25	0			3	2	14	10	75	0
		3	2	14	10	26	0			3	2	14	10	76	0
		3	2	14	10	27	0			3	2	14	10	77	0
		3	2	14	10	28	0			3	2	14	10	78	0
		3	2	14	10	29	0			3	2	14	10	79	0
		3	2	14	10	30	0			3	2	14	10	80	0
		3	2	14	10	31	0			3	2	14	10	81	0
		3	2	14	10	33	0			3	2	14	10	82	0
		3	2	14	10	34	0			3	2	14	10	83	0
		3	2	14	10	35	0			3	2	14	10	84	0
		3	2	14	10	36	0			3	2	14	10	85	0
		3	2	14	10	37	0			3	2	14	10	86	0
		3	2	14	10	38	0			3	2	14	10	87	0
		3	2	14	10	39	0			3	2	14	10	88	0
		3	2	14	10	40	0			3	2	14	10	89	0
		3	2	14	10	41	0			3	2	14	10	90	0
		3	2	14	10	42	0			3	2	14	10	91	0
		3	2	14	10	43	0			3	2	14	10	92	0
		3	2	14	10	44	0			3	2	14	10	93	0
		3	2	14	10	45	0			3	2	14	10	94	0
		3	2	14	10	46	0			3	2	14	10	95	0
		3	2	14	10	47	0			3	2	14	10	96	0
		3	2	14	10	48	0			3	2	14	10	97	0
		3	2	14	10	49	0			3	2	14	10	98	0
		3	2	14	10	50	0			3	2	14	10	99	0
		3	2	14	10	51	0			3	2	14	10	100	0
		3	2	14	10	52	0			3	2	14	10	101	0
		3	2	14	10	53	0			3	2	14	10	102	0
		3	2	14	10	54	0			3	2	14	10	103	0
		3	2	14	10	55	0			3	2	14	10	104	0
		3	2	14	10	56	0			3	2	14	10	105	0
		3	2	14	10	57	0			3	2	14	10	106	0
		3	2	14	10	58	0			3	2	14	10	107	0
		3	2	14	10	60	0			3	2	14	10	108	0
		3	2	14	10	61	0			3	2	14	10	109	0
		3	2	14	10	62	0			3	2	14	10	110	0
		3	2	14	10	63	0			3	2	14	10	111	0
		3	2	14	10	64	0			3	2	14	10	112	0
		3	2	14	10	65	0			3	2	14	10	113	0
		3	2	14	10	66	0			3	2	14	10	114	0
		3	2	14	10	67	0			3	2	14	10	115	0
		3	2	14	10	68	0			3	2	14	10	116	0
		3	2	14	10	69	0			3	2	14	10	117	0
		3	2	14	10	70	0			3	2	14	10	118	0

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		3	2	2	14	10	119	0
		3	2	2	14	10	120	0
		3	2	2	14	10	121	0
		3	2	2	14	10	122	0
		3	2	2	14	10	123	0
		3	2	2	14	10	124	0
		3	2	2	14	10	125	0
		3	2	2	14	10	126	0
		3	2	2	14	10	127	0
		3	2	2	14	10	128	0
		3	2	2	14	10	129	0
		3	2	2	14	10	130	0
		3	2	2	14	10	131	0
		3	2	2	14	10	132	0
		3	2	2	14	10	133	0
		3	2	2	14	10	134	0
		3	2	2	14	10	135	0
		3	2	2	14	10	136	0
		3	2	2	14	10	137	0
		3	2	2	14	10	138	0
		3	2	2	14	10	139	0
		3	2	2	14	10	140	0
		3	2	2	14	10	141	0
		3	2	2	14	10	142	0
		3	2	2	14	10	143	0
		3	2	2	14	10	144	0
		3	2	2	14	10	145	0
		3	2	2	14	10	146	0
		3	2	2	14	10	147	0
		3	2	2	14	10	148	0
		3	2	2	14	10	149	0
		3	2	2	14	10	150	0
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		3	2	2	14	10	152	0
		3	2	2	14	10	153	0
		3	2	2	14	10	154	0
		3	2	2	14	10	155	0
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		3	2	2	14	10	162	0
		3	2	2	14	10	163	0
		3	2	2	14	10	164	0
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		3	2	2	14	10	167	0
		3	2	2	14	10	168	0
		3	2	2	14	10	169	0
		3	2	2	14	10	170	0
		3	2	2	14	10	171	0
		3	2	2	14	10	172	0
		3	2	2	14	10	173	0
		3	2	2	14	10	174	0
		3	2	2	14	10	175	0
		3	2	2	14	10	176	0
		3	2	2	14	10	177	0
		3	2	2	14	10	178	0
		3	2	2	14	10	179	0
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		3	2	2	14	10	181	0
		3	2	2	14	10	182	0
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		3	2	2	14	10	184	0
		3	2	2	14	10	185	0
		3	2	2	14	10	186	0
		3	2	2	14	10	187	0
		3	2	2	14	10	188	0
		3	2	2	14	10	189	0
		3	2	2	14	10	190	0
		3	2	2	14	10	191	0
		3	2	2	14	10	192	0
		3	2	2	14	10	193	0
		3	2	2	14	10	194	0
		3	2	2	14	10	195	0
		3	2	2	14	10	196	0
		3	2	2	14	10	197	0
		3	2	2	14	10	198	0
		3	2	2	14	10	199	0
		3	2	2	14	10	200	0
		3	2	2	14	10	202	0
		3	2	2	14	10	203	0
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		3	2	2	14	10	205	0
		3	2	2	14	10	206	0
		3	2	2	14	10	207	0
		3	2	2	14	10	208	0
		3	2	2	14	10	209	0
		3	2	2	14	10	210	0
		3	2	2	14	10	211	0
		3	2	2	14	10	212	0
		3	2	2	14	10	213	0
		3	2	2	14	10	214	0
		3	2	2	14	10	215	0

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		3 2 2	14	10	216	0			3 2 2	14	10	267	0
		3 2 2	14	10	217	0			3 2 2	14	10	268	0
		3 2 2	14	10	218	0			3 2 2	14	10	269	0
		3 2 2	14	10	219	0			3 2 2	14	10	270	0
		3 2 2	14	10	220	0			3 2 2	14	10	271	0
		3 2 2	14	10	221	0			3 2 2	14	10	272	0
		3 2 2	14	10	223	0			3 2 2	14	10	273	0
		3 2 2	14	10	224	0			3 2 2	14	53	Portion	0.068
		3 2 2	14	10	225	0			3 2 2	14	53	Portion	0.388
		3 2 2	14	10	226	0			3 2 2	14	73	Portion	0.145
		3 2 2	14	10	227	0			3 2 2	14	73	Portion	0.154
		3 2 2	14	10	228	0			3 2 2	14	73	Portion	0.387
		3 2 2	14	10	229	0	GR-12812	2/12/55	3 2 2	15	33	Portion	2.825
		3 2 2	14	10	230	0			3 2 2	15	76	Portion	3.405
		3 2 2	14	10	231	0	GR-10824	3/16/40	3 2 2	27	23		0.23
		3 2 2	14	10	232	0	GR-9144	12/6/26	3 2 2	27	24		0.459
		3 2 2	14	10	233	0	GR-8674	5/5/25	3 2 2	27	35		0.23
		3 2 2	14	10	234	0			3 2 2	27	49		0.361
		3 2 2	14	10	235	0			3 2 2	27	53		0.115
		3 2 2	14	10	236	0	GR-12109	6/14/51	3 2 2	27	59		0.402
		3 2 2	14	10	237	0	GR-12193	11/3/51	3 2 2	27	60		0.402
		3 2 2	14	10	238	0	GR-12862	4/15/55	3 2 2	27	61		0.4
		3 2 2	14	10	239	0	GR-12068	4/9/51	3 2 2	27	62		0.324
		3 2 2	14	10	240	0	GR-13250	1/10/57	3 2 2	27	63		0.363
		3 2 2	14	10	241	0	GR-12400	2/10/53	3 2 2	27	64		0.388
		3 2 2	14	10	242	0	GR-12635	8/6/54	3 2 2	27	65		0.482
		3 2 2	14	10	244	0	GR-12096	5/17/51	3 2 2	27	66		0.444
		3 2 2	14	10	245	0	GR-12399	2/10/53	3 2 2	27	67		0.355
		3 2 2	14	10	246	0	GR-12648	8/25/54	3 2 2	27	68		0.353
		3 2 2	14	10	247	0	GR-12570	5/13/54	3 2 2	27	69		0.347
		3 2 2	14	10	248	0	GR-12868	4/26/55	3 2 2	27	70		0.349
		3 2 2	14	10	249	0	GR-12608	7/26/54	3 2 2	27	71		0.399
		3 2 2	14	10	250	0	GR-12209	12/13/51	3 2 2	27	72		0.39
		3 2 2	14	10	251	0	GR-12814	2/12/55	3 2 2	27	73		0.394
		3 2 2	14	10	252	0	GR-12141	8/10/51	3 2 2	27	74		0.394
		3 2 2	14	10	253	0	GR-12324	8/14/52	3 2 2	27	75		0.394
		3 2 2	14	10	254	0	GR-12727	10/23/54	3 2 2	27	76		0.394
		3 2 2	14	10	256	0	GR-12140	8/10/51	3 2 2	27	77		0.394
		3 2 2	14	10	257	0	GR-12185	10/25/51	3 2 2	27	79		0.394
		3 2 2	14	10	258	0	GR-12570	5/13/54	3 2 2	27	80		0.466
		3 2 2	14	10	259	0	GR-10824	3/16/40	3 2 2	27	83		0.23
		3 2 2	14	10	260	0	GL-8674	5/5/25	3 2 2	27	85		0.23
		3 2 2	14	10	261	0	GR-9633	2/1/29	3 2 2	28	19	Portion	0.222
		3 2 2	14	10	262	0	GR-8243	6/19/23	3 2 2	28	23	Portion	0.344
		3 2 2	14	10	263	0	GR-8243	6/19/23	3 2 2	28	24	Portion	0.385
		3 2 2	14	10	264	0	GR-8243	6/19/23	3 2 2	28	25	Portion	0.34
		3 2 2	14	10	265	0	GR-8243	6/19/23	3 2 2	28	31	Portion	0.372
		3 2 2	14	10	266	0	EO-2921	6/19/23	3 2 2	29	1	Portion	0.114

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		Div	Zone	Sect							Div	Zone	Sect				
GR-8636	4/2/25	3	2	2	29	11	0.05			3	2	2	30	3	23	0	
GR-8636	4/2/25	3	2	2	29	13	0.024			3	2	2	30	3	24	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	25	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	26	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	27	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	28	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	29	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	30	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	31	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	32	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	33	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	34	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	35	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	36	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	37	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	38	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	39	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	40	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	41	0	
GR-8636	4/2/25	3	2	2	29	13	0			3	2	2	30	3	42	0	
EO-2125		3	2	2	29	16	0.021			3	2	2	30	3	43	0	
EO-2125		3	2	2	29	19	0.11			3	2	2	30	3	44	0	
EO-2125		3	2	2	29	22	0.054			3	2	2	30	3	45	0	
GR-S-15480	3/1/79	3	2	2	29	23	0.574			3	2	2	30	3	46	0	
GR-S-15480	3/1/79	3	2	2	29	23	0.574			3	2	2	30	3	47	0	
		3	2	2	29	24	0.028			3	2	2	30	3	48	0	
		3	2	2	30	3	7.683			3	2	2	30	3	49	0	
		3	2	2	30	3	0			3	2	2	30	3	50	0	
		3	2	2	30	3	0			3	2	2	30	3	51	0	
		3	2	2	30	3	0			3	2	2	30	3	52	0	
		3	2	2	30	3	0			3	2	2	30	3	53	0	
		3	2	2	30	3	0			3	2	2	30	3	54	0	
		3	2	2	30	3	0			3	2	2	30	3	55	0	
		3	2	2	30	3	0			3	2	2	30	3	56	0	
		3	2	2	30	3	0			3	2	2	30	3	57	0	
		3	2	2	30	3	0			3	2	2	30	3	58	0	
		3	2	2	30	3	0			3	2	2	30	3	59	0	
		3	2	2	30	3	0			3	2	2	30	3	60	0	
		3	2	2	30	3	0			3	2	2	30	3	61	0	
		3	2	2	30	3	0			3	2	2	30	3	62	0	
		3	2	2	30	3	0			3	2	2	30	3	63	0	
		3	2	2	30	3	0			3	2	2	30	3	64	0	
		3	2	2	30	3	0			3	2	2	30	3	65	0	
		3	2	2	30	3	0			3	2	2	30	3	66	0	
		3	2	2	30	3	0			3	2	2	30	3	67	0	
		3	2	2	30	3	0			3	2	2	30	3	68	0	
		3	2	2	30	3	0			3	2	2	30	3	69	0	
		3	2	2	30	3	0			3	2	2	30	3	70	0	

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		3	2	2	30	3	71	0			3	2	2	30	3	119	0
		3	2	2	30	3	72	0			3	2	2	30	3	120	0
		3	2	2	30	3	73	0			3	2	2	30	3	121	0
		3	2	2	30	3	74	0			3	2	2	30	3	122	0
		3	2	2	30	3	75	0			3	2	2	30	3	123	0
		3	2	2	30	3	76	0			3	2	2	30	3	124	0
		3	2	2	30	3	77	0			3	2	2	30	3	125	0
		3	2	2	30	3	78	0			3	2	2	30	3	126	0
		3	2	2	30	3	79	0			3	2	2	30	3	127	0
		3	2	2	30	3	80	0			3	2	2	30	3	128	0
		3	2	2	30	3	81	0			3	2	2	30	3	129	0
		3	2	2	30	3	82	0			3	2	2	30	3	130	0
		3	2	2	30	3	83	0			3	2	2	30	3	131	0
		3	2	2	30	3	84	0			3	2	2	30	3	132	0
		3	2	2	30	3	85	0			3	2	2	30	3	133	0
		3	2	2	30	3	86	0			3	2	2	30	3	134	0
		3	2	2	30	3	87	0			3	2	2	30	3	135	0
		3	2	2	30	3	88	0			3	2	2	30	3	136	0
		3	2	2	30	3	89	0			3	2	2	30	3	137	0
		3	2	2	30	3	90	0			3	2	2	30	3	138	0
		3	2	2	30	3	91	0			3	2	2	30	3	139	0
		3	2	2	30	3	92	0			3	2	2	30	3	140	0
		3	2	2	30	3	93	0			3	2	2	30	3	141	0
		3	2	2	30	3	94	0			3	2	2	30	3	142	0
		3	2	2	30	3	95	0			3	2	2	30	3	143	0
		3	2	2	30	3	96	0			3	2	2	30	3	144	0
		3	2	2	30	3	97	0			3	2	2	30	3	145	0
		3	2	2	30	3	98	0			3	2	2	30	3	146	0
		3	2	2	30	3	99	0			3	2	2	30	3	147	0
		3	2	2	30	3	100	0			3	2	2	30	3	148	0
		3	2	2	30	3	101	0			3	2	2	30	3	149	0
		3	2	2	30	3	102	0			3	2	2	30	3	150	0
		3	2	2	30	3	103	0			3	2	2	30	3	151	0
		3	2	2	30	3	104	0			3	2	2	30	3	152	0
		3	2	2	30	3	105	0			3	2	2	30	3	153	0
		3	2	2	30	3	106	0			3	2	2	30	3	154	0
		3	2	2	30	3	107	0			3	2	2	30	3	155	0
		3	2	2	30	3	108	0			3	2	2	30	3	156	0
		3	2	2	30	3	109	0			3	2	2	30	3	157	0
		3	2	2	30	3	110	0			3	2	2	30	3	158	0
		3	2	2	30	3	111	0			3	2	2	30	3	159	0
		3	2	2	30	3	112	0			3	2	2	30	3	160	0
		3	2	2	30	3	113	0			3	2	2	30	3	161	0
		3	2	2	30	3	114	0			3	2	2	30	3	162	0
		3	2	2	30	3	115	0			3	2	2	30	3	163	0
		3	2	2	30	3	116	0			3	2	2	30	3	164	0
		3	2	2	30	3	117	0			3	2	2	30	3	165	0
		3	2	2	30	3	118	0			3	2	2	30	3	166	0

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		3	2	2	30	3	167	0	GR-11940:1	7/11/50	3	2	2	30	9		0.517
		3	2	2	30	3	168	0	GR-11940:1	7/11/50	3	2	2	30	10		0.248
		3	2	2	30	3	169	0	GR-11940:1	7/11/50	3	2	2	30	11		0.236
		3	2	2	30	3	170	0	GR-11940:1	7/11/50	3	2	2	30	12		0.862
		3	2	2	30	3	171	0	GR-11940:1	7/11/50	3	2	2	30	14		0.402
		3	2	2	30	3	172	0			3	2	2	30	15	Portion	3.182
		3	2	2	30	3	173	0			3	2	2	30	15	Portion	1.496
		3	2	2	30	3	174	0	GR-9658	2/27/29	3	2	2	30	16		0.73
		3	2	2	30	3	175	0	GR-9658	2/27/29	3	2	2	30	17		4.406
		3	2	2	30	3	176	0	GR-9658	2/27/29	3	2	2	30	18		5.082
		3	2	2	30	3	177	0	GR-9658	2/27/29	3	2	2	30	19		1.826
		3	2	2	30	3	178	0			3	2	2	32	3	Portion	0.009
		3	2	2	30	3	179	0			3	2	2	32	3	Portion	0.01
		3	2	2	30	3	180	0			3	2	2	32	3	Portion	0.184
		3	2	2	30	3	181	0			3	2	2	32	3	Portion	0.048
		3	2	2	30	3	182	0			3	2	2	32	3	Portion	0.574
		3	2	2	30	3	183	0			3	2	2	32	4	Portion	0.037
		3	2	2	30	3	184	0	GR-11652:2	5/15/48	3	2	2	32	4	Portion	0.353
		3	2	2	30	3	185	0	GR-11652:2	5/15/48	3	2	2	32	12	Portion	0.152
		3	2	2	30	3	186	0	GR-14909	1/7/71	3	2	2	32	12	Portion	0.047
		3	2	2	30	3	187	0	GR-8576	12/11/24	3	2	2	32	14		0.151
		3	2	2	30	3	188	0	GR-9937	12/29/30	3	2	2	32	15		0.022
		3	2	2	30	3	189	0			3	2	2	32	20	Portion	0.365
		3	2	2	30	3	190	0			3	2	2	32	20	Portion	0.397
		3	2	2	30	3	191	0			3	2	2	32	20	Portion	0.139
		3	2	2	30	3	192	0	GR-11891	3/6/50	3	2	2	32	22		0.643
		3	2	2	30	3	193	0	GR-11766:1	5/20/49	3	2	2	32	23		0.464
		3	2	2	30	3	194	0	GR-11766:1	5/20/49	3	2	2	32	24		1.204
		3	2	2	30	3	195	0	GR-11891	3/6/50	3	2	2	32	34		1.325
		3	2	2	30	3	196	0	GR-13361	8/7/57	3	2	2	32	73		0.418
		3	2	2	30	3	197	0	GR-13791	6/29/61	3	2	2	32	74		1.167
		3	2	2	30	3	198	0	GR-11652:2	5/15/48	3	2	2	32	87		0.618
		3	2	2	30	3	199	0	GR-11653:1	11/15/48	3	2	2	32	90	Portion	0.366
		3	2	2	30	3	200	0	GR-11653:1	11/15/48	3	2	2	32	90	Portion	0.1
		3	2	2	30	3	201	0	GR-11653:2	11/15/48	3	2	2	32	92	Portion	0.046
		3	2	2	30	3	202	0	GR-11766:1	5/20/49	3	2	2	32	93		1.363
		3	2	2	30	3	203	0	GR-11766:2	5/20/49	3	2	2	32	95		1.641
		3	2	2	30	3	204	0	GR-11766:2	5/20/49	3	2	2	32	97		1.024
		3	2	2	30	3	205	0			3	2	2	32	98		0.509
		3	2	2	30	3	206	0			3	2	2	32	99		0.508
		3	2	2	30	3	207	0	GR-11766:2	5/20/49	3	2	2	32	100		0.508
		3	2	2	30	3	208	0			3	2	2	32	101		0.464
		3	2	2	30	3	209	0			3	2	2	32	102		0.464
		3	2	2	30	3	210	0			3	2	2	32	103		0.661
		3	2	2	30	3		0.417			3	2	2	32	104		1.339
		3	2	2	30	4		0.99	GR-8635	4/2/25	3	2	2	34	20		1
		3	2	2	30	5		0.824	GR-9260	5/12/27	3	2	2	34	49		0.517
		3	2	2	30	6		0.269	GR-8887	10/2/25	3	2	2	34	50		0.517
		3	2	2	30	8					3	2	2	34	50		

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		Div	Zone	Sect													
GR-8862	9/3/25	3	2	2	34	51	0.517	GR-10597	3/9/38	3	2	2	35	10		0.526	
GR-8628	3/16/25	3	2	2	34	52	0.517	GR-11058	6/9/42	3	2	2	35	11		0.261	
GR-9246	4/25/27	3	2	2	34	53	0.517	GR-10856	7/11/40	3	2	2	35	12		0.526	
GR-9608	11/28/28	3	2	2	34	54	0.517	GR-10633	6/24/38	3	2	2	35	13		0.525	
GR-9186	2/9/27	3	2	2	34	55	0.517	GR-10847	6/27/40	3	2	2	35	14		0.284	
		3	2	2	34	56	0.138	GR-10667	9/30/38	3	2	2	35	15		0.263	
		3	2	2	34	56	0.379	GR-11231	2/23/45	3	2	2	35	16		0.262	
GR-9359	10/14/27	3	2	2	34	58	0.356	GR-9769	10/22/29	3	2	2	35	17		0.526	
GR-9229	4/8/27	3	2	2	34	59	0.517	GR-9158	12/23/26	3	2	2	35	18		0.526	
GR-9187	2/9/27	3	2	2	34	60	0.517	GR-9615	12/19/28	3	2	2	35	19		0.23	
GR-8673	5/5/25	3	2	2	34	61	0.517	GR-9238	4/14/27	3	2	2	35	20		0.526	
GR-9395	11/28/27	3	2	2	34	62	0.517	GR-9721	7/2/29	3	2	2	35	21		0.526	
GR-9143	12/6/26	3	2	2	34	63	0.517	GR-9232	4/14/27	3	2	2	35	22		0.526	
GR-9143	12/6/26	3	2	2	34	64	0.517	GR-9026	5/19/26	3	2	2	35	23		0.263	
GR-9667	2/27/29	3	2	2	34	65	0.425	GR-9026	5/19/26	3	2	2	35	23		0.263	
GR-9225	3/21/27	3	2	2	34	66	0.517	GR-9117	10/13/26	3	2	2	35	24		0.191	
GR-9253	4/28/27	3	2	2	34	67	0.517	GR-11924	5/3/50	3	2	2	35	25		0.525	
GR-9434	7/14/28	3	2	2	34	68	0.517	GR-10820	2/29/40	3	2	2	35	26		0.526	
GR-8910	11/23/25	3	2	2	34	69	0.517	GR-10666	9/30/38	3	2	2	35	27		0.526	
GR-8825	8/3/25	3	2	2	34	70	0.517	GR-10635	6/24/38	3	2	2	35	29		0.526	
GR-8976	3/10/26	3	2	2	34	71	0.517	GR-10979	7/24/41	3	2	2	35	30		0.526	
GR-8967	2/3/26	3	2	2	34	72	0.517	GR-10918	1/15/41	3	2	2	35	31		0.263	
GR-10542	9/24/37	3	2	2	34	73	0.258	GR-12615	7/28/54	3	2	2	35	32		0.511	
GR-9757	9/25/29	3	2	2	34	74	0.517	GR-12517	2/17/54	3	2	2	35	33		0.512	
GR-9735	8/16/29	3	2	2	34	75	0.517	GR-10858	7/20/40	3	2	2	35	34		0.512	
GR-9433	7/14/28	3	2	2	34	76	1.034	GR-10993	9/9/41	3	2	2	35	35		0.512	
GR-9430	7/14/28	3	2	2	34	77	27.20	GR-11607	9/17/48	3	2	2	35	36		0.231	
GR-9133	11/6/26	3	2	2	34	78	0.273	GR-10716	3/2/39	3	2	2	35	37		0.22	
GR-9133	11/6/26	3	2	2	34	79	0.258	GR-10716	3/2/39	3	2	2	35	37		0.22	
GR-9667	2/27/29	3	2	2	34	80	0.258	GR-10715	3/2/39	3	2	2	35	40		0.457	
GR-9359	10/14/27	3	2	2	34	99	0.092			3	2	2	35	41		1.676	
GR-10542	9/24/37	3	2	2	34	100	0.161			3	2	2	35	41		1.676	
GR-10542	9/24/37	3	2	2	34	101	0.258			3	2	2	35	41		1.676	
GR-10542	9/24/37	3	2	2	34	102	0.258			3	2	2	35	41		1.676	
GR-10542	9/24/37	3	2	2	34	103	0.258			3	2	2	35	43		0.261	
GR-9735	8/16/29	3	2	2	34	104	0.517	GR-11526	3/10/48	3	2	2	35	44		0.261	
GR-9377	10/2/27	3	2	2	34	106	0.243	GR-11529	3/10/48	3	2	2	35	44		0.483	
GR-8887	10/2/25	3	2	2	34	119	0.273	GR-12520	3/9/54	3	2	2	35	45		0.511	
GR-8887	10/2/25	3	2	2	34	119	0.273	GR-11557	5/10/48	3	2	2	35	46		0.511	
GR-9786	12/10/29	3	2	2	35	1	0.294	GR-11554	5/10/48	3	2	2	35	47		0.511	
GR-9816	2/17/30	3	2	2	35	2	0.468	GR-11368	2/18/47	3	2	2	35	49		0.256	
GR-10970	6/18/41	3	2	2	35	3	0.282	GR-11996	10/16/50	3	2	2	35	50		0.511	
GR-9810	2/10/30	3	2	2	35	4	0.526	GR-12805	2/2/55	3	2	2	35	51		0.511	
GR-9809	2/10/30	3	2	2	35	5	0.526	GR-10766	9/2/39	3	2	2	35	52		0.512	
GR-9936	12/27/30	3	2	2	35	6	0.526	GR-10948	5/3/41	3	2	2	35	53		0.512	
GR-9771	10/22/29	3	2	2	35	7	0.342	GR-11039	3/6/42	3	2	2	35	54		0.512	
GR-10058	2/9/32	3	2	2	35	8	0.526	GR-11573	6/9/48	3	2	2	35	55		0.511	
GR-10760	7/18/39	3	2	2	35	9	0.526	GR-10885	10/2/40	3	2	2	35	56		0.328	
								GR-11131	5/15/43	3	2	2	35	57		0.242	

Keaukaha/Panaewa, Hawaii - Land Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
GR-11571	6/9/48	3	2	2	35	58	0.511	GR-10029	10/14/31	3	2	2	36	42	0.258		
GR-12795	1/31/55	3	2	2	35	59	0.254	GR-9580	10/22/28	3	2	2	36	43	0.517		
GR-12773	12/30/54	3	2	2	35	60	0.483	GR-9915	11/1/30	3	2	2	36	44	0.517		
GR-11469	10/27/47	3	2	2	35	61	0.511	GR-9435	2/14/28	3	2	2	36	45	0.517		
GR-11393	6/23/47	3	2	2	35	62	0.511	GR-9882	7/31/30	3	2	2	36	46	0.517		
GR-11459	10/21/47	3	2	2	35	63	0.511	GR-9152	12/20/26	3	2	2	36	47	0.517		
GR-11733	3/5/49	3	2	2	35	64	0.483	GR-9100	9/24/26	3	2	2	36	48	0.517		
GR-12839	3/18/55	3	2	2	35	68	0.304	GR-10767	9/2/39	3	2	2	36	50	0.387		
GR-11788	6/21/49	3	2	2	35	69	0.524	GR-10312	6/6/35	3	2	2	36	51	0.526		
GR-11788	6/21/49	3	2	2	35	70	0.445	GR-10085	6/15/32	3	2	2	36	52	0.526		
GR-11505	3/2/48	3	2	2	35	71	0.509	GR-9996	6/25/31	3	2	2	36	53	0.27		
GR-111919:2	3/22/43	3	2	2	35	72	0.287	GR-10462	11/14/36	3	2	2	36	54	0.526		
GR-11951	7/28/50	3	2	2	35	73	0.293	GR-9690	4/17/29	3	2	2	36	55	0.526		
GR-10716	3/2/39	3	2	2	35	79	0.22	GR-9855	11/22/30	3	2	2	36	56	0.526		
GR-10716	3/2/39	3	2	2	35	79	0.22	GR-10132	1/25/33	3	2	2	36	57	0.526		
GR-10715	3/2/39	3	2	2	35	81	0.22	GR-9713	5/29/29	3	2	2	36	58	0.296		
GR-9771	3/2/39	3	2	2	35	81	0.22	GR-10072	4/20/32	3	2	2	36	60	0.526		
	10/22/29	3	2	2	35	82	0.184	GR-9831	3/13/30	3	2	2	36	61	0.526		
GR-10667	9/30/38	3	2	2	35	83	0.22	GR-9994	6/10/31	3	2	2	36	62	0.526		
GR-9117	10/13/26	3	2	2	35	85	0.263	GR-10652	8/20/38	3	2	2	36	63	0.263		
GR-9117	10/13/26	3	2	2	35	86	0.168	GR-10318	8/28/35	3	2	2	36	64	0.296		
GR-10970	6/18/41	3	2	2	35	87	0.168	GR-9994	6/10/31	3	2	2	36	65	0.526		
GR-10970	6/18/41	3	2	2	35	88	0.205	GR-8977	3/10/26	3	2	2	36	84	0.517		
GR-11231	6/18/41	3	2	2	35	89	0.038	GR-9169	1/24/27	3	2	2	36	94	0.23		
	2/23/45	3	2	2	35	90	0.264	GR-9440	3/3/28	3	2	2	36	95	0.252		
GR-10885	10/2/40	3	2	2	35	91	0.242	GR-9840	4/19/30	3	2	2	36	96	0.517		
GR-11058	6/9/42	3	2	2	35	92	0.242	GR-8629	3/25/25	3	2	2	36	97	0.517		
GR-11368	2/18/47	3	2	2	35	93	0.23	GR-9264	5/19/27	3	2	2	36	98	0.517		
GR-9026	5/19/26	3	2	2	35	96	0.265	GR-10051	1/12/32	3	2	2	36	99	0.287		
GR-10918	1/15/41	3	2	2	35	99	0.263	GR-9606	11/28/28	3	2	2	36	100	0.517		
GR-11607	9/17/48	3	2	2	35	99	0.263	GR-9170	1/24/27	3	2	2	36	101	0.287		
GR-12795	1/31/55	3	2	2	35	100	0.281	GR-9484	5/12/28	3	2	2	36	102	0.517		
GR-9786	12/10/29	3	2	2	35	101	0.23	GR-9617	12/19/28	3	2	2	36	103	1.033		
GR-11529	3/10/48	3	2	2	35	103	0.445	GR-9506	6/15/28	3	2	2	36	105	0.517		
GR-11131	5/15/43	3	2	2	35	105	0.242	GR-9344	9/16/27	3	2	2	36	106	0.517		
GR-10847	6/27/40	3	2	2	35	106	0.241	GR-10029	10/14/31	3	2	2	36	107	0.258		
GR-9615	12/19/28	3	2	2	35	109	0.526	GR-8639	4/2/25	3	2	2	36	124	0.201		
		3	2	2	35	110	0.264	GR-10652	8/20/38	3	2	2	36	125	0.263		
GR-10767	9/2/39	3	2	2	36	23	0.505	GR-10051	1/12/32	3	2	2	36	128	0.232		
GR-9556	9/18/28	3	2	2	36	34	0.275	GR-10318	8/28/35	3	2	2	36	133	0.23		
GR-9423	1/11/28	3	2	2	36	35	0.252	GR-9423	1/11/28	3	2	2	36	134	0.23		
GR-9074	7/28/26	3	2	2	36	36	0.517	GR-9440	3/3/28	3	2	2	36	137	0.265		
GR-9004	4/19/26	3	2	2	36	38	0.517	GR-9169	1/24/27	3	2	2	36	141	0.264		
GR-8992	4/8/26	3	2	2	36	39	0.517	GR-9996	6/25/31	3	2	2	36	142	0.287		
GR-8983	4/6/26	3	2	2	36	40	0.517	GR-9201	3/10/27	3	2	2	36	143	0.255		
GR-8639	4/2/25	3	2	2	36	41	0.316	GR-9170	1/24/27	3	2	2	36	144	0.517		
		3	2	2	36	41	0.316			3	2	2	36	146	0.23		

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Land Area (Acres)		
		Div	Zone	Sect				Plat	Parcel	CPR			
9325	8/25/27	2	2	2	1,788.018	10188	10/30/33	2	2	2	4	81	0.227
9325	8/25/27	2	2	2	1,554.473	9845	5/16/30	2	2	2	5	34	2.802
9325	8/25/27	2	2	2	1,116.200	9845	5/16/30	2	2	2	5	37	0.332
9325	8/25/27	2	2	2		9429	7/14/28	2	2	2	5	40	1.814
9325	8/25/27	2	2	2		9688	4/9/29	2	2	2	5	42	16.500
9325	8/25/27	2	2	2	1,200.000	10076	4/25/32	2	2	2	5	43	16.890
9325	8/25/27	2	2	2	0.940	10663	9/20/38	2	2	2	5	45	31.240
9325	8/25/27	2	2	2	2,612.452	10184	9/19/33	2	2	2	5	46	15.750
10217	4/13/34	2	2	2	0.407	10772	9/26/39	2	2	2	5	48	13.630
9492	5/21/28	2	2	2	7.940	9262	5/14/27	2	2	2	5	49	3.370
9350	9/16/27	2	2	2	1.460	9429	7/14/28	2	2	2	5	52	865.170
10191	12/11/33	2	2	2	0.283	9325	8/25/27	2	2	2	5	79	8.231
11146	8/13/43	2	2	2	0.437	9403	12/19/27	2	2	2	8	1	360.000
9913	10/17/30	2	2	2	0.093	10039	11/24/31	2	2	2	9	3	12.123
9728	7/24/29	2	2	2	5.160	9403	12/19/27	2	2	2	9	8	1.310
8662	4/17/25	2	2	2	0.257	10012	8/26/31	2	2	2	9	15	5.527
8662	4/17/25	2	2	2	0.774	9403	12/19/27	2	2	2	9	42	
11371	2/18/47	2	2	2	1.054	10012	8/26/31	2	2	2	9	44	1.280
9847	5/16/30	2	2	2	0.193	10012	8/26/31	2	2	2	9	45	1.000
10240	8/13/34	2	2	2	0.870	10012	8/26/31	2	2	2	9	50	0.400
10217	4/13/34	2	2	2	0.279	10961	5/31/41	2	2	2	9	65	0.002
10217	4/13/34	2	2	2	0.317	9403	12/19/27	2	2	2	9	79	14.608
10240	8/13/34	2	2	2	0.330	10012	8/26/31	2	2	2	9	82	2.765
10262	10/24/34	2	2	2	1.034	10012	8/26/31	2	2	2	9	83	5.664
9728	7/24/29	2	2	2	2.010	11988	10/3/50	2	2	2	11	8	45.34
9728	7/24/29	2	2	2	0.230	11988		2	2	2	11	31	
9492	5/21/28	2	2	2	3.380	11988		2	2	2	11	33	
11964	8/30/50	2	2	2	1.610	11988		2	2	2	11	49	
11965	8/30/50	2	2	2	2.940	11988		2	2	2	11	50	
11146	8/13/43	2	2	2	0.250	9888	8/25/30	2	2	2	12	14	1.350
S-13897	3/1/62	2	2	2	0.498	11425	7/3/47	2	2	2	13	37	0.058
10257	8/8/34	2	2	2	18.450	11425	7/3/47	2	2	2	13	38	0.054
10140	2/3/33	2	2	2	20.610	11425	7/3/47	2	2	2	13	42	0.116
9612	11/28/28	2	2	2	1.480	11425	7/3/47	2	2	2	13	43	0.115
9864	6/27/30	2	2	2	0.256			2	2	2	13	RD.	0.098
9850	5/16/30	2	2	2	20.680	10245	8/21/34	2	2	2	14	2	0.674
12081	4/23/51	2	2	2	28.380	11168	5/16/44	2	2	2	15	8	11.430
10155	4/1/33	2	2	2	23.480	11302	4/10/46	2	2	2	15	17	39.920
9763	10/3/29	2	2	2	18.700	9837	3/31/30	2	2	2	16	4	3.439
9262	5/14/27	2	2	2	523.620	9980	4/9/31	2	2	2	16	6	0.064
9612	11/28/28	2	2	2	0.500	9849	5/16/30	2	2	2	16	8	9.277
9612	11/28/28	2	2	2	18.108	9849	5/16/30	2	2	2	16	9	0.956
14774	11/8/68	2	2	2	1.108	9849	5/16/30	2	2	2	16	10	0.982
10188	10/30/33	2	2	2	4.819	9849	5/16/30	2	2	2	16	11	1.000
10188	10/30/33	2	2	2	4.602	9849	5/16/30	2	2	2	16	12	1.495
10188	10/30/33	2	2	2	2.250	9849	5/16/30	2	2	2	16	13	2.000

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Div	Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect													
9848	5/16/30	2	2	2	16	14	2.063	9325	8/25/27	2	2	2	23	3	0.162		
9837	3/31/30	2	2	2	16	39	1.322	9325	8/25/27	2	2	2	23	4	0.162		
13307	3/12/57	2	2	2	16	56	0.074	9325	8/25/27	2	2	2	23	5	0.162		
		2	2	2	16	65	1.490	9325	8/25/27	2	2	2	23	6	0.162		
		2	2	2	16	67	1.240	9325	8/25/27	2	2	2	23	7	0.162		
		2	2	2	16	68	1.890	9325	8/25/27	2	2	2	23	8	0.162		
		2	2	2	16	70	0.770	9325	8/25/27	2	2	2	23	9	0.162		
		2	2	2	16	71	0.740	9325	8/25/27	2	2	2	23	10	0.162		
		2	2	2	16	72	1.670	9325	8/25/27	2	2	2	23	11	0.162		
		2	2	2	16	74	0.130	9325	8/25/27	2	2	2	23	12	0.162		
		2	2	2	16	75	2.790	9325	8/25/27	2	2	2	23	13	0.162		
		2	2	2	16	76	7.570	9325	8/25/27	2	2	2	23	14	0.162		
9837	3/31/30	2	2	2	16	77	0.620	9325	8/25/27	2	2	2	23	15	0.162		
9837	3/31/30	2	2	2	16	87	1.242	9325	8/25/27	2	2	2	23	16	0.162		
9837	3/31/30	2	2	2	16	88	1.639	9325	8/25/27	2	2	2	23	17	0.162		
9846	5/16/30	2	2	2	16	100	0.150	9325	8/25/27	2	2	2	23	18	0.162		
9848	5/16/30	2	2	2	16	102	6.815	9325	8/25/27	2	2	2	23	19	0.162		
9848	5/16/30	2	2	2	16	105	2.022	9325	8/25/27	2	2	2	23	20	0.162		
9848	5/16/30	2	2	2	16	106	3.105	9325	8/25/27	2	2	2	23	21	0.162		
9837	3/31/30	2	2	2	16	109	0.500	9325	8/25/27	2	2	2	23	22	0.162		
9837	3/31/30	2	2	2	16	110	5.000	9325	8/25/27	2	2	2	23	23	0.162		
9837	3/31/30	2	2	2	16	111	0.500	9325	8/25/27	2	2	2	23	24	0.162		
9837	3/31/30	2	2	2	16	112	0.500	9325	8/25/27	2	2	2	23	25	0.162		
9837	3/31/30	2	2	2	16	113	0.500	9325	8/25/27	2	2	2	23	26	0.162		
9837	3/31/30	2	2	2	16	114	0.500	9325	8/25/27	2	2	2	23	27	0.162		
9837	3/31/30	2	2	2	16	115	3.250	9325	8/25/27	2	2	2	23	28	0.163		
9837	3/31/30	2	2	2	16	124	1.187	9325	8/25/27	2	2	2	23	29	0.241		
10561	12/9/37	2	2	2	17	1	11.211	9325	8/25/27	2	2	2	23	30	0.201		
10561	12/9/37	2	2	2	17	2	0.793	9325	8/25/27	2	2	2	23	31	0.201		
10358	2/20/36	2	2	2	17	3	1.040	9325	8/25/27	2	2	2	23	32	0.201		
10358	2/20/36	2	2	2	17	4	1.000	9325	8/25/27	2	2	2	23	33	0.174		
10358	2/20/36	2	2	2	17	5	2.030	9325	8/25/27	2	2	2	23	34	0.167		
9262	5/14/27	2	2	2	17	6	19.290	9325	8/25/27	2	2	2	23	35	0.167		
9611	11/28/78	2	2	2	17	7	1.940	9325	8/25/27	2	2	2	23	36	0.167		
9611	11/28/78	2	2	2	17	9	2.050	9325	8/25/27	2	2	2	23	37	0.167		
9611	11/28/78	2	2	2	17	11	2.210	9325	8/25/27	2	2	2	23	38	0.167		
9611	11/28/78	2	2	2	17	12	2.160	9325	8/25/27	2	2	2	23	39	0.167		
9611	11/28/78	2	2	2	17	13	2.320	9325	8/25/27	2	2	2	23	40	0.167		
9611	11/28/78	2	2	2	17	14	3.011	9325	8/25/27	2	2	2	23	41	0.167		
9611	11/28/78	2	2	2	17	15	1.370	9325	8/25/27	2	2	2	23	42	0.167		
9611	11/28/78	2	2	2	17	16	2.880	9325	8/25/27	2	2	2	23	43	0.167		
9611	11/28/78	2	2	2	17	18	1.840	9325	8/25/27	2	2	2	23	44	0.170		
10358	2/20/36	2	2	2	17	19	0.467	9325	8/25/27	2	2	2	23	45	0.167		
10358	2/20/36	2	2	2	17	20	2.000	9325	8/25/27	2	2	2	23	46	0.167		
10358	2/20/36	2	2	2	17	22	10.137	9325	8/25/27	2	2	2	23	47	0.167		
9325	8/25/27	2	2	2	23	1	0.163	9325	8/25/27	2	2	2	23	48	0.167		
9325	8/25/27	2	2	2	23	2	0.162	9325	8/25/27	2	2	2	23	49	0.167		

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
9325	8/25/27	2	2	2	23	50	0.167	
9325	8/25/27	2	2	2	23	51	0.167	
9325	8/25/27	2	2	2	23	52	0.167	
9325	8/25/27	2	2	2	23	53	0.167	
9325	8/25/27	2	2	2	23	54	0.167	
9325	8/25/27	2	2	2	23	55	0.167	
9325	8/25/27	2	2	2	23	56	0.167	
9325	8/25/27	2	2	2	23	57	0.167	
9325	8/25/27	2	2	2	23	58	0.165	
9325	8/25/27	2	2	2	23	59	0.163	
9325	8/25/27	2	2	2	23	60	0.163	
9325	8/25/27	2	2	2	23	61	0.163	
9325	8/25/27	2	2	2	23	62	0.163	
9325	8/25/27	2	2	2	23	63	0.163	
9325	8/25/27	2	2	2	23	64	0.163	
9325	8/25/27	2	2	2	23	65	0.163	
9325	8/25/27	2	2	2	23	66	0.163	
9325	8/25/27	2	2	2	23	67	0.163	
9325	8/25/27	2	2	2	23	68	0.163	
9325	8/25/27	2	2	2	23	69	0.163	
9325	8/25/27	2	2	2	23	70	0.163	
9325	8/25/27	2	2	2	23	71	0.175	
9325	8/25/27	2	2	2	23	72	0.163	
9325	8/25/27	2	2	2	23	73	0.163	
9325	8/25/27	2	2	2	23	74	0.163	
9325	8/25/27	2	2	2	23	75	0.163	
9325	8/25/27	2	2	2	23	76	0.163	
9325	8/25/27	2	2	2	23	77	0.163	
9325	8/25/27	2	2	2	23	78	0.163	
9325	8/25/27	2	2	2	23	79	0.163	
9325	8/25/27	2	2	2	23	80	0.163	
9325	8/25/27	2	2	2	23	81	0.163	
9325	8/25/27	2	2	2	23	82	0.173	
9325	8/25/27	2	2	2	23	83	0.179	
9325	8/25/27	2	2	2	23	84	0.163	
9325	8/25/27	2	2	2	23	85	0.163	
9325	8/25/27	2	2	2	23	86	0.163	
9325	8/25/27	2	2	2	23	87	0.163	
9325	8/25/27	2	2	2	23	88	0.163	
9325	8/25/27	2	2	2	23	89	0.163	
9325	8/25/27	2	2	2	23	90	0.163	
9325	8/25/27	2	2	2	23	91	0.163	
9325	8/25/27	2	2	2	23	92	0.163	
9325	8/25/27	2	2	2	23	93	0.163	
9325	8/25/27	2	2	2	23	94	0.176	
9325	8/25/27	2	2	2	23	95	0.163	
9325	8/25/27	2	2	2	23	96	0.163	
9325	8/25/27	2	2	2	23	97	0.163	
9325	8/25/27	2	2	2	23	98	0.163	
9325	8/25/27	2	2	2	23	99	0.163	
9325	8/25/27	2	2	2	23	100	0.163	
9325	8/25/27	2	2	2	23	101	0.163	
9325	8/25/27	2	2	2	23	102	0.163	
9325	8/25/27	2	2	2	23	103	0.163	
9325	8/25/27	2	2	2	23	104	0.163	
9325	8/25/27	2	2	2	23	105	0.163	
9325	8/25/27	2	2	2	23	106	0.163	
9325	8/25/27	2	2	2	23	107	0.163	
9325	8/25/27	2	2	2	23	108	0.149	
9325	8/25/27	2	2	2	23	109	1.125	
9325	8/25/27	2	2	2	24	1	2.687	
9325	8/25/27	2	2	2	24	2	5.145	
9325	8/25/27	2	2	2	24	3	2.781	
9325	8/25/27	2	2	2	24	4	2.676	
9325	8/25/27	2	2	2	24	5	2.435	
9325	8/25/27	2	2	2	24	6	2.743	
9325	8/25/27	2	2	2	24	7	2.815	
9325	8/25/27	2	2	2	24	8	30.536	
9325	8/25/27	2	2	2	24	9	7.441	
9325	8/25/27	2	2	2	24	10	13.431	
9325	8/25/27	2	2	2	24	11	10.512	
9325	8/25/27	2	2	2	24	12	119.417	
9325	8/25/27	2	2	2	24	13	115.889	
9325	8/25/27	2	2	2	24	14	64.079	
9325	8/25/27	2	2	2	24	15	26.694	
9325	8/25/27	2	2	2	24	16	111.125	
9325	8/25/27	2	2	2	24	17	39.018	
9325	8/25/27	2	2	2	24	18	7.855	
9325	10/3/55	2	2	3	1	65	1.427	
9325	6/12/62	2	2	3	1	71	0.696	
9325	4/25/27	2	2	3	2	3	40.000	
9325	1/26/32	2	2	3	2	3	7.510	
9325	8/13/47	2	2	3	38	7	0.080	
9325	5/4/39	2	2	3	38	8	0.051	
9325	8/13/47	2	2	3	38	8	0.006	
9325	10/8/34	2	2	3	38	11	0.105	
9325	10/8/34	2	2	3	38	32	0.046	
9325	3/25/39	2	2	3	38	32	0.105	
9325	4/28/31	2	2	3	39	1	0.122	
9325	4/28/31	2	2	3	39	3	0.122	
9325	4/28/31	2	2	3	39	9	0.205	
9325	4/28/31	2	2	3	39	11	0.172	
9325	4/28/31	2	2	3	39	12	0.015	
9325	4/6/66	2	2	3	62	2	0.088	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
S-14439	4/6/60	2	2	3	62	3		11837	10/17/49	2	3	9	1	2	26	0.177	
S-14502	8/9/66	2	2	3	62	4		11837	10/17/49	2	3	9	1	2	27	0.056	
8432	4/4/24	2	2	4	15	7		11837	10/17/49	2	3	9	1	2	28	2.610	
9258	5/12/27	2	2	4	15	8		11837	10/17/49	2	3	9	1	2	29	1.825	
9301	7/28/27	2	2	4	15	9		11837	10/17/49	2	3	9	1	2	30	1.250	
9302	7/28/27	2	2	4	15	10		11837	10/17/49	2	3	9	1	2	31	3.100	
8634	4/2/25	2	2	4	15	15		11837	10/17/49	2	3	9	1	2	32	1.399	
8634	4/2/25	2	2	4	15	16		11837	10/17/49	2	3	9	1	2	33	0.931	
8631	3/27/25	2	2	4	15	18		11837	10/17/49	2	3	9	1	2	34	2.000	
9625	12/29/28	2	2	4	15	19		11837	10/17/49	2	3	9	1	2	35	2.420	
9301	7/28/27	2	2	4	15	30		11837	10/17/49	2	3	9	1	2	36	1.470	
12904	6/13/55	2	2	4	15	31		11837	10/17/49	2	3	9	1	2	37	2.420	
9258	5/12/27	2	2	4	15	32		11837	10/17/49	2	3	9	1	2	38	0.706	
13442	2/21/58	2	2	4	15	34		11837	10/17/49	2	3	9	1	2	39	0.474	
S-15532	11/18/80	2	2	4	15			11837	10/17/49	2	3	9	1	2	40		
S-15264	8/22/75	2	2	4	15			11837	10/17/49	2	3	9	1	2	41		
10038	11/24/31	2	3	8	74	1	0.750	11837	10/17/49	2	3	9	1	2	42		
10038	11/24/31	2	3	8	74	2	0.175	11837	10/17/49	2	3	9	1	2	43		
10038	11/24/31	2	3	8	74	3	0.133	11837	10/17/49	2	3	9	1	2	44		
10038	11/24/31	2	3	8	74	4	0.033	11837	10/17/49	2	3	9	1	2	45		
10038	11/24/31	2	3	8	77	5	1.466	11837	10/17/49	2	3	9	1	2	46		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	47		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	48		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	49		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	50		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	51		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	52		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	53		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	54		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	55		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	56		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	57		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	58		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	59		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	60		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	61		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	62		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	63		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	64		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	65		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	66		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	67		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	68		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	69		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	70		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	71		
11837	10/17/49	2	3	9	1	2		11837	10/17/49	2	3	9	1	2	72		

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
11837	10/17/49	2	3	9	1	2	73	
11837	10/17/49	2	3	9	1	2	74	
11837	10/17/49	2	3	9	1	2	75	
11837	10/17/49	2	3	9	1	2	76	
11837	10/17/49	2	3	9	1	2	77	
11837	10/17/49	2	3	9	1	2	78	
11837	10/17/49	2	3	9	1	2	79	
11837	10/17/49	2	3	9	1	2	80	
11837	10/17/49	2	3	9	1	2	81	
11837	10/17/49	2	3	9	1	2	82	
11837	10/17/49	2	3	9	1	2	83	
11837	10/17/49	2	3	9	1	2	84	
11837	10/17/49	2	3	9	1	2	85	
11837	10/17/49	2	3	9	1	2	86	
11837	10/17/49	2	3	9	1	2	87	
11837	10/17/49	2	3	9	1	2	88	
11837	10/17/49	2	3	9	1	2	89	
11837	10/17/49	2	3	9	1	2	90	
11837	10/17/49	2	3	9	1	2	91	
11837	10/17/49	2	3	9	1	2	92	
11837	10/17/49	2	3	9	1	2	93	
11837	10/17/49	2	3	9	1	2	94	
11837	10/17/49	2	3	9	1	2	95	
11837	10/17/49	2	3	9	1	2	96	
11837	10/17/49	2	3	9	1	2	97	
11837	10/17/49	2	3	9	1	2	98	
11837	10/17/49	2	3	9	1	2	99	
11837	10/17/49	2	3	9	1	2	100	
11837	10/17/49	2	3	9	1	2	101	
11837	10/17/49	2	3	9	1	2	102	
11837	10/17/49	2	3	9	1	2	103	
11837	10/17/49	2	3	9	1	2	104	
11837	10/17/49	2	3	9	1	2	105	
11837	10/17/49	2	3	9	1	2	106	
11837	10/17/49	2	3	9	1	2	107	
11837	10/17/49	2	3	9	1	2	108	
11837	10/17/49	2	3	9	1	2	109	
11837	10/17/49	2	3	9	1	2	110	
11837	10/17/49	2	3	9	1	2	111	
11837	10/17/49	2	3	9	1	2	112	
11837	10/17/49	2	3	9	1	2	113	
11837	10/17/49	2	3	9	1	2	114	
11837	10/17/49	2	3	9	1	2	115	
11837	10/17/49	2	3	9	1	2	116	
11837	10/17/49	2	3	9	1	2	117	
11837	10/17/49	2	3	9	1	2	118	
11837	10/17/49	2	3	9	1	2	119	
11837	10/17/49	2	3	9	1	2	120	
11837	10/17/49	2	3	9	1	2	121	
11837	10/17/49	2	3	9	1	2	122	
11837	10/17/49	2	3	9	1	2	123	
11837	10/17/49	2	3	9	1	2	124	
11837	10/17/49	2	3	9	1	2	125	
11837	10/17/49	2	3	9	1	2	126	
11837	10/17/49	2	3	9	1	2	127	
11837	10/17/49	2	3	9	1	2	128	
11837	10/17/49	2	3	9	1	2	129	
11837	10/17/49	2	3	9	1	2	130	
11837	10/17/49	2	3	9	1	2	131	
11837	10/17/49	2	3	9	1	2	132	
11837	10/17/49	2	3	9	1	2	133	
11837	10/17/49	2	3	9	1	2	134	
11837	10/17/49	2	3	9	1	2	135	
11837	10/17/49	2	3	9	1	2	136	
11837	10/17/49	2	3	9	1	2	137	
11837	10/17/49	2	3	9	1	2	138	
11837	10/17/49	2	3	9	1	2	139	
11837	10/17/49	2	3	9	1	2	140	
11837	10/17/49	2	3	9	1	2	141	
11837	10/17/49	2	3	9	1	2	142	
11837	10/17/49	2	3	9	1	2	143	
11837	10/17/49	2	3	9	1	2	144	
11837	10/17/49	2	3	9	1	2	145	
11837	10/17/49	2	3	9	1	2	146	
11837	10/17/49	2	3	9	1	2	147	
11837	10/17/49	2	3	9	1	2	148	
11837	10/17/49	2	3	9	1	2	149	
11837	10/17/49	2	3	9	1	2	150	
11837	10/17/49	2	3	9	1	2	151	
11837	10/17/49	2	3	9	1	2	152	
11837	10/17/49	2	3	9	1	2	153	
11837	10/17/49	2	3	9	1	2	154	
11837	10/17/49	2	3	9	1	2	155	
11837	10/17/49	2	3	9	1	2	156	
11837	10/17/49	2	3	9	1	2	157	
11837	10/17/49	2	3	9	1	2	158	
11837	10/17/49	2	3	9	1	2	159	
11837	10/17/49	2	3	9	1	2	160	
11837	10/17/49	2	3	9	1	2	161	
11837	10/17/49	2	3	9	1	2	162	
11837	10/17/49	2	3	9	1	2	163	
11837	10/17/49	2	3	9	1	2	164	
11837	10/17/49	2	3	9	1	2	165	
11837	10/17/49	2	3	9	1	2	166	

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
11837	10/17/49	2	3	9	1	2	167	
11837	10/17/49	2	3	9	1	2	168	
11837	10/17/49	2	3	9	1	2	169	
11837	10/17/49	2	3	9	1	2	170	
11837	10/17/49	2	3	9	1	2	171	
11837	10/17/49	2	3	9	1	2	172	
11837	10/17/49	2	3	9	1	2	173	
11837	10/17/49	2	3	9	1	2	174	
11837	10/17/49	2	3	9	1	2	175	
11837	10/17/49	2	3	9	1	2	176	
11837	10/17/49	2	3	9	1	2	177	
11837	10/17/49	2	3	9	1	2	178	
11837	10/17/49	2	3	9	1	2	179	
11837	10/17/49	2	3	9	1	2	180	
11837	10/17/49	2	3	9	1	2	181	
11837	10/17/49	2	3	9	1	2	182	
11837	10/17/49	2	3	9	1	2	183	
11837	10/17/49	2	3	9	1	2	184	
11837	10/17/49	2	3	9	1	2	185	
11837	10/17/49	2	3	9	1	2	186	
11837	10/17/49	2	3	9	1	2	187	
11837	10/17/49	2	3	9	1	2	188	
11837	10/17/49	2	3	9	1	2	189	
11837	10/17/49	2	3	9	1	2	190	
11837	10/17/49	2	3	9	1	2	191	
11837	10/17/49	2	3	9	1	2	192	
11837	10/17/49	2	3	9	1	2	193	
11837	10/17/49	2	3	9	1	2	194	
11837	10/17/49	2	3	9	1	2	195	
11837	10/17/49	2	3	9	1	2	196	
11837	10/17/49	2	3	9	1	2	197	
11837	10/17/49	2	3	9	1	2	198	
11837	10/17/49	2	3	9	1	2	199	
11837	10/17/49	2	3	9	1	2	200	
11837	10/17/49	2	3	9	1	2	201	
11837	10/17/49	2	3	9	1	2	202	
11837	10/17/49	2	3	9	1	2	203	
11837	10/17/49	2	3	9	1	2	204	
11837	10/17/49	2	3	9	1	2	205	
11837	10/17/49	2	3	9	1	2	206	
11837	10/17/49	2	3	9	1	2	207	
11837	10/17/49	2	3	9	1	2	208	
11837	10/17/49	2	3	9	1	2	209	
11837	10/17/49	2	3	9	1	2	210	
11837	10/17/49	2	3	9	1	2	211	
11837	10/17/49	2	3	9	1	2	212	
11837	10/17/49	2	3	9	1	2	213	
11837	10/17/49	2	3	9	1	2	214	
11837	10/17/49	2	3	9	1	2	215	
11837	10/17/49	2	3	9	1	2	216	
11837	10/17/49	2	3	9	1	2	217	
11837	10/17/49	2	3	9	1	2	218	
11837	10/17/49	2	3	9	1	2	219	
11837	10/17/49	2	3	9	1	2	220	
11837	10/17/49	2	3	9	1	2	221	
11837	10/17/49	2	3	9	1	2	222	
11837	10/17/49	2	3	9	1	2	223	
11837	10/17/49	2	3	9	1	2	224	
11837	10/17/49	2	3	9	1	2	225	
9884	8/11/30	2	3	9	1	4	0	3.970
9884	8/11/30	2	3	9	1	4	1	
9884	8/11/30	2	3	9	1	4	2	
9884	8/11/30	2	3	9	1	4	3	
9884	8/11/30	2	3	9	1	4	4	
9884	8/11/30	2	3	9	1	4	5	
9884	8/11/30	2	3	9	1	4	6	
9884	8/11/30	2	3	9	1	4	7	
9884	8/11/30	2	3	9	1	4	8	
9884	8/11/30	2	3	9	1	4	9	
9884	8/11/30	2	3	9	1	4	10	
9884	8/11/30	2	3	9	1	4	11	
9884	8/11/30	2	3	9	1	4	12	
9884	8/11/30	2	3	9	1	4	13	
9884	8/11/30	2	3	9	1	4	14	
9884	8/11/30	2	3	9	1	4	15	
9884	8/11/30	2	3	9	1	4	16	
9884	8/11/30	2	3	9	1	4	17	
9884	8/11/30	2	3	9	1	4	18	
9884	8/11/30	2	3	9	1	4	19	
9884	8/11/30	2	3	9	1	4	20	
9884	8/11/30	2	3	9	1	4	21	
9884	8/11/30	2	3	9	1	4	22	
9884	8/11/30	2	3	9	1	4	23	
9884	8/11/30	2	3	9	1	4	24	
9884	8/11/30	2	3	9	1	4	25	
9884	8/11/30	2	3	9	1	4	26	
9884	8/11/30	2	3	9	1	4	27	
9884	8/11/30	2	3	9	1	4	28	
9884	8/11/30	2	3	9	1	4	29	
9884	8/11/30	2	3	9	1	4	30	
9884	8/11/30	2	3	9	1	4	31	
9884	8/11/30	2	3	9	1	4	32	
9884	8/11/30	2	3	9	1	4	33	
9884	8/11/30	2	3	9	1	4	34	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
9884	8/11/30	2	3	9	1	4	35										
9884	8/11/30	2	3	9	1	4	36										
9884	8/11/30	2	3	9	1	4	37										
9884	8/11/30	2	3	9	1	4	38										
9884	8/11/30	2	3	9	1	4	39										
9884	8/11/30	2	3	9	1	4	40										
9884	8/11/30	2	3	9	1	4	41										
9884	8/11/30	2	3	9	1	4	42										
9884	8/11/30	2	3	9	1	4	43										
9884	8/11/30	2	3	9	1	4	44										
9884	8/11/30	2	3	9	1	4	45										
9884	8/11/30	2	3	9	1	4	46										
9884	8/11/30	2	3	9	1	4	47										
9884	8/11/30	2	3	9	1	4	48										
9884	8/11/30	2	3	9	1	4	49										
9884	8/11/30	2	3	9	1	4	50										
9884	8/11/30	2	3	9	1	4	51										
9884	8/11/30	2	3	9	1	4	52										
9884	8/11/30	2	3	9	1	4	53										
9884	8/11/30	2	3	9	1	4	54										
9884	8/11/30	2	3	9	1	4	55										
9884	8/11/30	2	3	9	1	4	56										
9884	8/11/30	2	3	9	1	4	57										
9884	8/11/30	2	3	9	1	4	58										
9681	4/2/29	2	3	9	1	9	0	11400	6/25/47								
S-15262	8/22/75	2	3	9	1	13	1	12983	12/1/55							2.185	
		2	3	9	1	13	2	12983	12/1/55								
		2	3	9	1	13	3	12983	12/1/55								
		2	3	9	1	13	4	12983	12/1/55								
		2	3	9	1	13	5	12983	12/1/55								
		2	3	9	1	13	6	12983	12/1/55								
		2	3	9	1	13	7	12983	12/1/55								
		2	3	9	1	13	8	12983	12/1/55								
		2	3	9	1	13	9	12983	12/1/55								
		2	3	9	1	13	10	12983	12/1/55								
		2	3	9	1	13	11	12983	12/1/55								
		2	3	9	1	13	12	12983	12/1/55								
		2	3	9	1	13	13	12983	12/1/55								
		2	3	9	1	13	14	12983	12/1/55								
		2	3	9	1	13	15	12983	12/1/55								
		2	3	9	1	13	16	12983	12/1/55								
		2	3	9	1	13	17	12983	12/1/55								
		2	3	9	1	13	18	12983	12/1/55								
		2	3	9	1	13	19	12983	12/1/55								
		2	3	9	1	13	20	12983	12/1/55								
		2	3	9	1	13	21	12983	12/1/55								
		2	3	9	1	13	22	12983	12/1/55								
		2	3	9	1	13	23	12983	12/1/55								
		2	3	9	1	13	24	12983	12/1/55								

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
12983	12/1/55	2	3	9	1	43	25	
12983	12/1/55	2	3	9	1	43	26	
12983	12/1/55	2	3	9	1	43	27	
12983	12/1/55	2	3	9	1	43	28	
12983	12/1/55	2	3	9	1	43	29	
12983	12/1/55	2	3	9	1	43	30	
12983	12/1/55	2	3	9	1	43	31	
12983	12/1/55	2	3	9	1	43	32	
12983	12/1/55	2	3	9	1	43	33	
12983	12/1/55	2	3	9	1	43	34	
12983	12/1/55	2	3	9	1	43	35	
12983	12/1/55	2	3	9	1	43	36	
12983	12/1/55	2	3	9	1	43	37	
12983	12/1/55	2	3	9	1	43	38	
12983	12/1/55	2	3	9	1	43	39	
12983	12/1/55	2	3	9	1	43	40	
12983	12/1/55	2	3	9	1	43	41	
12983	12/1/55	2	3	9	1	43	42	
12983	12/1/55	2	3	9	1	43	43	
12983	12/1/55	2	3	9	1	43	44	
12983	12/1/55	2	3	9	1	43	45	
12983	12/1/55	2	3	9	1	43	46	
12983	12/1/55	2	3	9	1	43	47	
12983	12/1/55	2	3	9	1	43	48	
12983	12/1/55	2	3	9	1	43	49	
12983	12/1/55	2	3	9	1	43	50	
12983	12/1/55	2	3	9	1	43	51	
12983	12/1/55	2	3	9	1	43	52	
12983	12/1/55	2	3	9	1	43	53	
12465	9/29/53	2	3	9	1	44	0	1.930
12465	9/29/53	2	3	9	1	44	1	
12465	9/29/53	2	3	9	1	44	2	
12465	9/29/53	2	3	9	1	44	3	
12465	9/29/53	2	3	9	1	44	4	
12465	9/29/53	2	3	9	1	44	5	
12465	9/29/53	2	3	9	1	44	6	
12465	9/29/53	2	3	9	1	44	7	
12465	9/29/53	2	3	9	1	44	8	
12465	9/29/53	2	3	9	1	44	9	
12465	9/29/53	2	3	9	1	44	10	
12465	9/29/53	2	3	9	1	44	11	
12465	9/29/53	2	3	9	1	44	12	
12465	9/29/53	2	3	9	1	44	13	
12465	9/29/53	2	3	9	1	44	14	
12465	9/29/53	2	3	9	1	44	15	
12465	9/29/53	2	3	9	1	44	16	
12465	9/29/53	2	3	9	1	44	17	
12465	9/29/53	2	3	9	1	44	18	
12465	9/29/53	2	3	9	1	44	19	
12465	9/29/53	2	3	9	1	44	20	
12465	9/29/53	2	3	9	1	44	21	
12465	9/29/53	2	3	9	1	44	22	
12465	9/29/53	2	3	9	1	44	23	
12465	9/29/53	2	3	9	1	44	24	
12465	9/29/53	2	3	9	1	44	25	
12465	9/29/53	2	3	9	1	44	26	
12465	9/29/53	2	3	9	1	44	27	
12465	9/29/53	2	3	9	1	44	28	
12465	9/29/53	2	3	9	1	44	29	
12465	9/29/53	2	3	9	1	44	30	
12465	9/29/53	2	3	9	1	44	31	
12465	9/29/53	2	3	9	1	44	32	
12465	9/29/53	2	3	9	1	44	33	
12465	9/29/53	2	3	9	1	44	34	
12465	9/29/53	2	3	9	1	44	35	
12465	9/29/53	2	3	9	1	44	36	
12465	9/29/53	2	3	9	1	44	37	
12465	9/29/53	2	3	9	1	44	38	
12465	9/29/53	2	3	9	1	44	39	
12465	9/29/53	2	3	9	1	44	40	
12465	9/29/53	2	3	9	1	44	41	
12465	9/29/53	2	3	9	1	44	42	
12465	9/29/53	2	3	9	1	44	43	
12465	9/29/53	2	3	9	1	44	44	
12465	9/29/53	2	3	9	1	44	45	
12465	9/29/53	2	3	9	1	44	46	
12465	9/29/53	2	3	9	1	44	47	
12465	9/29/53	2	3	9	1	44	48	
12465	9/29/53	2	3	9	1	44	49	
12465	9/29/53	2	3	9	1	44	50	
12465	9/29/53	2	3	9	1	44	51	
12465	9/29/53	2	3	9	1	44	52	
12465	9/29/53	2	3	9	1	44	53	
9884	8/11/30	2	3	9	1	56	0	0.712
9884	8/11/30	2	3	9	1	56	1	
9884	8/11/30	2	3	9	1	56	2	
9884	8/11/30	2	3	9	1	56	3	
9884	8/11/30	2	3	9	1	56	4	
9884	8/11/30	2	3	9	1	56	5	
9884	8/11/30	2	3	9	1	56	6	
9884	8/11/30	2	3	9	1	56	7	
9884	8/11/30	2	3	9	1	56	8	
9884	8/11/30	2	3	9	1	56	9	
9884	8/11/30	2	3	9	1	56	10	
9884	8/11/30	2	3	9	1	56	11	
9884	8/11/30	2	3	9	1	56	12	
9884	8/11/30	2	3	9	1	56	13	
9884	8/11/30	2	3	9	1	56	14	
9884	8/11/30	2	3	9	1	56	15	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
9884	8/11/30	2	3	9	1	56	16	9681	4/2/29	2	3	9	1	75	1		
9884	8/11/30	2	3	9	1	56	17	9681	4/2/29	2	3	9	1	75	2		
9884	8/11/30	2	3	9	1	56	18	9681	4/2/29	2	3	9	1	75	3		
9884	8/11/30	2	3	9	1	57	0	9681	4/2/29	2	3	9	1	75	4		
9884	8/11/30	2	3	9	1	57	1	9681	4/2/29	2	3	9	1	75	5		
9884	8/11/30	2	3	9	1	57	2	9681	4/2/29	2	3	9	1	75	6		
9884	8/11/30	2	3	9	1	57	3	9681	4/2/29	2	3	9	1	75	7		
9884	8/11/30	2	3	9	1	57	4	9681	4/2/29	2	3	9	1	75	8		
9884	8/11/30	2	3	9	1	57	5	9681	4/2/29	2	3	9	1	75	9		
9884	8/11/30	2	3	9	1	57	6	9681	4/2/29	2	3	9	1	75	10		
9884	8/11/30	2	3	9	1	57	7	9681	4/2/29	2	3	9	1	75	11		
9884	8/11/30	2	3	9	1	57	8	9681	4/2/29	2	3	9	1	75	12		
9884	8/11/30	2	3	9	1	57	9	9681	4/2/29	2	3	9	1	75	13		
9884	8/11/30	2	3	9	1	57	10	9681	4/2/29	2	3	9	1	75	14		
9884	8/11/30	2	3	9	1	57	11	9681	4/2/29	2	3	9	1	75	15		
9884	8/11/30	2	3	9	1	57	12	9681	4/2/29	2	3	9	1	75	16		
9884	8/11/30	2	3	9	1	57	13	9681	4/2/29	2	3	9	1	75	17		
9884	8/11/30	2	3	9	1	57	14	9681	4/2/29	2	3	9	1	75	18		
9884	8/11/30	2	3	9	1	57	15	9681	4/2/29	2	3	9	1	75	19		
9884	8/11/30	2	3	9	1	57	16	9681	4/2/29	2	3	9	1	75	20		
9884	8/11/30	2	3	9	1	57	17	9681	4/2/29	2	3	9	1	75	21		
9884	8/11/30	2	3	9	1	57	18	9681	4/2/29	2	3	9	1	75	22		
9884	8/11/30	2	3	9	1	57	19	9681	4/2/29	2	3	9	1	75	23		
9884	8/11/30	2	3	9	1	57	20	9681	4/2/29	2	3	9	1	75	24		
9884	8/11/30	2	3	9	1	57	21	9681	4/2/29	2	3	9	1	75	25		
9884	8/11/30	2	3	9	1	57	22	9681	4/2/29	2	3	9	1	75	26		
9884	8/11/30	2	3	9	1	57	23	9681	4/2/29	2	3	9	1	75	27		
9884	8/11/30	2	3	9	1	57	24	9681	4/2/29	2	3	9	1	75	28		
9884	8/11/30	2	3	9	1	57	25	9681	4/2/29	2	3	9	1	75	29		
9884	8/11/30	2	3	9	1	57	26	9681	4/2/29	2	3	9	1	75	30		
9884	8/11/30	2	3	9	1	57	27	9681	4/2/29	2	3	9	1	75	31		
9884	8/11/30	2	3	9	1	57	28	9681	4/2/29	2	3	9	1	75	32		
9884	8/11/30	2	3	9	1	57	29	9681	4/2/29	2	3	9	1	75	33		
9884	8/11/30	2	3	9	1	57	30	9681	4/2/29	2	3	9	1	75	34		
9884	8/11/30	2	3	9	1	57	31	9681	4/2/29	2	3	9	1	75	35		
9884	8/11/30	2	3	9	1	57	32	9681	4/2/29	2	3	9	1	75	36		
9884	8/11/30	2	3	9	1	57	33	9681	4/2/29	2	3	9	1	75	37		
9884	8/11/30	2	3	9	1	57	34	9681	4/2/29	2	3	9	1	75	38		
9884	8/11/30	2	3	9	1	57	35	9681	4/2/29	2	3	9	1	75	39		
9884	8/11/30	2	3	9	1	57	36	9681	4/2/29	2	3	9	1	75	40		
9884	8/11/30	2	3	9	1	57	37	9681	4/2/29	2	3	9	1	75	41		
9884	8/11/30	2	3	9	1	57	38	9681	4/2/29	2	3	9	1	75	42		
9884	8/11/30	2	3	9	1	57	39	9681	4/2/29	2	3	9	1	75	43		
9884	8/11/30	2	3	9	1	57	40	9681	4/2/29	2	3	9	1	75	44		
9884	8/11/30	2	3	9	1	57	41	9681	4/2/29	2	3	9	1	75	45		
9884	8/11/30	2	3	9	1	57	42	9681	4/2/29	2	3	9	1	75	46		
9681	4/2/29	2	3	9	1	75	0	9681	4/2/29	2	3	9	1	75	47	3.110	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
9681	4/2/29	2	3	9	1	75	48	
9681	4/2/29	2	3	9	1	75	49	
9681	4/2/29	2	3	9	1	75	50	
9681	4/2/29	2	3	9	1	75	51	
9681	4/2/29	2	3	9	1	75	52	
9681	4/2/29	2	3	9	1	75	53	
9681	4/2/29	2	3	9	1	75	54	
9681	4/2/29	2	3	9	1	75	55	
9681	4/2/29	2	3	9	1	75	56	
9681	4/2/29	2	3	9	1	75	57	
9681	4/2/29	2	3	9	1	75	58	
9681	4/2/29	2	3	9	1	75	59	
9681	4/2/29	2	3	9	1	75	60	
9681	4/2/29	2	3	9	1	75	61	
9681	4/2/29	2	3	9	1	75	62	
9681	4/2/29	2	3	9	1	75	63	
9681	4/2/29	2	3	9	1	75	64	
9681	4/2/29	2	3	9	1	75	65	
9681	4/2/29	2	3	9	1	75	66	
9681	4/2/29	2	3	9	1	75	67	
9681	4/2/29	2	3	9	1	75	68	
9681	4/2/29	2	3	9	1	75	69	
9681	4/2/29	2	3	9	1	75	70	
9681	4/2/29	2	3	9	1	75	71	
9681	4/2/29	2	3	9	1	75	72	
9681	4/2/29	2	3	9	1	75	73	
9681	4/2/29	2	3	9	1	75	74	
9681	4/2/29	2	3	9	1	75	75	
9681	4/2/29	2	3	9	1	75	76	
9681	4/2/29	2	3	9	1	75	77	
9681	4/2/29	2	3	9	1	75	78	
9681	4/2/29	2	3	9	1	75	79	
9681	4/2/29	2	3	9	1	75	80	
9681	4/2/29	2	3	9	1	75	81	
9681	4/2/29	2	3	9	1	75	82	
9681	4/2/29	2	3	9	1	75	83	
9681	4/2/29	2	3	9	1	75	84	
9681	4/2/29	2	3	9	1	75	85	
9681	4/2/29	2	3	9	1	75	86	
9681	4/2/29	2	3	9	1	75	87	
9681	4/2/29	2	3	9	1	75	88	
9681	4/2/29	2	3	9	1	75	89	
9681	4/2/29	2	3	9	1	75	90	
9681	4/2/29	2	3	9	1	75	91	
9681	4/2/29	2	3	9	1	75	92	
9681	4/2/29	2	3	9	1	75	93	
9681	4/2/29	2	3	9	1	75	94	
9681	4/2/29	2	3	9	1	75	95	
9681	4/2/29	2	3	9	1	75	96	
9681	4/2/29	2	3	9	1	75	97	
9681	4/2/29	2	3	9	1	75	98	
9681	4/2/29	2	3	9	1	75	99	
9681	4/2/29	2	3	9	1	75	100	
9681	4/2/29	2	3	9	1	75	101	
9681	4/2/29	2	3	9	1	75	102	
9681	4/2/29	2	3	9	1	75	103	
9681	4/2/29	2	3	9	1	75	104	
9681	4/2/29	2	3	9	1	75	105	
9681	4/2/29	2	3	9	1	75	106	
9681	4/2/29	2	3	9	1	75	107	
9681	4/2/29	2	3	9	1	75	108	
9681	4/2/29	2	3	9	1	75	109	
9681	4/2/29	2	3	9	1	75	110	
9681	4/2/29	2	3	9	1	75	111	
9681	4/2/29	2	3	9	1	75	112	
9681	4/2/29	2	3	9	1	75	113	
9681	4/2/29	2	3	9	1	75	114	
9681	4/2/29	2	3	9	1	75	115	
9681	4/2/29	2	3	9	1	75	116	
9681	4/2/29	2	3	9	1	75	117	
9681	4/2/29	2	3	9	1	75	118	
9681	4/2/29	2	3	9	1	75	119	
9681	4/2/29	2	3	9	1	75	120	
9681	4/2/29	2	3	9	1	75	121	
9681	4/2/29	2	3	9	1	75	122	
9681	4/2/29	2	3	9	1	75	123	
9681	4/2/29	2	3	9	1	75	124	
9681	4/2/29	2	3	9	1	75	125	
9681	4/2/29	2	3	9	1	75	126	
9681	4/2/29	2	3	9	1	75	127	
9681	4/2/29	2	3	9	1	75	128	
9681	4/2/29	2	3	9	1	75	129	
9681	4/2/29	2	3	9	1	75	130	
9681	4/2/29	2	3	9	1	75	131	
9681	4/2/29	2	3	9	1	75	132	
9681	4/2/29	2	3	9	1	75	133	
9681	4/2/29	2	3	9	1	75	134	
9681	4/2/29	2	3	9	1	75	135	
9681	4/2/29	2	3	9	1	75	136	
9681	4/2/29	2	3	9	1	75	137	
9681	4/2/29	2	3	9	1	75	138	
9681	4/2/29	2	3	9	1	75	139	
9681	4/2/29	2	3	9	1	75	140	
9681	4/2/29	2	3	9	1	75	141	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
9681	4/2/29	2	3	9	1	75	142	
9681	4/2/29	2	3	9	1	75	143	
9681	4/2/29	2	3	9	1	75	144	
9681	4/2/29	2	3	9	1	75	145	
9681	4/2/29	2	3	9	1	75	146	
9681	4/2/29	2	3	9	1	75	147	
9681	4/2/29	2	3	9	1	75	148	
9681	4/2/29	2	3	9	1	75	149	
9681	4/2/29	2	3	9	1	75	150	
9681	4/2/29	2	3	9	1	75	151	
9681	4/2/29	2	3	9	1	75	152	
9681	4/2/29	2	3	9	1	75	153	
9681	4/2/29	2	3	9	1	75	154	
9681	4/2/29	2	3	9	1	75	155	
9681	4/2/29	2	3	9	1	75	156	
9681	4/2/29	2	3	9	1	75	157	
9681	4/2/29	2	3	9	1	75	158	
9681	4/2/29	2	3	9	1	75	159	
9681	4/2/29	2	3	9	1	75	160	
9681	4/2/29	2	3	9	1	75	161	
9681	4/2/29	2	3	9	1	75	162	
9681	4/2/29	2	3	9	1	75	163	
9681	4/2/29	2	3	9	1	75	164	
9681	4/2/29	2	3	9	1	75	165	
9681	4/2/29	2	3	9	1	75	166	
9681	4/2/29	2	3	9	1	75	167	
9681	4/2/29	2	3	9	1	75	168	
9681	4/2/29	2	3	9	1	75	169	
9884	8/11/30	2	3	9	1	77	0	
9884	8/11/30	2	3	9	1	110	0	
9884	8/11/30	2	3	9	1	110	1	
9884	8/11/30	2	3	9	1	110	2	
9884	8/11/30	2	3	9	1	110	3	
9884	8/11/30	2	3	9	1	110	4	
9884	8/11/30	2	3	9	1	110	5	
9884	8/11/30	2	3	9	1	110	6	
9884	8/11/30	2	3	9	1	110	7	
9884	8/11/30	2	3	9	1	110	8	
9884	8/11/30	2	3	9	1	110	9	
9884	8/11/30	2	3	9	1	110	10	
9884	8/11/30	2	3	9	1	110	11	
9884	8/11/30	2	3	9	1	110	12	
9884	8/11/30	2	3	9	1	110	13	
9884	8/11/30	2	3	9	1	110	14	
9884	8/11/30	2	3	9	1	110	15	
9884	8/11/30	2	3	9	1	110	16	
9884	8/11/30	2	3	9	1	110	17	
9884	8/11/30	2	3	9	1	110	18	
9884	8/11/30	2	3	9	1	110	19	
9884	8/11/30	2	3	9	1	110	20	
9884	8/11/30	2	3	9	1	110	21	
9884	8/11/30	2	3	9	1	110	22	
9884	8/11/30	2	3	9	1	110	23	
9884	8/11/30	2	3	9	1	110	24	
9884	8/11/30	2	3	9	1	110	25	
9884	8/11/30	2	3	9	1	110	26	
9884	8/11/30	2	3	9	1	110	27	
9884	8/11/30	2	3	9	1	110	28	
9884	8/11/30	2	3	9	1	110	29	
9884	8/11/30	2	3	9	1	110	30	
9884	8/11/30	2	3	9	1	110	31	
9884	8/11/30	2	3	9	1	110	32	
9884	8/11/30	2	3	9	1	110	33	
9884	8/11/30	2	3	9	1	110	34	
9884	8/11/30	2	3	9	1	110	35	
9884	8/11/30	2	3	9	1	110	36	
9884	8/11/30	2	3	9	1	110	37	

11.935

0.060
0.552

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
11647	11/4/48	2	3	9	2	24	38	10809	1/19/40	2	3	9	3	15	14		
11647	11/4/48	2	3	9	2	24	39	10809	1/19/40	2	3	9	3	15	15	0.327	
11647	11/4/48	2	3	9	2	24	40	10809	1/19/40	2	3	9	3	16			
11647	11/4/48	2	3	9	2	24	41	S-14699	12/4/67	2	3	9	4	RD			
11647	11/4/48	2	3	9	2	24	42	10297	4/24/35	2	3	9	4	26		1.000	
11647	11/4/48	2	3	9	2	24	43	13460	3/19/58	2	3	9	4	100		0.565	
11647	11/4/48	2	3	9	2	24	44	13528	9/26/58	2	3	9	4	101		0.547	
11647	11/4/48	2	3	9	2	24	45	S-13829	10/9/61	2	3	9	4	102		0.536	
11647	11/4/48	2	3	9	2	24	46	13495	5/29/58	2	3	9	4	103		0.555	
11647	11/4/48	2	3	9	2	24	47	13121	6/21/56	2	3	9	4	104		0.581	
11647	11/4/48	2	3	9	2	24	48	13595	3/18/59	2	3	9	4	105		0.614	
11647	11/4/48	2	3	9	2	24	49	11905	3/6/50	2	3	9	5	3		1.394	
11647	11/4/48	2	3	9	2	24	50	11905	3/6/50	2	3	9	5	4		0.511	
11647	11/4/48	2	3	9	2	24	51	10914	12/31/40	2	3	9	5	6		1.840	
11647	11/4/48	2	3	9	2	24	52	10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	24	53	10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	24	54	10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	24	55	10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	24	56	10914	12/31/40	2	3	9	5	6			
10115	10/9/32	2	3	9	2	30		10914	12/31/40	2	3	9	5	6			
10043	12/4/31	2	3	9	2	32		10914	12/31/40	2	3	9	5	6			
11071	8/20/42	2	3	9	2	34		10914	12/31/40	2	3	9	5	6			
10115	10/9/32	2	3	9	2	109		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	112		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	133		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	134		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	135		10914	12/31/40	2	3	9	5	6			
11071	8/20/42	2	3	9	2	139		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	147		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	147		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	148		10914	12/31/40	2	3	9	5	6			
11647	11/4/48	2	3	9	2	148		10914	12/31/40	2	3	9	5	6			
10115	10/9/32	2	3	9	2	155		10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	0	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	1	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	2	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	3	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	4	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	5	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	6	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	7	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	8	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	9	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	10	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	11	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	12	10914	12/31/40	2	3	9	5	6			
10809	1/19/40	2	3	9	3	15	13	10914	12/31/40	2	3	9	5	6			

Kula Claims by Grant Numbers

Grant No.	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
	Div	Zone	Sect							Div	Zone	Sect				
10914	2	3	9	5	6	34		12290	6/5/52	2	3	9	5	8	0	0.780
10914	2	3	9	5	6	35		12290	6/5/52	2	3	9	5	8	1	
10914	2	3	9	5	6	36		12290	6/5/52	2	3	9	5	8	2	
10914	2	3	9	5	6	37		12290	6/5/52	2	3	9	5	8	3	
10914	2	3	9	5	6	38		12290	6/5/52	2	3	9	5	8	4	
10914	2	3	9	5	6	39		12290	6/5/52	2	3	9	5	8	5	
10914	2	3	9	5	6	40		12290	6/5/52	2	3	9	5	8	6	
10914	2	3	9	5	6	41		12290	6/5/52	2	3	9	5	8	7	
10914	2	3	9	5	6	42		12290	6/5/52	2	3	9	5	8	8	
10914	2	3	9	5	6	43		12290	6/5/52	2	3	9	5	8	9	
10914	2	3	9	5	6	44		12290	6/5/52	2	3	9	5	8	10	
10914	2	3	9	5	6	45		12290	6/5/52	2	3	9	5	8	11	
10914	2	3	9	5	6	46		12290	6/5/52	2	3	9	5	8	12	
10914	2	3	9	5	6	47		12290	6/5/52	2	3	9	5	8	13	
10914	2	3	9	5	6	48		12290	6/5/52	2	3	9	5	8	14	
10914	2	3	9	5	6	49		12290	6/5/52	2	3	9	5	8	15	
10914	2	3	9	5	6	50		12290	6/5/52	2	3	9	5	8	16	
10914	2	3	9	5	6	51		12290	6/5/52	2	3	9	5	8	17	
10914	2	3	9	5	6	52		12290	6/5/52	2	3	9	5	8	18	
10914	2	3	9	5	6	53		12290	6/5/52	2	3	9	5	8	19	
10914	2	3	9	5	6	54		12290	6/5/52	2	3	9	5	8	20	
10914	2	3	9	5	6	55		12290	6/5/52	2	3	9	5	8	21	
10914	2	3	9	5	6	56		12290	6/5/52	2	3	9	5	8	22	
10914	2	3	9	5	6	57		12290	6/5/52	2	3	9	5	8	23	
10914	2	3	9	5	6	58		12290	6/5/52	2	3	9	5	8	24	
10914	2	3	9	5	6	59		12290	6/5/52	2	3	9	5	8	25	
10914	2	3	9	5	6	60		12290	6/5/52	2	3	9	5	8	26	
10914	2	3	9	5	6	61		12290	6/5/52	2	3	9	5	8	27	
10914	2	3	9	5	6	62		12290	6/5/52	2	3	9	5	8	28	
10914	2	3	9	5	6	63		12290	6/5/52	2	3	9	5	8	29	
10914	2	3	9	5	6	64		12290	6/5/52	2	3	9	5	8	30	
10914	2	3	9	5	6	65		12290	6/5/52	2	3	9	5	8	31	
10914	2	3	9	5	6	66		12290	6/5/52	2	3	9	5	8	32	
10914	2	3	9	5	6	67		12290	6/5/52	2	3	9	5	8	33	
10914	2	3	9	5	6	68		12290	6/5/52	2	3	9	5	8	34	
10914	2	3	9	5	6	69		12290	6/5/52	2	3	9	5	8	35	
10914	2	3	9	5	6	70		12290	6/5/52	2	3	9	5	8	36	
10914	2	3	9	5	6	71		13598	4/6/56	2	3	9	5	8	0	2.220
10914	2	3	9	5	6	72		13598	4/6/56	2	3	9	5	10	1	
10914	2	3	9	5	6	73		13598	4/6/56	2	3	9	5	10	2	
10914	2	3	9	5	6	74		13598	4/6/56	2	3	9	5	10	3	
10914	2	3	9	5	6	75		13598	4/6/56	2	3	9	5	10	4	
10914	2	3	9	5	6	76		13598	4/6/56	2	3	9	5	10	5	
10914	2	3	9	5	6	77		13598	4/6/56	2	3	9	5	10	6	
10914	2	3	9	5	6	78		13598	4/6/56	2	3	9	5	10	7	
10914	2	3	9	5	6	79		13598	4/6/56	2	3	9	5	10	8	
10914	2	3	9	5	6	80		13598	4/6/56	2	3	9	5	10	9	

Kula Claims by Grant Numbers

Grant No.	Tax Map Key			Grant Date	Grant No.	Grant Date	Tax Map Key			Land Area (Acres)		
	Div	Zone	Sect				Div	Zone	Sect			
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	57
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	58
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	59
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	60
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	61
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	62
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	63
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	64
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	65
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	66
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	67
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	68
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	69
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	70
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	71
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	72
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	73
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	74
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	75
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	76
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	77
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	78
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	79
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	80
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	81
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	82
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	83
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	84
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	85
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	86
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	87
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	88
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	89
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	90
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	91
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	92
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	93
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	94
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	95
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	96
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	97
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	98
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	99
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	100
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	101
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	102
13598	2	3	9	4/6/56	13598	4/6/56	2	3	9	5	10	103

Kula Claims by Grant Numbers

Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
12550	5/8/54	2	3	9	6	3		1.320	10043	12/4/31	2	3	9	7	37		0.292
11343	10/15/46	2	3	9	6	4		1.114	10043	12/4/31	2	3	9	7	38		0.265
11167	4/18/44	2	3	9	6	5		1.340	10043	12/4/31	2	3	9	7	39		0.265
11593	7/29/48	2	3	9	6	6		0.230	10043	12/4/31	2	3	9	7	40		0.265
11625	10/11/48	2	3	9	6	7		0.530	10043	12/4/31	2	3	9	7	41		0.273
11624	10/12/48	2	3	9	6	8		0.550	10043	12/4/31	2	3	9	7	42		0.272
12603	7/26/54	2	3	9	6	9		0.680	10043	12/4/31	2	3	9	7	43		0.273
10982	8/4/41	2	3	9	6	12		0.099	10043	12/4/31	2	3	9	7	44		0.287
11448	9/5/47	2	3	9	6	13		0.630	10043	12/4/31	2	3	9	7	45		0.287
12359	10/25/52	2	3	9	6	14		0.410	10043	12/4/31	2	3	9	7	46		0.287
13235	1/17/57	2	3	9	6	15		0.239	10043	12/4/31	2	3	9	7	47		0.287
12152	8/30/51	2	3	9	6	16		0.234	10043	12/4/31	2	3	9	7	48		0.287
13319	4/18/57	2	3	9	6	17		0.224	10043	12/4/31	2	3	9	7	49		0.287
10478	12/28/36	2	3	9	6	18		0.182	10043	12/4/31	2	3	9	7	50		0.287
10478	12/28/36	2	3	9	6	19		1.000	10043	12/4/31	2	3	9	7	51		0.272
10478	12/28/36	2	3	9	6	20		1.000	10043	12/4/31	2	3	9	7	52		0.272
11343	10/15/46	2	3	9	6	22		0.179	10043	12/4/31	2	3	9	7	53		0.269
12152	8/30/51	2	3	9	6	23		0.230	11071	8/20/42	2	3	9	7	63		0.261
13235	1/17/57	2	3	9	6	24		0.239	11071	8/20/42	2	3	9	7	64		0.234
13313	3/26/57	2	3	9	6	25		0.172	10806	1/9/40	2	3	9	8	3		0.959
13313	3/26/57	2	3	9	6	26		0.172	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	28		1.053	10806	1/9/40	2	3	9	8	3		
11593	7/29/48	2	3	9	6	30		0.266	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	31		0.172	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	32		0.172	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	33		0.203	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	34		0.219	10806	1/9/40	2	3	9	8	3		
10478	12/28/36	2	3	9	6	35		0.199	10806	1/9/40	2	3	9	8	3		
13319	4/18/57	2	3	9	6	36		0.224	10806	1/9/40	2	3	9	8	3		
13313	3/26/57	2	3	9	6	37		0.172	10806	1/9/40	2	3	9	8	3		
13313	3/26/57	2	3	9	6	38		0.172	10806	1/9/40	2	3	9	8	3		
13313	3/26/57	2	3	9	6	39		0.172	10806	1/9/40	2	3	9	8	3		
10485	2/19/37	2	3	9	7	1		0.298	10806	1/9/40	2	3	9	8	3		
10507	5/26/37	2	3	9	7	2		0.298	10806	1/9/40	2	3	9	8	3		
11071	8/20/42	2	3	9	7	7		7.215	10806	1/9/40	2	3	9	8	3		
11071	8/20/42	2	3	9	7	7		0.512	10806	1/9/40	2	3	9	8	3		
13285	2/9/57	2	3	9	7	23		0.177	10806	1/9/40	2	3	9	8	3		
12963	10/3/55	2	3	9	7	25		0.177	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	27		0.269	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	28		0.269	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	29		0.269	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	30		0.269	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	31		0.291	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	32		0.291	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	33		0.291	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	34		0.291	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	35		0.291	10806	1/9/40	2	3	9	8	3		
10043	12/4/31	2	3	9	7	36		0.292	10806	1/9/40	2	3	9	8	3		

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Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
10806	1/9/40	2	3	9	8	3		10276	2/11/35	2	3	9	8	10	0.298		
10806	1/9/40	2	3	9	8	3		10115	10/9/32	2	3	9	8	13	2.091		
10806	1/9/40	2	3	9	8	3		10115	10/9/32	2	3	9	8	14	1.023		
11398	6/25/47	2	3	9	8	4	0.464	10115	10/9/32	2	3	9	8	15	0.917		
11398	6/25/47	2	3	9	8	4		10115	10/9/32	2	3	9	8	16	0.928		
11398	6/25/47	2	3	9	8	4		10115	10/9/32	2	3	9	8	17	1.781		
11398	6/25/47	2	3	9	8	4		10115	10/9/32	2	3	9	8	18	1.074		
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31	0.347		
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		10806	1/9/40	2	3	9	8	31			
11398	6/25/47	2	3	9	8	4		11356	1/29/47	2	3	9	9	1	0.425		
11398	6/25/47	2	3	9	8	4		9973	4/1/31	2	3	9	9	2	0.243		
11398	6/25/47	2	3	9	8	4		9973	4/1/31	2	3	9	9	3	0.263		
11398	6/25/47	2	3	9	8	4		10133	1/25/33	2	3	9	9	10	0.118		
11398	6/25/47	2	3	9	8	4		9973	4/1/31	2	3	9	9	15	0.032		
11398	6/25/47	2	3	9	8	4		11356	1/29/47	2	3	9	9	25	0.278		
11398	6/25/47	2	3	9	8	4		11356	1/29/47	2	3	9	9	26	0.264		
11398	6/25/47	2	3	9	8	4		8413	2/13/24	2	3	9	9	30	0.344		
11398	6/25/47	2	3	9	8	4		12900	6/13/55	2	3	9	10	1	0.378		
11398	6/25/47	2	3	9	8	4		13218	10/26/56	2	3	9	10	2	0.374		
11398	6/25/47	2	3	9	8	4		12933	7/13/55	2	3	9	10	3	0.377		
11398	6/25/47	2	3	9	8	4		12866	4/16/55	2	3	9	10	4	0.379		
11398	6/25/47	2	3	9	8	4		12136	7/27/51	2	3	9	10	5	0.382		
11398	6/25/47	2	3	9	8	4		12231	1/24/52	2	3	9	10	6	0.385		
11398	6/25/47	2	3	9	8	4		13074	4/21/56	2	3	9	10	7	0.387		
11398	6/25/47	2	3	9	8	4		12877	5/9/55	2	3	9	10	8	0.390		
11398	6/25/47	2	3	9	8	4		10933	2/27/41	2	3	9	10	9	0.393		
10298	5/3/35	2	3	9	8	5	0.433	12946	8/10/55	2	3	9	10	9	0.373		
10592	2/16/38	2	3	9	8	6	0.465	12469	9/26/53	2	3	9	10	10	0.396		
10969	6/16/41	2	3	9	8	7	0.502	12575	6/2/54	2	3	9	10	11	0.399		
10226	5/31/34	2	3	9	8	8	0.462	12044	2/13/51	2	3	9	10	12	0.401		
10206	1/11/34	2	3	9	8	8	0.471	12642	8/25/54	2	3	9	10	13	0.404		
10206	1/11/34	2	3	9	8	9		12873	5/5/55	2	3	9	10	14	0.407		
10206	1/11/34	2	3	9	8	9		12430	5/29/53	2	3	9	10	15	0.409		
10206	1/11/34	2	3	9	8	9		13268	1/24/57	2	3	9	10	16	0.412		
10206	1/11/34	2	3	9	8	9		12151	8/30/51	2	3	9	10	17	0.415		
10206	1/11/34	2	3	9	8	9		12822		2	3	9	10	18	0.402		
10206	1/11/34	2	3	9	8	9		10933	2/27/41	2	3	9	10	19	0.996		
10206	1/11/34	2	3	9	8	9		10933	2/27/41	2	3	9	10	75	0.935		
10206	1/11/34	2	3	9	8	9		10933	2/27/41	2	3	9	10	76	0.996		
10206	1/11/34	2	3	9	8	9		10933	2/27/41	2	3	9	10	77	0.996		

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Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
10933	2/27/41	2	3	9	10	78		1.069	10425	8/7/36	2	3	9	11	44		0.311
10933	2/27/41	2	3	9	10	79		0.800	10425	8/7/36	2	3	9	11	45		0.311
10933	2/27/41	2	3	9	10	80		0.231	10425	8/7/36	2	3	9	11	46		0.311
12669	8/31/54	2	3	9	11	1		0.432	10425	8/7/36	2	3	9	11	47		0.329
12670	8/31/54	2	3	9	11	1		0.420	10425	8/7/36	2	3	9	11	48		0.325
13648	7/30/59	2	3	9	11	3		0.444	10425	8/7/36	2	3	9	11	49		0.320
13680	5/5/61	2	3	9	11	4		0.456	10425	8/7/36	2	3	9	11	50		0.316
13110	6/4/56	2	3	9	11	5		0.458	11440	8/6/47	2	3	9	11	51		
12360	10/25/52	2	3	9	11	6		0.459	10425	8/7/36	2	3	9	11	51		
12884	7/30/55	2	3	9	11	7		0.459	11440	8/6/47	2	3	9	11	52		
12883	7/30/55	2	3	9	11	8		0.460	11440	8/6/47	2	3	9	11	53		
13312	3/26/57	2	3	9	11	9		0.461	11440	8/6/47	2	3	9	11	54		
12632	8/31/54	2	3	9	11	10		0.461	11440	8/6/47	2	3	9	11	55		
13355	8/7/57	2	3	9	11	11		0.462	10425	8/7/36	2	3	9	11	55		
13391	11/12/57	2	3	9	11	12		0.459	11440	8/6/47	2	3	9	11	57		
12887	5/20/55	2	3	9	11	13		0.440	11440	8/6/47	2	3	9	11	60		
12558	5/1/54	2	3	9	11	14		0.420	12238	2/29/52	2	3	9	12	1		0.326
12783	1/11/55	2	3	9	11	15		0.403	6/30/54	6/30/54	2	3	9	12	2		0.292
12472	9/26/53	2	3	9	11	16		0.393	12671	9/3/54	2	3	9	12	3		0.247
11440	8/6/47	2	3	9	11	19		0.320	12657	8/25/54	2	3	9	12	4		0.264
11440	8/6/47	2	3	9	11	20		0.311	12435	6/12/53	2	3	9	12	5		0.280
11440	8/6/47	2	3	9	11	21		0.311	13219	1/16/57	2	3	9	12	6		0.296
11440	8/6/47	2	3	9	11	22		0.234	13115	6/14/56	2	3	9	12	7		0.324
11440	8/6/47	2	3	9	11	23		0.234	12970	11/9/55	2	3	9	12	8		0.299
10425	8/7/36	2	3	9	11	24		0.234	12872	5/5/55	2	3	9	12	9		0.399
10425	8/7/36	2	3	9	11	25		0.234	10478	12/28/36	2	3	9	15	13		0.371
10425	8/7/36	2	3	9	11	26		0.311	10478	12/28/36	2	3	9	15	14		0.520
10425	8/7/36	2	3	9	11	27		0.208	10478	12/28/36	2	3	9	15	15		0.750
10425	8/7/36	2	3	9	11	28		0.208	10478	12/28/36	2	3	9	15	16		0.750
10425	8/7/36	2	3	9	11	29		0.311	10478	12/28/36	2	3	9	15	17		0.750
10425	8/7/36	2	3	9	11	30		0.311	10478	12/28/36	2	3	9	15	18		0.581
10425	8/7/36	2	3	9	11	31		0.311	10478	12/28/36	2	3	9	15	19		0.750
10425	8/7/36	2	3	9	11	32		0.311	10478	12/28/36	2	3	9	15	20		0.750
11440	8/6/47	2	3	9	11	33		0.311	10478	12/28/36	2	3	9	15	21		0.406
11440	8/6/47	2	3	9	11	33		0.311	10478	12/28/36	2	3	9	15	22		0.172
11440	8/6/47	2	3	9	11	34		0.311	10478	12/28/36	2	3	9	15	23		0.172
11440	8/6/47	2	3	9	11	35		0.311	10478	12/28/36	2	3	9	15	24		0.172
11440	8/6/47	2	3	9	11	36		0.311	10478	12/28/36	2	3	9	15	25		0.185
10425	8/7/36	2	3	9	11	37		0.393	10478	12/28/36	2	3	9	15	26		0.172
11440	8/6/47	2	3	9	11	37		0.393	10478	12/28/36	2	3	9	15	27		0.093
11440	8/6/47	2	3	9	11	38		0.331	11677	1/19/49	2	3	9	15	28		0.172
11440	8/6/47	2	3	9	11	39			11677	1/19/49	2	3	9	16	1		0.232
11440	8/6/47	2	3	9	11	40			11677	1/19/49	2	3	9	16	2		1.500
11440	8/6/47	2	3	9	11	41			11677	1/19/49	2	3	9	16	3		0.679
11440	8/6/47	2	3	9	11	42		0.311	11677	1/19/49	2	3	9	16	4		1.000
10425	8/7/36	2	3	9	11	42			11677	1/19/49	2	3	9	16	5		1.000
10425	8/7/36	2	3	9	11	43		0.311	11677	1/19/49	2	3	9	16	6		0.321

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Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
11837	10/17/49	2	3	9	21	7		0.193	11837	10/17/49	2	3	9	21	54		0.198
11837	10/17/49	2	3	9	21	8		0.193	11837	10/17/49	2	3	9	21	55		0.198
11837	10/17/49	2	3	9	21	9		0.191	11837	10/17/49	2	3	9	21	56		0.196
11837	10/17/49	2	3	9	21	10		0.191	11837	10/17/49	2	3	9	21	57		0.183
11837	10/17/49	2	3	9	21	11		0.193	11837	10/17/49	2	3	9	21	60		0.004
11837	10/17/49	2	3	9	21	12		0.193	11837	10/17/49	2	3	9	22	2		0.247
11837	10/17/49	2	3	9	21	13		0.193	9884	8/11/30	2	3	9	22	3		0.249
11837	10/17/49	2	3	9	21	14		0.193	9884	8/11/30	2	3	9	22	4		0.254
11837	10/17/49	2	3	9	21	15		0.193	9884	8/11/30	2	3	9	22	5		0.235
11837	10/17/49	2	3	9	21	16		0.193	9884	8/11/30	2	3	9	22	6		0.235
11837	10/17/49	2	3	9	21	17		0.193	9884	8/11/30	2	3	9	22	7		0.235
11837	10/17/49	2	3	9	21	18		0.193	9884	8/11/30	2	3	9	22	8		0.235
11837	10/17/49	2	3	9	21	19		0.192	9884	8/11/30	2	3	9	22	9		0.235
11837	10/17/49	2	3	9	21	20		0.182	9884	8/11/30	2	3	9	22	10		0.235
11837	10/17/49	2	3	9	21	21		0.193	9884	8/11/30	2	3	9	22	11		0.246
11837	10/17/49	2	3	9	21	22		0.193	9884	8/11/30	2	3	9	22	12		0.245
11837	10/17/49	2	3	9	21	23		0.193	9884	8/11/30	2	3	9	22	13		0.242
11837	10/17/49	2	3	9	21	24		0.193	9884	8/11/30	2	3	9	22	14		0.239
11837	10/17/49	2	3	9	21	25		0.193	9884	8/11/30	2	3	9	22	15		0.237
11837	10/17/49	2	3	9	21	26		0.193	9884	8/11/30	2	3	9	22	16		0.237
11837	10/17/49	2	3	9	21	27		0.193	9884	8/11/30	2	3	9	22	17		0.237
11837	10/17/49	2	3	9	21	28		0.193	9884	8/11/30	2	3	9	22	18		0.239
11837	10/17/49	2	3	9	21	29		0.191	9884	8/11/30	2	3	9	22	19		0.239
11837	10/17/49	2	3	9	21	30		0.191	9884	8/11/30	2	3	9	22	20		0.303
11837	10/17/49	2	3	9	21	31		0.193	9884	8/11/30	2	3	9	22	21		0.316
11837	10/17/49	2	3	9	21	32		0.193	9884	8/11/30	2	3	9	22	22		0.323
11837	10/17/49	2	3	9	21	33		0.193	9884	8/11/30	2	3	9	22	23		0.360
11837	10/17/49	2	3	9	21	34		0.193	9884	8/11/30	2	3	9	22	24		0.239
11837	10/17/49	2	3	9	21	35		0.193	9884	8/11/30	2	3	9	22	25		0.244
11837	10/17/49	2	3	9	21	36		0.193	9884	8/11/30	2	3	9	22	26		0.246
11837	10/17/49	2	3	9	21	37		0.188	9884	8/11/30	2	3	9	22	27		0.237
11837	10/17/49	2	3	9	21	38		0.220	9884	8/11/30	2	3	9	22	28		0.358
11837	10/17/49	2	3	9	21	39		0.200	9884	8/11/30	2	3	9	22	29		0.330
11837	10/17/49	2	3	9	21	40		0.205	11837	10/17/49	2	3	9	22	30		0.231
11837	10/17/49	2	3	9	21	41		0.187	11837	10/17/49	2	3	9	22	31		0.230
11837	10/17/49	2	3	9	21	42		0.198	11837	10/17/49	2	3	9	22	32		0.230
11837	10/17/49	2	3	9	21	43		0.198	11837	10/17/49	2	3	9	22	33		0.230
11837	10/17/49	2	3	9	21	44		0.198	11837	10/17/49	2	3	9	22	34		0.230
11837	10/17/49	2	3	9	21	45		0.198	11837	10/17/49	2	3	9	22	35		0.231
11837	10/17/49	2	3	9	21	46		0.198	11837	10/17/49	2	3	9	22	36		0.243
11837	10/17/49	2	3	9	21	47		0.198	11837	10/17/49	2	3	9	22	37		0.240
11837	10/17/49	2	3	9	21	48		0.198	11837	10/17/49	2	3	9	22	38		0.242
11837	10/17/49	2	3	9	21	49		0.194	11837	10/17/49	2	3	9	22	39		0.233
11837	10/17/49	2	3	9	21	50		0.198	11837	10/17/49	2	3	9	22	40		0.233
11837	10/17/49	2	3	9	21	51		0.198	11837	10/17/49	2	3	9	22	41		0.232
11837	10/17/49	2	3	9	21	52		0.198	11837	10/17/49	2	3	9	22	42		0.232
11837	10/17/49	2	3	9	21	53		0.198	11837	10/17/49	2	3	9	22	43		0.230

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key Div Zone Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key Div Zone Sect	Plat	Parcel	CPR	Land Area (Acres)
11837	10/17/49	2 3 9	22	44		0.232	9884	8/11/30	2 3 9	23	30		0.489
11837	10/17/49	2 3 9	22	45		0.230	9884	8/11/30	2 3 9	23	32		0.236
11837	10/17/49	2 3 9	22	46		0.230	9884	8/11/30	2 3 9	23	33		0.236
11837	10/17/49	2 3 9	22	47		0.230	9884	8/11/30	2 3 9	23	34		0.236
11837	10/17/49	2 3 9	22	48		0.230	9884	8/11/30	2 3 9	23	35		0.236
11837	10/17/49	2 3 9	22	49		0.233	9884	8/11/30	2 3 9	23	36		0.236
11837	10/17/49	2 3 9	22	50		0.232	9884	8/11/30	2 3 9	23	37		0.239
11837	10/17/49	2 3 9	22	51		0.231	9884	8/11/30	2 3 9	23	38		0.237
11837	10/17/49	2 3 9	22	52		0.231	9884	8/11/30	2 3 9	23	39		0.237
11837	10/17/49	2 3 9	22	53		0.231	9884	8/11/30	2 3 9	23	40		0.237
11837	10/17/49	2 3 9	22	54		0.231	9884	8/11/30	2 3 9	23	41		0.237
11837	10/17/49	2 3 9	22	55		0.231	9884	8/11/30	2 3 9	23	42		0.237
11837	10/17/49	2 3 9	22	56		0.238	9884	8/11/30	2 3 9	23	43		0.237
11837	10/17/49	2 3 9	22	57		0.230	9884	8/11/30	2 3 9	23	44		0.237
11837	10/17/49	2 3 9	22	58		0.230	12195	11/15/51	2 3 9	24	1		0.576
11837	10/17/49	2 3 9	22	59		0.056	12195	11/15/51	2 3 9	24	2		2.560
11837	10/17/49	2 3 9	22	60		0.230	12195	11/15/51	2 3 9	24	3		0.500
11837	10/17/49	2 3 9	22	61		0.233	12195	11/15/51	2 3 9	24	4		0.613
9884	8/11/30	2 3 9	23	1		0.239	12195	11/15/51	2 3 9	24	5		0.220
9884	8/11/30	2 3 9	23	3		0.249	12195	11/15/51	2 3 9	24	6		0.220
9884	8/11/30	2 3 9	23	4		0.235	12195	11/15/51	2 3 9	24	7		0.219
9884	8/11/30	2 3 9	23	5		0.235	12195	11/15/51	2 3 9	24	8		0.218
9884	8/11/30	2 3 9	23	6		0.235	12195	11/15/51	2 3 9	24	9		0.217
9884	8/11/30	2 3 9	23	7		0.235	12195	11/15/51	2 3 9	24	10		0.224
9884	8/11/30	2 3 9	23	8		0.235	12195	11/15/51	2 3 9	24	11		0.217
9884	8/11/30	2 3 9	23	9		0.235	12195	11/15/51	2 3 9	24	12		0.217
9884	8/11/30	2 3 9	23	10		0.235	12195	11/15/51	2 3 9	24	13		0.218
9884	8/11/30	2 3 9	23	11		0.235	12195	11/15/51	2 3 9	24	14		0.219
9884	8/11/30	2 3 9	23	12		0.235	12195	11/15/51	2 3 9	24	15		0.219
9884	8/11/30	2 3 9	23	13		0.235	12195	11/15/51	2 3 9	24	16		0.220
9884	8/11/30	2 3 9	23	14		0.235	12195	11/15/51	2 3 9	24	17		0.214
9884	8/11/30	2 3 9	23	15		0.236	12195	11/15/51	2 3 9	24	18		0.216
9884	8/11/30	2 3 9	23	16		0.233	12195	11/15/51	2 3 9	24	19		0.218
9884	8/11/30	2 3 9	23	17		0.239	12195	11/15/51	2 3 9	24	20		0.219
9884	8/11/30	2 3 9	23	18		0.235	12195	11/15/51	2 3 9	24	21		0.221
9884	8/11/30	2 3 9	23	19		0.235	12195	11/15/51	2 3 9	24	22		0.277
9884	8/11/30	2 3 9	23	20		0.235	12195	11/15/51	2 3 9	24	23		0.208
9884	8/11/30	2 3 9	23	21		0.233	12195	11/15/51	2 3 9	24	24		0.251
9884	8/11/30	2 3 9	23	22		0.235	12195	11/15/51	2 3 9	24	25		0.207
9884	8/11/30	2 3 9	23	23		0.235	12195	11/15/51	2 3 9	24	26		0.207
9884	8/11/30	2 3 9	23	24		0.233	12195	11/15/51	2 3 9	24	27		0.201
9884	8/11/30	2 3 9	23	25		0.233	12195	11/15/51	2 3 9	24	29		0.577
9884	8/11/30	2 3 9	23	26		0.235	12195	11/15/51	2 3 9	24	30		0.991
9884	8/11/30	2 3 9	23	27		0.235	12195	11/15/51	2 3 9	24	31		0.800
9884	8/11/30	2 3 9	23	28		0.233	12195	11/15/51	2 3 9	24	32		0.025
9884	8/11/30	2 3 9	23	29		0.248	12195	11/15/51	2 3 9	25	1		0.252

Kula Claims by Grant Numbers

Grant No.	Grant Date	Div	Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Div	Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
12195	11/15/51	2	3	9	25	2		0.200	12195	11/15/51	2	3	9	25	49		0.213
12195	11/15/51	2	3	9	25	3		0.229	12195	11/15/51	2	3	9	25	50		0.225
12195	11/15/51	2	3	9	25	4		0.208	12195	11/15/51	2	3	9	25	51		0.215
12195	11/15/51	2	3	9	25	5		0.209	12195	11/15/51	2	3	9	25	52		0.213
12195	11/15/51	2	3	9	25	6		0.209	12195	11/15/51	2	3	9	25	53		0.214
12195	11/15/51	2	3	9	25	7		0.209	12195	11/15/51	2	3	9	25	54		0.215
12195	11/15/51	2	3	9	25	8		0.209	12195	11/15/51	2	3	9	25	55		0.216
12195	11/15/51	2	3	9	25	9		0.209	12195	11/15/51	2	3	9	25	56		0.218
12195	11/15/51	2	3	9	25	10		0.209	12195	11/15/51	2	3	9	25	57		0.219
12195	11/15/51	2	3	9	25	11		0.209	12195	11/15/51	2	3	9	25	58		0.220
12195	11/15/51	2	3	9	25	12		0.212	12195	11/15/51	2	3	9	25	59		0.221
12195	11/15/51	2	3	9	25	13		0.214	12195	11/15/51	2	3	9	25	60		0.221
12195	11/15/51	2	3	9	25	14		0.217	12195	11/15/51	2	3	9	25	61		0.221
12195	11/15/51	2	3	9	25	15		0.211	12195	11/15/51	2	3	9	25	62		0.221
12195	11/15/51	2	3	9	25	16		0.209	12195	11/15/51	2	3	9	25	63		0.212
12195	11/15/51	2	3	9	25	17		0.209	12195	11/15/51	2	3	9	25	64		0.210
12195	11/15/51	2	3	9	25	18		0.208	12195	11/15/51	2	3	9	25	65		0.208
12195	11/15/51	2	3	9	25	19		0.207	12195	11/15/51	2	3	9	25	66		0.207
12195	11/15/51	2	3	9	25	20		0.207	12195	11/15/51	2	3	9	25	67		0.208
12195	11/15/51	2	3	9	25	21		0.207	12195	11/15/51	2	3	9	25	68		0.206
12195	11/15/51	2	3	9	25	22		0.207	12195	11/15/51	2	3	9	25	69		0.197
12195	11/15/51	2	3	9	25	23		0.207	12195	11/15/51	2	3	9	25	70		0.185
12195	11/15/51	2	3	9	25	24		0.207	12195	11/15/51	2	3	9	25	71		0.190
12195	11/15/51	2	3	9	25	25		0.207	12195	11/15/51	2	3	9	25	72		0.189
12195	11/15/51	2	3	9	25	26		0.212	12195	11/15/51	2	3	9	25	73		0.187
12195	11/15/51	2	3	9	25	27		0.210	12195	11/15/51	2	3	9	25	75		0.228
12195	11/15/51	2	3	9	25	28		0.207	12195	11/15/51	2	3	9	25	76		0.271
12195	11/15/51	2	3	9	25	29		0.207	12195	11/15/51	2	3	9	25	77		0.222
12195	11/15/51	2	3	9	25	30		0.207	12195	11/15/51	2	3	9	25	78		0.213
12195	11/15/51	2	3	9	25	31		0.207	12195	11/15/51	2	3	9	25	79		0.213
12195	11/15/51	2	3	9	25	32		0.207	12195	11/15/51	2	3	9	25	80		0.213
12195	11/15/51	2	3	9	25	33		0.207	12195	11/15/51	2	3	9	25	81		0.213
12195	11/15/51	2	3	9	25	34		0.207	12195	11/15/51	2	3	9	25	82		0.213
12195	11/15/51	2	3	9	25	35		0.207	12195	11/15/51	2	3	9	25	83		0.213
12195	11/15/51	2	3	9	25	36		0.207	12195	11/15/51	2	3	9	25	84		0.213
12195	11/15/51	2	3	9	25	37		0.208			2	3	9	25	85		0.184
12195	11/15/51	2	3	9	25	38		0.211			2	3	9	25	86		0.009
12195	11/15/51	2	3	9	25	39		0.222			2	3	9	27	1		10.552
12195	11/15/51	2	3	9	25	40		0.223	11440	8/6/47	2	3	9	27	2		0.249
12195	11/15/51	2	3	9	25	41		0.223	11440	8/6/47	2	3	9	27	3		0.253
12195	11/15/51	2	3	9	25	42		0.221	11440	8/6/47	2	3	9	27	4		0.278
12195	11/15/51	2	3	9	25	43		0.219	11440	8/6/47	2	3	9	27	5		0.253
12195	11/15/51	2	3	9	25	44		0.218	10425	8/7/36	2	3	9	27	6		1.356
12195	11/15/51	2	3	9	25	45		0.217	10425	8/7/36	2	3	9	27	7		1.243
12195	11/15/51	2	3	9	25	46		0.216	11440	8/6/47	2	3	9	27	8		0.231
12195	11/15/51	2	3	9	25	47		0.215	11440	8/6/47	2	3	9	27	9		0.232
12195	11/15/51	2	3	9	25	48		0.214	11440	8/6/47	2	3	9	27	10		0.230

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
11440	8/6/47	2	3	9	27	11		10478	12/28/36	2	3	9	29	57		0.175	
11440	8/6/47	2	3	9	27	12		10478	12/28/36	2	3	9	29	58		0.182	
11440	8/6/47	2	3	9	27	13		10478	12/28/36	2	3	9	29	59		0.189	
11440	8/6/47	2	3	9	27	14		10478	12/28/36	2	3	9	29	60		0.204	
11440	8/6/47	2	3	9	27	15		10478	12/28/36	2	3	9	29	61		0.181	
11440	8/6/47	2	3	9	27	16		10478	12/28/36	2	3	9	29	62		0.174	
11440	8/6/47	2	3	9	27	17		10478	12/28/36	2	3	9	29	63		0.172	
11440	8/6/47	2	3	9	27	18		10478	12/28/36	2	3	9	29	64		0.172	
11440	8/6/47	2	3	9	27	19		10478	12/28/36	2	3	9	29	65		0.172	
11440	8/6/47	2	3	9	27	20		10478	12/28/36	2	3	9	29	66		0.172	
11440	8/6/47	2	3	9	27	21		10478	12/28/36	2	3	9	29	67		0.173	
11440	8/6/47	2	3	9	27	22		10478	12/28/36	2	3	9	29	68		0.173	
11440	8/6/47	2	3	9	27	23		10478	12/28/36	2	3	9	29	69		0.197	
11440	8/6/47	2	3	9	27	24		10478	12/28/36	2	3	9	29	70		0.185	
10425	8/7/36	2	3	9	27	26	1	10478	12/28/36	2	3	9	29	71		0.195	
10425	8/7/36	2	3	9	27	26	2	10478	12/28/36	2	3	9	29	72		0.175	
10425	8/7/36	2	3	9	27	26	3	10478	12/28/36	2	3	9	29	73		0.174	
10425	8/7/36	2	3	9	27	26	4	10478	12/28/36	2	3	9	29	74		0.199	
10425	8/7/36	2	3	9	27	26	5	10478	12/28/36	2	3	9	29	75		0.172	
10425	8/7/36	2	3	9	27	26	6	10478	12/28/36	2	3	9	29	76		0.198	
10425	8/7/36	2	3	9	27	26	7	10478	12/28/36	2	3	9	29	77		0.188	
10425	8/7/36	2	3	9	27	26	8	10478	12/28/36	2	3	9	29	78		0.177	
10425	8/7/36	2	3	9	27	26	9	10478	12/28/36	2	3	9	29	79		0.181	
10425	8/7/36	2	3	9	27	26	10	10478	12/28/36	2	3	9	29	80		0.203	
10425	8/7/36	2	3	9	27	26	11	10478	12/28/36	2	3	9	29	81		0.197	
10425	8/7/36	2	3	9	27	27		10478	12/28/36	2	3	9	29	82		0.183	
10425	8/7/36	2	3	9	27	28		10478	12/28/36	2	3	9	29	83		0.178	
10425	8/7/36	2	3	9	27	29		10478	12/28/36	2	3	9	29	84		0.195	
10425	8/7/36	2	3	9	27	30		10478	12/28/36	2	3	9	29	85		0.175	
10425	8/7/36	2	3	9	27	31		10478	12/28/36	2	3	9	29	86		0.172	
10425	8/7/36	2	3	9	27	32		10478	12/28/36	2	3	9	29	87		0.172	
10425	8/7/36	2	3	9	27	33		10478	12/28/36	2	3	9	29	88		0.172	
10425	8/7/36	2	3	9	27	34		10478	12/28/36	2	3	9	29	89		0.172	
10425	8/7/36	2	3	9	27	35		10478	12/28/36	2	3	9	29	90		0.207	
10425	8/7/36	2	3	9	27	36		11301	3/28/46	2	3	9	35	1		7.510	
10425	8/7/36	2	3	9	27	37		11166	4/11/44	2	3	9	35	2		7.550	
10425	8/7/36	2	3	9	27	38		12179	10/17/51	2	3	9	35	4		0.148	
10425	8/7/36	2	3	9	27	40		12179	10/17/51	2	3	9	35	5		0.144	
10425	8/7/36	2	3	9	27	41		12179	10/17/51	2	3	9	35	6		0.147	
10425	8/7/36	2	3	9	27	42		12179	10/17/51	2	3	9	35	7		0.146	
10478	12/28/36	2	3	9	29	49		3.000	10/17/51	2	3	9	35	8		0.065	
10478	12/28/36	2	3	9	29	51		12179	10/17/51	2	3	9	35	9		0.141	
10478	12/28/36	2	3	9	29	52		12179	10/17/51	2	3	9	35	10		0.147	
10478	12/28/36	2	3	9	29	53		12179	10/17/51	2	3	9	35	11		0.147	
10478	12/28/36	2	3	9	29	54		12179	10/17/51	2	3	9	35	12		0.154	
10478	12/28/36	2	3	9	29	55		12179	10/17/51	2	3	9	35	13		0.061	
10478	12/28/36	2	3	9	29	56		12179	10/17/51	2	3	9	35	14		0.148	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect				
12179	10/17/51	2	3	9	35	15	0.143	
12179	10/17/51	2	3	9	35	16	0.139	
12179	10/17/51	2	3	9	35	17	0.158	
12179	10/17/51	2	3	9	35	18	0.056	
12179	10/17/51	2	3	9	35	19	0.149	
12179	10/17/51	2	3	9	35	20	0.138	
12179	10/17/51	2	3	9	35	21	0.172	
12179	10/17/51	2	3	9	35	22	0.166	
12179	10/17/51	2	3	9	35	23	0.160	
12179	10/17/51	2	3	9	35	24	0.154	
12179	10/17/51	2	3	9	35	25	0.148	
12179	10/17/51	2	3	9	35	26	0.142	
12179	10/17/51	2	3	9	35	27	0.144	
12179	10/17/51	2	3	9	35	28	0.141	
12179	10/17/51	2	3	9	35	29	0.175	
12179	10/17/51	2	3	9	35	30	0.160	
12179	10/17/51	2	3	9	35	31	0.177	
12179	10/17/51	2	3	9	35	32	0.141	
12179	10/17/51	2	3	9	35	33	0.140	
12179	10/17/51	2	3	9	35	34	0.140	
12179	10/17/51	2	3	9	35	35	0.140	
12179	10/17/51	2	3	9	35	36	0.140	
12179	10/17/51	2	3	9	35	37	0.140	
12179	10/17/51	2	3	9	35	38	0.149	
12179	10/17/51	2	3	9	35	39	0.149	
12179	10/17/51	2	3	9	35	40	0.140	
12179	10/17/51	2	3	9	35	41	0.140	
12179	10/17/51	2	3	9	35	42	0.140	
12179	10/17/51	2	3	9	35	43	0.140	
12179	10/17/51	2	3	9	35	44	0.140	
12179	10/17/51	2	3	9	35	45	0.140	
12179	10/17/51	2	3	9	35	46	0.140	
12179	10/17/51	2	3	9	35	47	0.145	
10478	12/28/36	2	3	9	35	48-75	0.182	
11440	8/6/47	2	3	9	40	1	0.175	
11440	8/6/47	2	3	9	40	2	0.175	
11440	8/6/47	2	3	9	40	3	0.175	
11440	8/6/47	2	3	9	40	4	0.175	
11440	8/6/47	2	3	9	40	5	0.176	
10425	8/7/36	2	3	9	40	5	0.176	
10425	8/7/36	2	3	9	40	6	0.183	
10425	8/7/36	2	3	9	40	7	0.184	
10425	8/7/36	2	3	9	40	8	0.173	
10425	8/7/36	2	3	9	40	9	0.203	
10425	8/7/36	2	3	9	40	10	0.196	
10425	8/7/36	2	3	9	40	11	0.172	
10425	8/7/36	2	3	9	40	12	0.172	
10425	8/7/36	2	3	9	40	13	0.204	
10425	8/7/36	2	3	9	40	14	0.173	
10425	8/7/36	2	3	9	40	15	0.182	
10425	8/7/36	2	3	9	40	16	0.176	
10425	8/7/36	2	3	9	40	17	0.175	
10425	8/7/36	2	3	9	40	18	0.201	
10425	8/7/36	2	3	9	40	19	0.182	
10425	8/7/36	2	3	9	40	20	0.176	
10425	8/7/36	2	3	9	40	21	0.176	
10425	8/7/36	2	3	9	40	22	0.176	
10425	8/7/36	2	3	9	40	23	0.176	
10425	8/7/36	2	3	9	40	24	0.176	
10425	8/7/36	2	3	9	40	25	0.176	
10425	8/7/36	2	3	9	40	26	0.176	
10425	8/7/36	2	3	9	40	27	0.176	
10425	8/7/36	2	3	9	40	28	0.176	
10425	8/7/36	2	3	9	40	29	0.176	
10425	8/7/36	2	3	9	40	30	0.177	
10425	8/7/36	2	3	9	40	31	0.190	
10425	8/7/36	2	3	9	40	32	0.191	
10425	8/7/36	2	3	9	40	33	0.197	
11440	8/6/47	2	3	9	40	33	0.186	
11440	8/6/47	2	3	9	40	34	0.190	
11440	8/6/47	2	3	9	40	35	0.190	
11440	8/6/47	2	3	9	40	35	0.190	
11440	8/6/47	2	3	9	40	36	0.184	
11440	8/6/47	2	3	9	40	37	0.184	
11440	8/6/47	2	3	9	40	38	0.184	
11440	8/6/47	2	3	9	40	39	0.184	
11440	8/6/47	2	3	9	40	40	0.184	
11440	8/6/47	2	3	9	40	41	0.193	
11440	8/6/47	2	3	9	40	42	0.188	
11440	8/6/47	2	3	9	40	43	0.226	
11440	8/6/47	2	3	9	40	44	0.217	
11440	8/6/47	2	3	9	40	45	0.304	
11440	8/6/47	2	3	9	40	46	0.205	
11440	8/6/47	2	3	9	40	47	0.174	
11440	8/6/47	2	3	9	40	48	0.174	
11440	8/6/47	2	3	9	40	49	0.178	
11440	8/6/47	2	3	9	40	50	0.173	
11440	8/6/47	2	3	9	40	51	0.172	
11440	8/6/47	2	3	9	40	52	0.172	
11440	8/6/47	2	3	9	40	53	0.172	
11440	8/6/47	2	3	9	40	54	0.172	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Div	Tax Map Key Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
11440	8/6/47	2	3	9	40	55		0.172
11440	8/6/47	2	3	9	40	56		0.172
11440	8/6/47	2	3	9	40	57		0.174
11440	8/6/47	2	3	9	40	58		0.176
11440	8/6/47	2	3	9	40	59		0.174
11440	8/6/47	2	3	9	40	60		0.173
11440	8/6/47	2	3	9	40	61		0.175
11440	8/6/47	2	3	9	40	62		0.173
11440	8/6/47	2	3	9	40	63		0.172
11440	8/6/47	2	3	9	40	64		0.172
11440	8/6/47	2	3	9	40	65		0.172
11440	8/6/47	2	3	9	40	66		0.173
10425	8/7/36	2	3	9	40	66		0.175
11440	8/6/47	2	3	9	40	67		0.175
10425	8/7/36	2	3	9	40	67		0.176
11440	8/6/47	2	3	9	40	68		0.174
11440	8/6/47	2	3	9	40	69		0.178
11440	8/6/47	2	3	9	40	70		0.175
11440	8/6/47	2	3	9	40	71		0.173
10425	8/7/36	2	3	9	40	71		0.173
11440	8/6/47	2	3	9	40	72		0.173
11440	8/6/47	2	3	9	40	73		0.173
11440	8/6/47	2	3	9	40	74		0.173
11440	8/6/47	2	3	9	40	75		0.173
11440	8/6/47	2	3	9	40	76		0.173
11440	8/6/47	2	3	9	40	77		0.173
11440	8/6/47	2	3	9	40	78		0.173
11440	8/6/47	2	3	9	40	79		0.173
10425	8/7/36	2	3	9	40	79		0.883
11440	8/6/47	2	3	9	40	80		0.174
11440	8/6/47	2	3	9	40	81		0.193
11440	8/6/47	2	3	9	40	82		0.500
10425	8/7/36	2	3	9	40	83		0.500
10425	8/7/36	2	3	9	40	84		2.000
10425	8/7/36	2	3	9	40	85		2.000
10425	8/7/36	2	3	9	40	86		0.231
10425	8/7/36	2	3	9	40	87		0.004
10425	8/7/36	2	3	9	40	88		0.226
10425	8/7/36	2	3	9	40	89		0.226
10425	8/7/36	2	3	9	40	90		0.185
10425	8/7/36	2	3	9	40	91		0.186
10425	8/7/36	2	3	9	40	92		0.186
10425	8/7/36	2	3	9	40	93		0.185
10425	8/7/36	2	3	9	40	94		0.185
10425	8/7/36	2	3	9	40	95		0.185
10425	8/7/36	2	3	9	40	96		0.185
10425	8/7/36	2	3	9	40	97		0.186
11440	8/6/47	2	3	9	40	98		0.191
11440	8/6/47	2	3	9	40	99		0.183
10425	8/7/36	2	3	9	40	100		0.181
10425	8/7/36	2	3	9	40	101		0.184
10425	8/7/36	2	3	9	40	102		0.207
10425	8/7/36	2	3	9	40	103		0.081
10425	8/7/36	2	3	9	40	104		0.959
11440	8/6/47	2	3	9	40	105		0.197
11440	8/6/47	2	3	9	40	106		0.192
11440	8/6/47	2	3	9	40	107		0.221
11440	8/6/47	2	3	9	40	108		0.244
11440	8/6/47	2	3	9	40	109		0.214
11440	8/6/47	2	3	9	40	110		0.242
11440	8/6/47	2	3	9	40	111		0.211
11440	8/6/47	2	3	9	40	112		0.180
11440	8/6/47	2	3	9	40	113		0.180
11440	8/6/47	2	3	9	40	114		0.180
11440	8/6/47	2	3	9	40	115		0.180
11440	8/6/47	2	3	9	40	116		0.174
11440	8/6/47	2	3	9	40	117		0.174
11440	8/6/47	2	3	9	40	118		0.174
11440	8/6/47	2	3	9	40	119		0.174
11440	8/6/47	2	3	9	41	1		2.270
11440	8/6/47	2	3	9	41	2		2.790
11440	8/6/47	2	3	9	41	3		3.000
11440	8/6/47	2	3	9	41	4		0.669
11440	8/6/47	2	3	9	41	5		0.628
11440	8/6/47	2	3	9	41	6		0.625
11440	8/6/47	2	3	9	41	7		0.778
11440	8/6/47	2	3	9	41	8		0.652
11440	8/6/47	2	3	9	41	35		0.344
11440	8/6/47	2	3	9	41	36		0.344
10425	8/7/36	2	3	9	45	1		0.654
10425	8/7/36	2	3	9	45	2		0.462
10425	8/7/36	2	3	9	45	3		0.461
10425	8/7/36	2	3	9	45	4		0.507
10425	8/7/36	2	3	9	45	5		0.763
10425	8/7/36	2	3	9	45	6		0.851
10425	8/7/36	2	3	9	45	7		0.448
10425	8/7/36	2	3	9	45	8		0.460
10425	8/7/36	2	3	9	45	9		0.598
10425	8/7/36	2	3	9	45	10		0.646
10425	8/7/36	2	3	9	45	11		1.147
10425	8/7/36	2	3	9	45	12		0.235
10425	8/7/36	2	3	9	45	14		15.734
10425	8/7/36	2	3	9	46	15		0.231
10425	8/7/36	2	3	9	46	16		20.430

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
10043	12/4/31	2	3	9	46	17	20.880	11258	8/30/45	2	3	9	47	47	47	0.173	
11258	8/30/45	2	3	9	47	1	0.172	11258	8/30/45	2	3	9	47	48	48	0.173	
11258	8/30/45	2	3	9	47	2	0.172	11258	8/30/45	2	3	9	47	49	49	0.173	
11258	8/30/45	2	3	9	47	3	0.175	11258	8/30/45	2	3	9	47	50	50	0.173	
11258	8/30/45	2	3	9	47	4	0.177	11258	8/30/45	2	3	9	47	51	51	0.173	
11258	8/30/45	2	3	9	47	5	0.179	11258	8/30/45	2	3	9	47	52	52	0.173	
11258	8/30/45	2	3	9	47	6	0.173	11258	8/30/45	2	3	9	47	53	53	0.174	
11258	8/30/45	2	3	9	47	7	0.172	11258	8/30/45	2	3	9	47	54	54	0.175	
11258	8/30/45	2	3	9	47	8	0.174	11258	8/30/45	2	3	9	47	55	55	0.175	
11258	8/30/45	2	3	9	47	9	0.174	11258	8/30/45	2	3	9	47	56	56	0.175	
11258	8/30/45	2	3	9	47	10	0.184	11258	8/30/45	2	3	9	47	57	57	0.172	
11258	8/30/45	2	3	9	47	11	0.175	11258	8/30/45	2	3	9	47	58	58	0.172	
11258	8/30/45	2	3	9	47	12	0.175	11258	8/30/45	2	3	9	47	59	59	0.172	
11258	8/30/45	2	3	9	47	13	0.175	11258	8/30/45	2	3	9	47	60	60	0.172	
11258	8/30/45	2	3	9	47	14	0.175	11258	8/30/45	2	3	9	47	61	61	0.172	
11258	8/30/45	2	3	9	47	15	0.175	11258	8/30/45	2	3	9	47	62	62	0.172	
11258	8/30/45	2	3	9	47	16	0.179	11258	8/30/45	2	3	9	47	63	63	0.172	
11258	8/30/45	2	3	9	47	17	0.182	11258	8/30/45	2	3	9	47	64	64	0.172	
11258	8/30/45	2	3	9	47	18	0.173	11258	8/30/45	2	3	9	47	65	65	0.172	
11258	8/30/45	2	3	9	47	19	0.173	11258	8/30/45	2	3	9	47	66	66	0.172	
11258	8/30/45	2	3	9	47	20	0.173	11258	8/30/45	2	3	9	47	67	67	0.174	
11258	8/30/45	2	3	9	47	21	0.173	11258	8/30/45	2	3	9	47	68	68	0.188	
11258	8/30/45	2	3	9	47	22	0.184	11258	8/30/45	2	3	9	47	69	69	0.172	
11258	8/30/45	2	3	9	47	23	0.176	11258	8/30/45	2	3	9	47	70	70	0.172	
11258	8/30/45	2	3	9	47	24	0.176	11258	8/30/45	2	3	9	47	71	71	0.174	
11258	8/30/45	2	3	9	47	25	0.173	11258	8/30/45	2	3	9	47	72	72	0.174	
11258	8/30/45	2	3	9	47	26	0.173	11258	8/30/45	2	3	9	47	73	73	0.174	
11258	8/30/45	2	3	9	47	27	0.172	11258	8/30/45	2	3	9	47	74	74	0.174	
11258	8/30/45	2	3	9	47	28	0.173	11258	8/30/45	2	3	9	47	75	75	0.174	
11258	8/30/45	2	3	9	47	29	0.173	11258	8/30/45	2	3	9	47	76	76	0.174	
11258	8/30/45	2	3	9	47	30	0.173	11258	8/30/45	2	3	9	47	77	77	0.174	
11258	8/30/45	2	3	9	47	31	0.173	11258	8/30/45	2	3	9	47	78	78	0.174	
11258	8/30/45	2	3	9	47	32	0.172	11258	8/30/45	2	3	9	47	79	79	0.172	
11258	8/30/45	2	3	9	47	33	0.172	11258	8/30/45	2	3	9	47	80	80	0.172	
11258	8/30/45	2	3	9	47	34	0.178	11258	8/30/45	2	3	9	47	81	81	0.172	
11258	8/30/45	2	3	9	47	35	0.187	11258	8/30/45	2	3	9	47	82	82	0.172	
11258	8/30/45	2	3	9	47	36	0.174	11258	8/30/45	2	3	9	47	83	83	0.172	
11258	8/30/45	2	3	9	47	37	0.182	11258	8/30/45	2	3	9	47	84	84	0.172	
11258	8/30/45	2	3	9	47	38	0.172	11258	8/30/45	2	3	9	47	85	85	0.172	
11258	8/30/45	2	3	9	47	39	0.186	11258	8/30/45	2	3	9	47	86	86	0.172	
11258	8/30/45	2	3	9	47	40	0.174	11258	8/30/45	2	3	9	47	87	87	0.173	
11258	8/30/45	2	3	9	47	41	0.173	11258	8/30/45	2	3	9	47	88	88	0.173	
11258	8/30/45	2	3	9	47	42	0.178	11258	8/30/45	2	3	9	47	89	89	0.173	
11258	8/30/45	2	3	9	47	43	0.174	11258	8/30/45	2	3	9	47	90	90	0.174	
11258	8/30/45	2	3	9	47	44	0.173	11258	8/30/45	2	3	9	47	91	91	0.174	
11258	8/30/45	2	3	9	47	45	0.174	11258	8/30/45	2	3	9	47	92	92	0.174	
11258	8/30/45	2	3	9	47	46	0.173	11258	8/30/45	2	3	9	47	93	93	0.174	

Kula Claims by Grant Numbers

Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)	Grant No.	Grant Date	Tax Map Key			Plat	Parcel	CPR	Land Area (Acres)
		Div	Zone	Sect							Div	Zone	Sect				
11258	8/30/45	2	3	9	47	94	0.174	11258	8/30/45	2	3	9	47	110	0.245		
11258	8/30/45	2	3	9	47	95	0.337	11258	8/30/45	2	3	9	47	111	0.173		
11258	8/30/45	2	3	9	47	96	0.185	11258	8/30/45	2	3	9	47	112	0.175		
11258	8/30/45	2	3	9	47	97	0.184	11258	8/30/45	2	3	9	47	113	0.173		
11258	8/30/45	2	3	9	47	98	0.172	11258	8/30/45	2	3	9	47	114	0.173		
11258	8/30/45	2	3	9	47	99	0.172	11258	8/30/45	2	3	9	47	115	0.172		
11258	8/30/45	2	3	9	47	100	0.174	11258	8/30/45	2	3	9	47	116	0.173		
11258	8/30/45	2	3	9	47	101	0.188	11258	8/30/45	2	3	9	47	117	0.172		
11258	8/30/45	2	3	9	47	102	0.176	11258	8/30/45	2	3	9	47	118	0.182		
11258	8/30/45	2	3	9	47	103	0.173	11258	8/30/45	2	3	9	47	119	0.179		
11258	8/30/45	2	3	9	47	104	0.807	11258	8/30/45	2	3	9	47	120	0.220		
11258	8/30/45	2	3	9	47	105	0.203	11258	8/30/45	2	3	9	47	121	0.188		
11258	8/30/45	2	3	9	47	106	0.173	11258	8/30/45	2	3	9	47	122	0.192		
11258	8/30/45	2	3	9	47	107	0.175	11258	8/30/45	2	3	9	47	123	0.055		
11258	8/30/45	2	3	9	47	108	0.178	11258	8/30/45	2	3	9	47	124	0.085		
11258	8/30/45	2	3	9	47	109	0.175	11258	8/30/45	2	3	9	47	125	0.015		
11,874.237																	

Luahalei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9519		1-8-7-032-031	5,000	sf	9481		1-8-7-027-012	0.031	sf
10011		1-8-7-035-072	5,308	sf	9481		1-8-7-026-033	5,892	sf
9292		1-8-7-034-009	7,996	sf	9519		1-8-7-032-018	5,000	sf
9481		1-8-7-026-036	5,000	sf	10011		1-8-7-035-062	5,000	sf
9519		1-8-7-032-076	5,100	sf	9481		1-8-7-027-031	5,000	sf
9364, 9365		1-8-7-026-078	7,700	sf	9481		1-8-7-026-008	8,137	sf
10016		1-8-6-006-006	11,930		9481		1-8-7-027-093	5,015	sf
9481		1-8-7-027-054	5,970	sf	9292		1-8-7-034-037	7,275	sf
9481		1-8-7-027-050	5,000	sf	9519		1-8-7-032-081	5,100	sf
9500		1-8-7-017-046	5,000	sf	10011		1-8-7-035-013	5,230	sf
10710		1-8-6-004-005	0,890		9519		1-8-7-031-045	5,100	sf
10011		1-8-7-035-029	5,270	sf	9519		1-8-7-032-073	5,100	sf
9481		1-8-7-027-051	5,000	sf	9292		1-8-7-034-011	6,650	sf
10011		1-8-7-035-015	5,094	sf	9481		1-8-7-026-120	5,000	sf
9481		1-8-7-027-032	5,000	sf	12236		1-8-7-006-018	5,000	sf
10011		1-8-7-035-018	5,014	sf	8866		1-8-6-011-010	2,145	sf
10011		1-8-7-035-094	7,318	sf	9500		1-8-7-017-067	5,000	sf
9519		1-8-7-032-070	5,329	sf	9364, 9365		1-8-7-026-085	4,675	sf
10011		1-8-7-035-096	5,308	sf	9364, 9365		1-8-7-026-086	4,590	sf
10658		1-8-7-007-008	3,000	sf	9519		1-8-7-031-034	5,441	sf
10658		1-8-7-007-062	1,000		9519		1-8-7-032-002	5,360	sf
9364, 9365		1-8-7-026-081	5,500	sf	10011		1-8-7-035-129	5,784	sf
9481		1-8-7-027-019	8,610	sf	9500		1-8-7-017-058	5,000	sf
10011		1-8-7-035-132	7,880	sf	10011		1-8-7-035-034	5,069	sf
9500		1-8-7-035-077	5,253	sf	9519		1-8-7-031-077	5,179	sf
10011		1-8-7-017-049	5,947	sf	9481		1-8-7-026-010	7,965	sf
9519		1-8-7-031-048	5,626	sf	9539		1-8-6-004-009	1,000	sf
9420		1-8-7-033-023	34,038	sf	9519		1-8-6-009-009	0,976	sf
10011		1-8-7-035-042	5,167	sf	9519		1-8-7-032-042	5,273	sf
9481		1-8-7-027-009	5,000	sf	9707		1-8-7-035-095	5,947	sf
9500		1-8-7-017-068	5,000	sf	9519		1-8-6-008-008	7,930	sf
9538		1-8-6-008-014 por.	0,522		9519		1-8-7-032-037	5,000	sf
9519		1-8-7-032-023	5,000	sf	9363		1-8-7-034-001	56,628	sf
9481		1-8-7-032-057	5,100	sf	9481		1-8-7-034-028	8,945	sf
9500		1-8-7-027-072	5,000	sf	9481		1-8-7-027-078	5,000	sf
10011		1-8-7-017-006	5,008	sf	9519		1-8-7-027-076	5,000	sf
10011		1-8-7-035-063	5,000	sf	9519		1-8-7-032-009	5,575	sf
10011		1-8-7-035-106	5,688	sf	9519		1-8-7-032-060	5,100	sf
10011		1-8-7-035-102	6,765	sf	9481		1-8-7-032-078	5,100	sf
8858		1-8-6-006-001	12,382		9500		1-8-7-027-103	5,036	sf
8858		1-8-6-006-008	8,228		9481		1-8-7-017-064	5,090	sf
9481		1-8-7-026-032	11,215	sf	9519		1-8-7-027-107	5,000	sf
9519		1-8-7-032-071	5,083	sf	10011		1-8-7-032-051	5,100	sf
9500		1-8-7-017-050	7,650	sf	9519		1-8-7-035-114	5,500	sf
9481		1-8-7-027-099	5,000	sf	10011		1-8-7-031-024	5,300	sf
							1-8-7-035-037	5,300	sf

Lualualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
10011		1-8-7-035-020	5,014	sf	10011		1-8-7-035-088	5,000	sf
9519		1-8-7-031-058	6,479	sf	10011		1-8-7-035-010	5,014	sf
9519		1-8-7-032-024	5,000	sf	10011		1-8-7-035-091	5,947	sf
9500		1-8-7-017-065	5,041	sf	9481		1-8-7-026-006	8,309	sf
9481		1-8-7-027-056	5,753	sf	9481		1-8-7-026-005	8,395	sf
9481		1-8-7-026-001	7,787	sf	9519		1-8-7-032-086	7,866	sf
9538		1-8-6-008-011 por.	0.264		10011		1-8-7-035-065	5,414	sf
9538		1-8-6-008-025	1.204		9339, 9362		1-8-7-034-007	27,490	sf
9519		1-8-7-032-083	5,100	sf	9365		1-8-7-026-075	5,500	sf
9519		1-8-7-031-050	6,262	sf	9365		1-8-7-026-072	11,000	sf
9345		1-8-7-033-013	56,933	sf	9519		1-8-7-031-026	5,300	sf
12236		1-8-7-006-021	5,070	sf	9481		1-8-7-027-088	5,731	sf
10011		1-8-7-035-103	5,574	sf	9543		1-8-6-011-013	1,902	sf
14807		1-8-7-006-013	89,994	sf	10011		1-8-7-035-080	5,000	sf
14808		1-8-7-006-012	89,994	sf	9500		1-8-7-017-009	5,161	sf
9538		1-8-6-008-002 por.	8.496		10011		1-8-7-035-019	5,100	sf
9519		1-8-7-031-071	5,183	sf	10011		1-8-7-035-092	7,829	sf
10011		1-8-7-035-076	7,318	sf	9362		1-8-7-032-011	5,747	sf
9374		1-8-6-013-004, 006 por.	8.817		9519		1-8-7-026-012	7,693	sf
9500		1-8-7-017-055	5,000	sf	9481		1-8-7-035-111	5,500	sf
9519		1-8-7-031-075	5,108	sf	10011		1-8-7-035-126	5,110	sf
13501		1-8-7-006-025	5,161	sf	10011		1-8-6-024-007 por.	6,370	sf
9420		1-8-7-033-009	5,233	sf	9481		1-8-7-026-104	6,370	sf
13240		1-8-7-006-014	81,964	sf	9480		1-8-6-024-007 por.	7,541	sf
10710		1-8-6-004-014	0.447		13240		1-8-7-006-030	10,000	sf
9519		1-8-7-031-036	5,000	sf	9364, 9365		1-8-7-026-084	5,500	sf
9519		1-8-7-032-029	5,000	sf	9500		1-8-7-017-051	30,939	sf
9519		1-8-7-032-044	5,100	sf	9537		1-8-7-031-004	6,600	sf
10011		1-8-7-035-057	5,000	sf	9519		1-8-7-032-022	5,000	sf
10658		1-8-7-007-010	3.449		9000		1-8-7-034-031	7,169	sf
9481		1-8-7-026-100	9,016	sf	9292		1-8-7-034-015	7,275	sf
10011		1-8-7-035-071	5,000	sf	9340		1-8-7-031-068	28,450	sf
9500		1-8-7-017-043	11,250	sf	9519		1-8-7-032-040	5,000	sf
9000		1-8-7-034-022	9,410	sf	10011		1-8-7-035-047	5,341	sf
9519		1-8-7-032-020	5,000	sf	9500		1-8-7-017-026	15,000	sf
9481		1-8-7-026-037	5,000	sf	9500		1-8-7-017-020	11,250	sf
9519		1-8-7-032-056	5,100	sf	10011		1-8-7-035-073	5,470	sf
9474		1-8-7-033-015	11,841	sf	9481		1-8-7-026-028	5,000	sf
9474		1-8-7-033-017	11,077	sf	9519		1-8-7-032-010	5,661	sf
9500		1-8-7-017-044	5,446	sf	9481		1-8-7-027-042	5,014	sf
9481		1-8-7-027-062	5,000	sf	9500		1-8-7-017-021	7,650	sf
9481		1-8-7-026-021	8,756	sf	9481		1-8-7-027-090	5,144	sf
9481		1-8-7-026-017	8,756	sf	9481		1-8-7-027-095	5,255	sf
9500		1-8-7-017-035	14,732	sf	9343, 9479		1-8-7-034-020-001 to 046	196,020	sf
9500		1-8-7-017-030	10,110	sf	9500		1-8-7-017-069	5,000	sf
9519		1-8-7-032-026	5,000	sf	10011		1-8-7-035-108	7,348	sf

Luahalei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9500		1-8-7-017-061	5,000	sf	13240		1-8-7-006-031	10,000	sf
9519		1-8-7-031-027	5,268	sf	9519		1-8-7-031-022	5,749	sf
10011		1-8-7-035-002	30,317	sf	9519		1-8-7-031-044	5,000	sf
9474		1-8-7-033-016	29,577	sf	13240		1-8-7-006-027	5,014	sf
9421		1-8-7-033-022	66,081	sf	9519		1-8-7-032-087	7,993	sf
9421		1-8-7-033-011	54,886	sf	10011		1-8-7-035-016	6,270	sf
9481		1-8-7-027-087	7,583	sf	9500		1-8-7-017-060	5,748	sf
9481		1-8-7-027-061	5,000	sf	9000		1-8-7-034-035	5,607	sf
9481		1-8-7-027-104	5,010	sf	9519		1-8-7-031-033	5,422	sf
10011		1-8-7-035-058	5,000	sf	9481		1-8-7-026-101	8,892	sf
9365		1-8-7-026-076	7,700	sf	9481		1-8-7-026-107	5,000	sf
10011		1-8-7-035-040	5,299	sf	9292		1-8-7-034-019	8,314	sf
9420		1-8-7-033-010	0,203	sf	9500		1-8-7-017-010	5,446	sf
12236		1-8-7-006-020	5,000	sf	9481		1-8-7-027-036	5,100	sf
9365		1-8-7-026-087	0,283	sf	9500		1-8-7-017-002	5,959	sf
9481		1-8-7-026-109	5,000	sf	9500		1-8-7-017-070	8,059	sf
8866		1-8-6-011-004	22,783	sf	9366		1-8-7-026-068	30,375	sf
9519		1-8-7-032-055	5,100	sf	9474		1-8-7-033-018	54,624	sf
9340		1-8-7-031-065	7,200	sf	10011		1-8-7-035-032	5,417	sf
9345		1-8-7-033-020	58,065	sf	9481		1-8-7-027-024	5,789	sf
9519		1-8-7-032-049	5,100	sf	9481		1-8-7-027-034	5,000	sf
9481		1-8-7-027-082	5,553	sf	9519		1-8-7-031-040	5,501	sf
9481		1-8-7-027-041	5,100	sf	9500		1-8-7-017-016	5,040	sf
9481		1-8-7-026-106	5,000	sf	9571,9274,9323		1-8-7-008-012	246,363	sf
10011		1-8-7-035-116	5,500	sf	9481		1-8-7-027-063	5,340	sf
9481		1-8-7-026-023	5,506	sf	9481		1-8-7-026-038	5,000	sf
9519		1-8-7-032-047	5,100	sf	9481		1-8-7-027-068	5,000	sf
10011		1-8-7-035-059	5,000	sf	9500		1-8-7-017-031	19,388	sf
10011		1-8-7-035-128	5,564	sf	9519		1-8-7-032-036	5,000	sf
9363		1-8-7-034-002	55,756	sf	9292		1-8-7-034-016	7,276	sf
9519		1-8-7-032-090	41,213	sf	10011		1-8-7-035-086	5,947	sf
9339, 9362		1-8-7-034-004	185,076	sf	9500		1-8-7-017-040	5,000	sf
11045		1-8-7-033-014	54,275	sf	9500		1-8-7-017-023	7,500	sf
11045		1-8-7-007-004 por.	56,541	sf	9500		1-8-7-017-001	5,291	sf
10011		1-8-7-035-075	6,373	sf	10011		1-8-7-035-133	5,014	sf
9519		1-8-7-032-080	5,100	sf	9519		1-8-7-031-055	5,100	sf
9481		1-8-7-027-092	5,083	sf	9500		1-8-7-017-024	7,500	sf
9912		1-8-6-006-007	11,930	sf	9519		1-8-7-032-038	5,000	sf
9500		1-8-7-017-048	5,000	sf	10011		1-8-7-035-087	5,308	sf
9500		1-8-7-017-047	5,000	sf	10658		1-8-7-007-068	2,000	sf
9500		1-8-7-017-053	5,000	sf	9500		1-8-7-017-037	12,579	sf
9481		1-8-7-027-096	5,010	sf	9481		1-8-7-027-030	5,000	sf
9481		1-8-7-027-008	5,000	sf	9481		1-8-7-026-121	5,000	sf
9481		1-8-7-027-007	5,000	sf	9537		1-8-7-031-006	10,780	sf
9519		1-8-7-032-050	5,100	sf	9519		1-8-7-032-008	5,490	sf
9481		1-8-7-027-080	5,000	sf	10011		1-8-7-035-012	5,584	sf

Lualualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9481	1-8-7-027-106		5,000	sf	10011	1-8-7-035-120		5,000	sf
9481	1-8-7-027-067		5,000	sf	9481	1-8-7-026-041		5,000	sf
10011	1-8-7-035-055		5,000	sf	9500	1-8-7-017-042		5,012	sf
10011	1-8-7-035-109		5,000	sf	9500	1-8-7-017-045		5,000	sf
9481	1-8-7-027-102		5,000	sf	10011	1-8-7-035-127		5,951	sf
9481	1-8-7-027-101		5,049	sf	9366	1-8-7-026-057		50,625	sf
9481	1-8-7-027-033		5,000	sf	9342	1-8-7-033-012-001 to 015		44,649	sf
12236	1-8-7-006-019		5,000	sf	9342	1-8-7-033-021		69,957	sf
10011	1-8-7-035-083		7,318	sf	9519	1-8-7-032-019		5,000	sf
9537	1-8-7-031-007		10,820	sf	9519	1-8-7-032-079		5,100	sf
9537	1-8-7-031-008		9,070	sf	9519	1-8-7-032-015		6,078	sf
9481	1-8-7-026-122		5,000	sf	9519	1-8-7-032-017		5,000	sf
9519	1-8-7-032-067		5,100	sf	9481	1-8-7-026-020		8,756	sf
9481	1-8-7-027-049		5,000	sf	9481	1-8-7-026-013		7,608	sf
9537	1-8-7-031-010		20,614	sf	9481	1-8-7-026-019		8,756	sf
9519	1-8-7-032-059		5,100	sf	9481	1-8-7-026-029		5,000	sf
9519	1-8-7-031-025		11,250	sf	10011	1-8-7-035-027		5,014	sf
10011	1-8-7-035-084		5,300	sf	9214	1-8-6-009-016		4,620	sf
9519	1-8-7-031-043		6,373	sf	9481	1-8-7-027-079		5,000	sf
9481	1-8-7-026-004		5,000	sf	9481	1-8-7-027-029		5,000	sf
10011	1-8-7-035-056		8,481	sf	9481	1-8-7-027-108		5,114	sf
9481	1-8-7-027-020		5,000	sf	9340	1-8-7-031-063		7,200	sf
9481	1-8-7-027-021		6,000	sf	9340	1-8-7-031-067		7,050	sf
9572	1-8-6-003-018		6,000	sf	10011	1-8-7-035-105		6,379	sf
9519	1-8-7-031-021		1,758	sf	9481	1-8-7-027-060		5,000	sf
9519	1-8-7-032-093		6,257	sf	9420	1-8-7-033-007		5,220	sf
9537	1-8-7-031-005		7,601	sf	9500	1-8-7-017-028		130,680	sf
9519	1-8-7-032-027		8,679	sf	10011	1-8-7-035-049		5,200	sf
9292	1-8-7-034-012		5,000	sf	10011	1-8-7-035-100		6,180	sf
9519	1-8-7-032-065		7,276	sf	9481	1-8-7-027-085		7,637	sf
9519	1-8-7-032-054		5,100	sf	9481	1-8-7-034-010		9,036	sf
9481	1-8-7-027-038		5,014	sf	9481	1-8-7-026-035		6,617	sf
10011	1-8-7-035-115		5,500	sf	9420	1-8-7-027-069		5,000	sf
9519	1-8-7-031-038		5,669	sf	9292	1-8-7-033-024		30,260	sf
9519	1-8-7-031-012		9,807	sf	9292	1-8-7-034-018		8,010	sf
9519	1-8-7-031-013		5,000	sf	10011	1-8-7-034-017		11,893	sf
9211	1-8-6-009-006 por.		5,000	sf	10710	1-8-7-035-023		6,606	sf
9519	1-8-7-032-091		11,930	sf	9481	1-8-6-004-015		1,000	sf
9539	1-8-6-009-008		7,279	sf	9519	1-8-7-027-011		5,418	sf
9539	1-8-6-009-007		1,000	sf	9500	1-8-7-035-104		5,969	sf
10011	1-8-7-035-039		11,744	sf	9500	1-8-7-031-031		5,439	sf
9519	1-8-7-032-045		5,304	sf	10011	1-8-7-017-074		5,701	sf
9519	1-8-7-031-051		5,100	sf	9481	1-8-7-017-032		8,505	sf
			5,100	sf	9519	1-8-7-035-085		7,318	sf
						1-8-7-027-015		7,533	sf
						1-8-7-032-061		5,100	sf

Lualualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
10658		1-8-7-007-013	1.000		9481		1-8-7-027-065	5.060	sf
9519		1-8-7-032-072	5.531	sf	9340		1-8-7-031-069	28,450	sf
9481		1-8-7-027-017	7,286	sf	9481		1-8-7-027-055	6,421	sf
9500		1-8-7-017-005	5,253	sf	9481		1-8-7-027-064	7,700	sf
9000		1-8-7-034-038	8,113	sf	9481		1-8-7-027-047	5,535	sf
9000		1-8-7-034-023	5,147	sf	9519		1-8-7-031-016	5,000	sf
9481		1-8-7-027-040	5,014	sf	9519		1-8-7-032-092	7,279	sf
9519		1-8-7-032-048	5,100	sf	9481		1-8-7-026-039	5,000	sf
9543		1-8-6-011-002	2,558		9519		1-8-7-032-077	5,100	sf
9000		1-8-7-034-026	10,130	sf	9481		1-8-7-026-026	5,000	sf
9274, 9323		1-8-7-008-091	25,746	sf	9481		1-8-7-027-084	5,567	sf
9519		1-8-7-032-046	5,100	sf	9481		1-8-7-027-084	5,567	sf
9481		1-8-7-027-010	6,165	sf	10011		1-8-7-026-110	5,000	sf
9000		1-8-7-034-027	9,538	sf	9481		1-8-7-035-026	5,970	sf
9367		1-8-7-026-045	40,500	sf	9481		1-8-7-027-059	5,000	sf
10011		1-8-7-035-025	6,243	sf	10011		1-8-7-035-048	5,349	sf
10710		1-8-6-004-004	0.447		9481		1-8-7-027-081	5,184	sf
9519		1-8-7-032-039	5,000	sf	9481		1-8-7-027-094	5,341	sf
9481		1-8-7-027-028	5,000	sf	9481		1-8-7-027-091	5,080	sf
10011		1-8-7-035-036	5,200	sf	9481		1-8-7-027-097	5,026	sf
9519		1-8-7-031-035	5,000	sf	9707		1-8-6-008-009	2,000	sf
9519		1-8-7-032-062	5,100	sf	9481		1-8-7-027-037	5,100	sf
9572		1-8-6-003-029	10,231	sf	10710		1-8-6-004-012	1,000	sf
9519		1-8-7-032-074	5,100	sf	9538		1-8-7-031-029	6,408	sf
9500		1-8-7-017-054	6,124	sf	9519		1-8-6-008-010	0.789	sf
9481		1-8-7-026-111	6,370	sf	9519		1-8-7-032-006	5,318	sf
9519		1-8-7-026-015	15,541	sf	9519		1-8-7-031-041	5,000	sf
9481		1-8-7-032-025	5,000	sf	9000		1-8-7-034-032	6,576	sf
9420		1-8-7-026-027	5,000	sf	9481		1-8-7-017-056	5,000	sf
9481		1-8-7-033-025	5,136	sf	10011		1-8-7-026-102	8,769	sf
10011		1-8-7-035-041	5,014	sf	9500		1-8-7-035-121	5,500	sf
10011		1-8-7-035-044	8,836	sf	9519		1-8-7-031-070	5,165	sf
9481		1-8-7-027-043	5,000	sf	10658		1-8-7-007-007	4.494	sf
10011		1-8-7-035-131	5,000	sf	10658		1-8-7-007-006	4.494	sf
9481		1-8-7-035-113	5,500	sf	10710		1-8-6-004-010	1,000	sf
9500		1-8-7-017-029	5,000	sf	9481		1-8-7-027-003	5,000	sf
10011		1-8-7-035-021	5,970	sf	13501		1-8-7-006-001	93,386	sf
10011		1-8-7-035-093	6,373	sf	9542		1-8-6-003-021	11,971	sf
9481		1-8-7-027-027	5,500	sf	Sp. Grant 1		1-8-7-026-007	8,223	sf
9292		1-8-7-034-014	7,276	sf	10011		1-8-7-001-039	0.686	sf
9365		1-8-7-026-069	14,764	sf	9519		1-8-7-035-070	5,100	sf
9519		1-8-7-032-069	5,174	sf	9420		1-8-7-031-049	5,097	sf
9481		1-8-7-026-016	8,100	sf	9481		1-8-7-033-008	5,220	sf
9481		1-8-7-027-039	5,001	sf	9519		1-8-7-027-070	5,000	sf
					9481		1-8-7-031-037	5,000	sf
							1-8-7-027-001	8,645	sf

Luahualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9481		1-8-7-027-058	5,000	sf	10710		1-8-6-004-013	1,000	sf
9519		1-8-7-031-039	5,551	sf	13921		1-8-7-006-011	85,116	sf
9500		1-8-7-017-014	5,000	sf	13920		1-8-7-006-010	73,442	sf
9481		1-8-7-027-014	7,656	sf	9500		1-8-7-017-052	5,632	sf
10011		1-8-7-035-082	5,947	sf	9519		1-8-7-032-084	5,100	sf
10011		1-8-7-035-045	6,729	sf	10011		1-8-7-035-028	5,100	sf
9500		1-8-7-017-004	5,598	sf	9519		1-8-7-031-030	5,473	sf
10011		1-8-7-035-122	5,500	sf	9340		1-8-7-031-066	7,050	sf
9481		1-8-7-027-071	5,000	sf	9500		1-8-7-017-066	5,000	sf
9500		1-8-7-017-071	5,000	sf	9364, 9365		1-8-7-026-083	5,500	sf
9481		1-8-7-026-108	5,000	sf	9500		1-8-7-017-057	5,959	sf
10011		1-8-7-035-061	5,000	sf	9481		1-8-7-027-073	5,000	sf
9519		1-8-7-035-050	5,000	sf	10011		1-8-7-035-046	6,117	sf
10011		1-8-7-035-050	5,000	sf	9519		1-8-7-032-007	5,404	sf
9519		1-8-7-032-012	5,833	sf	9519		1-8-7-031-032	5,488	sf
12236		1-8-7-006-017	11,205	sf	10011		1-8-7-035-081	5,308	sf
9481		1-8-7-033-006	6,247	sf	10011		1-8-7-035-038	6,002	sf
9519		1-8-7-027-023	5,000	sf	10710		1-8-6-004-007	1,000	sf
9519		1-8-7-032-033	6,646	sf	9519		1-8-7-031-056	5,100	sf
10011		1-8-7-035-043	5,500	sf	10011		1-8-7-035-119	5,500	sf
10011		1-8-7-035-123	5,500	sf	10011		1-8-7-035-054	5,000	sf
9000		1-8-7-034-034	5,392	sf	9519		1-8-7-032-041	6,078	sf
9500		1-8-7-017-017	6,359	sf	9481		1-8-7-026-042	5,714	sf
10011		1-8-7-035-060	5,000	sf	10011		1-8-7-035-003	56,846	sf
10011		1-8-7-035-110	5,500	sf	9481		1-8-7-026-025	5,000	sf
9519		1-8-7-032-013	5,589	sf	9519		1-8-7-032-001	5,356	sf
9500		1-8-7-032-005	5,000	sf	9481		1-8-7-027-048	5,000	sf
9519		1-8-7-017-041	5,200	sf	10011		1-8-7-035-024	5,823	sf
9500		1-8-7-031-074	5,000	sf	9365		1-8-7-026-074	5,500	sf
9500		1-8-7-017-013	5,000	sf	9481		1-8-7-027-086	8,333	sf
9000		1-8-7-017-003	5,767	sf	9519		1-8-7-032-053	5,100	sf
9519		1-8-7-034-029	8,353	sf	9519		1-8-7-032-021	5,000	sf
10011		1-8-7-035-004	5,100	sf	10870		1-8-7-001-021	41,033	sf
9519		1-8-7-032-066	5,100	sf	9519		1-8-7-032-004	5,348	sf
9519		1-8-7-031-054	5,100	sf	10011		1-8-7-035-107	5,170	sf
13501		1-8-7-006-026	5,100	sf	9481		1-8-7-026-002	3,799	sf
10011		1-8-7-035-035	5,309	sf	9481		1-8-7-026-003	11,741	sf
9519		1-8-7-032-082	5,100	sf	10011		1-8-7-035-007	34,848	sf
9519		1-8-7-032-032	5,000	sf	9000		1-8-7-034-024	8,137	sf
10658		1-8-7-007-009	2,279	sf	9519		1-8-7-031-053	5,100	sf
9519		1-8-7-031-060	9,635	sf	10011		1-8-7-035-052	5,000	sf
9481		1-8-7-027-089	5,123	sf	9214		1-8-6-008-003	0,930	sf
9500		1-8-7-017-039	5,987	sf	10011		1-8-7-035-006	14,462	sf
9481		1-8-7-027-026	5,500	sf	9500		1-8-7-017-015	5,000	sf
9481		1-8-7-027-025	5,500	sf	9481		1-8-7-026-040	5,000	sf
10710		1-8-6-004-011	1,000	sf	9000		1-8-7-034-030	7,761	sf

Lualualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9519	1-8-7-032-063	1-8-7-032-063	5,100	sf	10011	1-8-7-035-078	1-8-7-035-078	5,308	sf
9500	1-8-7-017-011	1-8-7-017-011	21,365	sf	9481	1-8-7-027-002	1-8-7-027-002	5,000	sf
10011	1-8-7-035-097	1-8-7-035-097	5,000	sf	9000	1-8-7-034-033	1-8-7-034-033	5,984	sf
9519	1-8-7-032-089	1-8-7-032-089	7,279	sf	9420	1-8-7-033-004	1-8-7-033-004	12,236	sf
10011	1-8-7-035-017	1-8-7-035-017	5,970	sf	9000, 9343	1-8-7-034-036	1-8-7-034-036	50,001	sf
9364, 9365	1-8-7-026-082	1-8-7-026-082	5,500	sf	9537	1-8-7-031-002	1-8-7-031-002	13,114	sf
9481	1-8-7-027-098	1-8-7-027-098	5,063	sf	9500	1-8-7-017-073	1-8-7-017-073	5,330	sf
9519	1-8-7-031-057	1-8-7-031-057	5,482	sf	9500	1-8-7-017-018	1-8-7-017-018	10,095	sf
9519	1-8-7-032-075	1-8-7-032-075	5,100	sf	9000	1-8-7-034-025	1-8-7-034-025	7,745	sf
9519	1-8-7-031-018	1-8-7-031-018	5,000	sf	10011	1-8-7-035-098	1-8-7-035-098	5,968	sf
10011	1-8-7-035-030	1-8-7-035-030	5,296	sf	9519	1-8-7-032-016	1-8-7-032-016	6,072	sf
10011	1-8-7-035-033	1-8-7-035-033	9,104	sf	9481	1-8-7-027-044	1-8-7-027-044	5,000	sf
9481	1-8-7-026-105	1-8-7-026-105	5,000	sf	9481	1-8-7-027-018	1-8-7-027-018	7,945	sf
12236	1-8-7-006-016	1-8-7-006-016	5,000	sf	9481	1-8-7-027-077	1-8-7-027-077	5,000	sf
10011	1-8-7-035-022	1-8-7-035-022	5,329	sf	10011	1-8-7-035-009	1-8-7-035-009	5,100	sf
9481	1-8-7-027-013	1-8-7-027-013	5,100	sf	10011	1-8-7-035-068	1-8-7-035-068	5,200	sf
9519	1-8-7-032-030	1-8-7-032-030	5,000	sf	9364, 9365	1-8-7-026-080	1-8-7-026-080	31,000	sf
9500	1-8-7-017-007	1-8-7-017-007	5,041	sf	10011	1-8-7-035-014	1-8-7-035-014	6,561	sf
9214	1-8-6-008-004	1-8-6-008-004	11,000	sf	10011	1-8-7-035-069	1-8-7-035-069	5,100	sf
10011	1-8-7-035-011	1-8-7-035-011	5,378	sf	10011	1-8-7-035-031	1-8-7-035-031	8,331	sf
9519	1-8-7-032-052	1-8-7-032-052	5,100	sf	10011	1-8-7-035-125	1-8-7-035-125	5,024	sf
9341	1-8-7-033-026	1-8-7-033-026	71,177	sf	9707	1-8-6-008-029	1-8-6-008-029	2,000	sf
9420	1-8-7-033-003	1-8-7-033-003	45,999	sf	9519	1-8-7-032-014	1-8-7-032-014	5,556	sf
9367	1-8-7-026-056	1-8-7-026-056	40,500	sf	9481	1-8-7-027-016	1-8-7-027-016	7,409	sf
10011	1-8-7-035-051	1-8-7-035-051	5,000	sf	9340	1-8-7-031-001	1-8-7-031-001	0,037	sf
10710	1-8-6-004-008	1-8-6-004-008	1,000	sf	9500	1-8-7-017-036	1-8-7-017-036	0,082	sf
9481	1-8-7-026-034	1-8-7-026-034	5,002	sf	9537	1-8-7-031-009	1-8-7-031-009	0,168	sf
9519	1-8-7-031-023	1-8-7-031-023	5,304	sf	9481	1-8-7-027-006	1-8-7-027-006	0,035	sf
9519	1-8-7-032-068	1-8-7-032-068	5,058	sf	9481	1-8-7-027-074	1-8-7-027-074	5,000	sf
10011	1-8-7-035-064	1-8-7-035-064	5,000	sf	9519	1-8-7-032-005	1-8-7-032-005	5,336	sf
9481	1-8-7-027-075	1-8-7-027-075	5,000	sf	9519	1-8-7-032-028	1-8-7-032-028	5,256	sf
10011	1-8-7-035-079	1-8-7-035-079	5,000	sf	9519	1-8-7-027-053	1-8-7-027-053	5,970	sf
10011	1-8-7-035-099	1-8-7-035-099	5,452	sf	9481	1-8-7-032-035	1-8-7-032-035	5,000	sf
9519	1-8-7-032-064	1-8-7-032-064	5,100	sf	9519	1-8-7-031-073	1-8-7-031-073	5,200	sf
10011	1-8-7-035-112	1-8-7-035-112	5,500	sf	9519	1-8-7-031-028	1-8-7-031-028	5,000	sf
9519	1-8-7-035-101	1-8-7-035-101	6,020	sf	9519	1-8-7-031-076	1-8-7-031-076	5,001	sf
10011	1-8-7-031-064	1-8-7-031-064	18,626	sf	9519	1-8-7-031-019	1-8-7-031-019	5,000	sf
10011	1-8-7-035-090	1-8-7-035-090	5,308	sf	9519	1-8-7-031-072	1-8-7-031-072	5,000	sf
10011	1-8-7-035-118	1-8-7-035-118	5,500	sf	9519	1-8-6-009-010	1-8-6-009-010	8,290	sf
9500	1-8-7-017-063	1-8-7-017-063	5,161	sf	9214	1-8-7-017-008	1-8-7-017-008	5,090	sf
9519	1-8-7-031-017	1-8-7-031-017	5,000	sf	9500	1-8-7-026-024	1-8-7-026-024	5,420	sf
9500	1-8-7-017-072	1-8-7-017-072	6,210	sf	9481	1-8-7-035-053	1-8-7-035-053	5,000	sf
10011	1-8-7-035-074	1-8-7-035-074	7,795	sf	10011	1-8-7-035-089	1-8-7-035-089	5,000	sf
9481	1-8-7-027-004	1-8-7-027-004	6,585	sf					
9481	1-8-7-027-005	1-8-7-027-005	5,942	sf					

Luahualei Claims by Grant Numbers

<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>	<u>Grant No.</u>	<u>Grant Date</u>	<u>TMK</u>	<u>Land Area (Acres)</u>	<u>(SF)</u>
9481		1-8-7-027-052	5,000	sf	9364		1-8-7-026-096	35,250	sf
10710		1-8-6-004-006	1,000		9481		1-8-7-026-031	6,442	sf
9519		1-8-7-032-034	5,000	sf	9519		1-8-7-032-043	5,100	sf
9519		1-8-7-032-085	8,330	sf	10011		1-8-7-035-117	5,500	sf
9571		1-8-7-008-077	18,222		9519		1-8-7-032-058	5,100	sf
9500		1-8-7-017-062	14,900	sf	9519		1-8-7-031-047	5,100	sf
9481		1-8-7-027-100	5,000	sf	9481		1-8-7-026-030	5,001	sf
9214		1-8-6-009-004	5,310		9500		1-8-7-017-059	7,500	sf
9481		1-8-7-026-018	8,756	sf	10011		1-8-7-035-124	5,500	sf
9292		1-8-7-034-013	7,275	sf	9519		1-8-7-031-014	10,000	sf
9519		1-8-7-031-042	5,000	sf	9500		1-8-7-017-012	6,173	sf
9519		1-8-7-032-088	7,253	sf	12236		1-8-7-006-007-0001	34,848	sf
9519		1-8-7-031-046	5,100	sf	9481		1-8-7-027-057	5,937	sf

Oahu Public Land Claims by Grant Numbers/Dispositions

Waimanalo		Laualalei							
Grant No./Disposition	Gr./Dsp. Date	Tax Map Key	Div	Zone	Sect	Plat	Parcel	CPR	Land Area (Acres)
CSF 3668									
GL-1388	11/28/21	1	4	1	9	263			1.25
GL-1388	11/28/21	1	4	1	9	271			0.15
GL-1388	11/28/21	1	4	1	9	272			0.225
GL-1388	11/28/21	1	4	1	9	273			0.48
GL-1388	11/28/21	1	4	1	9	279			3.353
GL-1388	11/28/21	1	4	1	9	280			4.022
GL-1388	11/28/21	1	4	1	9	281			0
GL-1388	11/28/21	1	4	1	9	282			110.973
GL-1388	11/28/21	1	4	1	9	1 por			0
GL-1388	11/28/21	1	4	1	9	12 por			0
GL-1388	11/28/21	1	4	1	9	48 por			0
GL-1388	11/28/21	1	4	1	9	267 por			0
GL-1388	11/28/21	1	4	1	12	23			0
GL-1388	11/28/21	1	4	1	12	100-155			0
GL-1388	11/28/21	1	4	1	34	33970			0
GL-1388	11/28/21	1	4	1	33	1-194			0
									3.23
									123.683
									Sub-total
									106.2
									106.2

LOT 16-0

7/9/21

1 8 8

7 7 7

33 1

Sub-total

123.683