

FORTY-SECOND DAY

Monday, March 31, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:54 o'clock a.m., with the Vice Speaker presiding.

The invocation was delivered by U.S. Army Chaplain William Laigaie, after which the Roll was called showing all members present with the exception of Representatives Goodenow and Souki, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

SENATE COMMUNICATION

Sen. Com. No. 409, returning H.B. No. 139, HD 1, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 27, 1997.

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

Representative Ito introduced 9 special education students from Castle High School. They were accompanied by their teacher, Suzanne Hong; and educational assistants, Terry Shimizu and Annette Cummins.

Representative McDermott introduced Connie Chun, a former colleague and now a constituent of his.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R.Nos. Re-referred to:

- 62 Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 164 Committee on Energy and Environmental Protection, then to the Committee on Finance

H.C.R.Nos.

- 107 Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 233 Committee on Energy and Environmental Protection, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 217 and 218) were announced by the Clerk and the following actions taken:

H.R. No. 217, entitled: "HOUSE RESOLUTION HONORING DR. ELIZABETH MCCANN ADAMS," was offered by Representative Santiago.

H.R. No. 218, entitled: "HOUSE RESOLUTION HONORING DR. ROGER AND ANNA MARIA BRAULT," was offered by Representative Santiago.

Representative Santiago moved that H.R. Nos. 217 and 218 be adopted, seconded by Representative Kahikina.

Representative Santiago rose to speak in support of the resolutions, stating:

"Mr. Speaker, I am very pleased to recognize and honor the recipients of the annual Hawaii Medical Association Physician of the Year Award.

"I would like to begin by asking Dr. Elizabeth McCann Adams to rise please.

"Members, our first recipient is Dr. McCann Adams who was selected for her outstanding volunteer service on behalf of the American Cancer Society. Writing extensively on the dangers of smoking and the effects of tobacco, she has spent many hours here at the Legislature convincing many of us of the harmful effects and consequences of tobacco use. In addition to serving as a member of the Board of Directors of the League of Women Voters, Dr. Adams has chaired several HMA committees. She serves as a loyal member of eight committees currently, and volunteers to staff community health fairs and other events.

"Dr. Adams is also a very strong advocate for mental health services for our children and our adolescents. We are indeed truly blessed and honored to have her commitments and her sharing of her knowledge with so many of us."

Representative Santiago then introduced the second awardees, saying:

"The second award, if I could please ask Drs. Roger and Anna Maria Brault to please rise.

"Members, this award is given to this physician couple, Drs. Roger and Anna Maria Brault. They met at the University of Ottawa where they graduated as co-valedictorians. He became a surgeon while she became an internist. After maintaining a private practice, they dedicated their time and medical talents to the Catholic Medical Mission. While working for the Mission, they traveled extensively. Their experiences changed their perspectives about the issues of life, death, patience and poverty. As a result, when they returned to Hawaii they worked for two years to help found the Hospice of Hawaii. Drs. Roger and Anna Maria Brault are still active as consultants on numerous medical and community boards. They are true role models for all of our society."

Representative Santiago then asked Dr. John Spangler, HMA President, who was also seated on the House floor to stand to be recognized.

Representative Santiago then asked the following individuals who were seated in the gallery to stand to be recognized: Mrs. Gherlita Gutteling, HMA Alliance President; Mrs. Susan Foo, HMA Alliance Vice President; Mrs. Connie Chun, Mrs. Sherry Lim and Mrs. Charlene Kim, HMA Alliance members; Dr. Fred Holschuh, HMA Past President, and "someone who has been before my committee a number of times;" and Mr. Jon Won, HMA Executive Director.

Representative Santiago continued, saying:

"One more time, could we all recognize the very great and distinguished contributions that are made by the physicians and the representatives?"

"Thank you very much."

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

"As the co-convenor of the Keiki Caucus and the honorary co-chair of the Hawaii Children's Campaign, I want to recognize Dr. Adams for her outstanding work at the Advocacy for Children. I've worked with Dr. Adams, especially in the area of child and adolescent mental health, especially in forming the Child and Adolescent Mental Health Task Force. In a true sense of the word, when we talk about prevention, intervention and saving future costs, I don't think there is any greater advocate than Dr. Adams. She provided us with a professional perspective of how important it is to care for the health of our children. And she has especially been very vocal on the need for more services in the area of child and adolescent mental health. I want to personally thank her for her work and acknowledge her recognition today.

"Thank you, Dr. Adams."

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

"I first met Dr. Roger Brault when my oldest son, Dave, seriously cut his arm on some glass, and we rushed him in to see Dr. Brault at Castle Hospital. He very carefully sewed up Dave's arm, and very ably calmed a panicked mother. Dave has since grown up into being a successful game software developer, using both arms and both hands on the computer. Thank you, Dr. Brault for that.

"The next time Dr. Brault was really of great importance to our family was when my daughter, Laura, was about eight years old and fell off a wall. Dr. Brault not only took care of sewing up her head; he also washed her hair because I was too scared to do it. He washed the matted blood out of her hair, and I thought, my goodness, here is a man that really knows how to take care of people, and how to calm the concerns of a very concerned mother.

"Dr. Anna Maria Brault is loved by many of us on the Windward side, and I know that many of my friends have gone to her through the years.

"They are both very highly respected members of our Windward community, and we are honored to have them here on the floor of the House of Representatives.

"Thank you, Drs. Roger and Anna Maria Brault."

Representative Lee then rose to speak in support of the resolutions, stating:

"Mr. Speaker, this presentation is very appropriate to be given today because today is 'Doctor's Day.' What better day to recognize the Hawaii Medical Association's 1996 Physician of the Year awardees: Dr. Elizabeth McCann Adams and Drs. Roger and Anna Maria Brault?"

"As a nurse, I have spent more than thirty years working with and around doctors. Health care and medicine have changed very much in those thirty years -- it is more difficult, I think, than ever to practice medicine with the voluminous paper work and the many challenges presented by today's technology and now, managed care.

"I have been so impressed with the physicians who have come to the Legislature to testify on issues of importance to the public, and one sitting up in the gallery, Dr. Fred Holschuh from the Big Island, who has tirelessly advanced his campaign to get drunk drivers off the road.

"Equally impressive has been the faithful testimony of Dr. Howard, who, among other issues, testified in favor of measures to decrease smoking among our young people.

"In our community, there are physicians who make an annual pilgrimage to the Philippines to provide care, medicine and surgery to those who otherwise would not receive care.

"In my own community, there are those like Dr. Steven Wee who takes time from his busy schedule to be both a Boy Scout leader and a member of his community association board.

"And so, on Doctor's Day, I would like to add my congratulations to those of others, and congratulations to the honorees and to all of our Hawaii doctors for a job well done.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of the resolutions, stating:

"I would like to show my appreciation for the medical profession this Doctor's Day, my daughter having been injured recently snowboarding on Mauna Kea. But I am happy to report that she is home from the hospital and mending well.

"Although we have to work on better medical transportation from the Big Island, I only have praise for the skill of the doctors that attended her from Hilo Emergency to Queen's Trauma. I am very grateful for their dedication to the healing arts. Thank you."

Representative Cachola then rose to speak in support of the resolutions, stating:

"Mr. Speaker, it is really an honor to have these doctors here today. You just don't know the feeling when it comes to families that wherein you have doctors as members of the family. I am married to one, and I know exactly how the families react and feel.

"Sometimes doctors, especially in my family, my wife is not only a doctor, she juggles herself being a wife, a mother, a grandmother, and also finds time to help the needy. We go to the Philippines through the Aloha Medical Mission, and I can understand some of the things that these doctors who we are honoring today are really involved with.

"To Dr. Elizabeth McCann Adams, my congratulations, and to Drs. Roger and Anna Maria Brault, let me say that sometimes in the family, one doctor is enough. To have two, sometimes you have no time for the kids, no time to do a lot more, but I can understand that this is the profession that they have chosen. And really giving to the public the art of healing is sometimes not appreciated.

"Mr. Speaker, let me say to these doctors that we are honoring today: Good luck. May you do a lot more. With that, I will extend my warmest congratulations to all of you, and my best wishes to all future endeavors.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. Nos. 217 and 218 were adopted, with Representatives Goodenow, Souki and White being excused.

Representatives Santiago and Kahikina presented Dr. Elizabeth McCann Adams and Drs. Roger and Ann Maria Brault with Certificates of Recognition, while Representatives Cachola, Morita, M. Oshiro and Lee presented the honorees with floral leis.

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

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

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1430) recommending that H.C.R. No. 71 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF METHODS OF PROVIDING TAX INCENTIVES TO BUSINESSES FOR SUPPORTING THE EMPLOYMENT OF HAWAII WORKERS," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1431) recommending that H.C.R. No. 208 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION ADOPTING THE BENCHMARKING PROCESS OF KE ALA HOKU TO ENSURE A BETTER QUALITY OF LIFE FOR THE PEOPLE OF HAWAII," was referred to the Committee on Legislative Management with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1432) recommending that H.R. No. 144 be referred to the Committee on Legislative Management.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 144, entitled: "HOUSE RESOLUTION ADOPTING THE BENCHMARKING PROCESS OF KE ALA HOKU TO ENSURE A BETTER QUALITY OF LIFE FOR THE PEOPLE OF HAWAII," was referred to the Committee on Legislative Management with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1433) recommending that H.C.R. No. 256, as amended in HD 1, be referred to the Committee on Finance.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report

(Stand. Com. Rep. No. 1434) recommending that H.R. No. 183, as amended in HD 1, be referred to the Committee on Finance.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 256, HD 1, and H.R. No. 183, HD 1, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Thielen rose and requested the Clerk to cast no votes for her on H.C.R. No. 256, HD 1, and H.R. No. 183, HD 1, and the Chair "so ordered."

Representative Halford rose and requested the Clerk to cast no votes for him on H.C.R. No. 256, HD 1, and H.R. No. 183, HD 1, and the Chair "so ordered."

Representative Tarnas rose and asked the Clerk to register an aye with reservations on both resolutions, saying:

"Very briefly, there is just one WHEREAS section in the resolutions that I have difficulty with. It says: '...it is reasonable to believe that any negative impacts can be mitigated by reducing the geographic dispersion of casino gaming in Hawaii by limiting casino gaming to only one specific geographic location in the State.'

"My concern is: If we are going to place it in one individual location, that the negative impacts could be felt in that one individual location, and we must not forget that.

"Otherwise, I certainly am interested in receiving additional information on social and economic impacts of any new business initiative.

"Thank you very much, Mr. Speaker."

Representative Ward rose and asked the Clerk to cast no votes on both resolutions, and the Chair "so ordered."

Representative Moses rose and asked the Clerk to record an aye with reservations on both resolutions, and requested that Representative Tarnas' remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Case rose and requested the Clerk to register an aye with reservations on both resolutions, and the Chair "so ordered."

Representative Lee rose and requested the Clerk to register an aye with reservations on both resolutions, and the Chair "so ordered."

Representative Santiago rose and requested the Clerk to register no votes on both resolutions, and the Chair "so ordered."

Representative Stegmaier rose and asked the Clerk to register an aye with reservations on both resolutions, and the Chair "so ordered."

Representative Marumoto rose and asked the Clerk to record no votes on both resolutions, and the Chair "so ordered."

Representative Pendleton rose and asked the Clerk to record no votes on both resolutions, and requested that Representative Tarnas' remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose and asked the Clerk to record no votes on both resolutions, and the Chair "so ordered."

Representative Kawanakoa rose and asked the Clerk to record no votes on both resolutions, and the Chair "so ordered."

Representative McDermott rose and asked the Clerk to record no votes on both resolutions, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 256, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC AND SOCIAL IMPACT OF PARI-MUTUEL HORSE RACING, SHIPBOARD CASINOS, AND HOTEL/CASINO GAMBLING IN HILO," and H.R. No. 183, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC AND SOCIAL IMPACT OF PARI-MUTUEL HORSE RACING, SHIPBOARD CASINOS, AND HOTEL/CASINO GAMBLING IN HILO," were referred to the Committee on Finance with Representatives Halford, Kawanakoa, Marumoto, McDermott, Meyer, Pendleton, Santiago, Thielen and Ward voting no, and Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Herkes and Cachola, for the Committees on Economic Development and Business Concerns and Tourism, presented a joint report (Stand. Com. Rep. No. 1435) recommending that H.C.R. No. 264, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 264, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOSTING OF A PACIFIC CONFERENCE ON MARINE SCIENCE AND TECHNOLOGY IN HAWAII," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Herkes and Cachola, for the Committees on Economic Development and Business Concerns and Tourism, presented a joint report (Stand. Com. Rep. No. 1436) recommending that H.R. No. 189, as amended in HD 1 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 189, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HOSTING OF A PACIFIC CONFERENCE ON MARINE SCIENCE AND TECHNOLOGY IN HAWAII," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1437) recommending that H.C.R. No. 187 be referred to the Committee on Public Safety and Military Affairs.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE DEPARTMENT OF EDUCATION TO ESTABLISH SIX JUNIOR RESERVE OFFICE TRAINING CORPS POSITIONS," was referred to the Committee on Public Safety and Military Affairs with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1438) recommending that H.R. No. 122 be referred to the Committee on Public Safety and Military Affairs.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH SIX JUNIOR RESERVE OFFICE TRAINING CORPS POSITIONS," was referred to the Committee on Public Safety and Military Affairs with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1439) recommending that H.C.R. No. 111, as amended in HD 1 be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 111, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL," was referred to the Committee on Labor and Public Employment with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1440) recommending that H.R. No. 66, as amended in HD 1 be referred to the Committee on Labor and Public Employment.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 66, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL," was referred to the Committee on Labor and Public Employment with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1441) recommending that H.C.R. No. 181 be referred to the Committee on Transportation.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ACT ON THE RECOMMENDATIONS OF THE KAUAI SCHOOL BUS SAFETY TASK FORCE ON A STATEWIDE BASIS," was referred to the Committee on Transportation with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1442) recommending that H.C.R. No. 160, as

amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 160, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was referred to the Committee on Judiciary with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1443) recommending that H.R. No. 101, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted, and H.R. No. 101, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was referred to the Committee on Judiciary with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1444) recommending that H.C.R. No. 168, as amended in HD 1, be referred to the Committee on Finance.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1445) recommending that H.R. No. 108, as amended in HD 1, be referred to the Committee on Finance.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 168, HD 1, and H.R. No. 108, HD 1, be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Thielen rose to speak in support of both resolutions, stating:

"It's critical that the Legislature has the cost benefit data with which to make good decisions. By having these resolutions go forward and getting that information, the ERS will be able to provide solid cost information, allowing us to determine the fiscal impact that adding Conservation and Resources Enforcement Officers will have on the general fund. In the past, we haven't done that, and I think it's been a mistake.

"In addition, requiring the Legislative Reference Bureau to submit a report identifying related policy issues that may result from adding this group of employees, or any other group of employees, to this class is vital. The Employees' Retirement System is too important to future retirees, and impacts all taxpayers in Hawaii. We should not contemplate changes to the system without all the information and knowledge of the potential consequences in advance of taking such action.

"So I think that these measures are a good way to go about getting that information, Mr. Speaker, and I would hope that we do this as a matter of practice from now on. We have to remember that if the ERS is short of money,

we must take it out of the general fund. The counties, likewise, will have to come up with that money, so it's important that we make decisions based upon knowledge.

"Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted, and H.C.R. No. 168, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE QUESTION OF ADDING CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS TO CLASS A OF THE EMPLOYEES' RETIREMENT SYSTEM," and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE QUESTION OF ADDING CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS TO CLASS A OF THE EMPLOYEES' RETIREMENT SYSTEM," were referred to the Committee on Finance, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1446) recommending that H.C.R. No. 211, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 211, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE SCOPE, IMPLEMENTATION, EFFICIENCY, AND EFFECTIVENESS OF TITLE 7, HAWAII REVISED STATUTES, AND TO SEEK CONSENSUS ON NECESSARY OR APPROPRIATE CHANGES," was referred to the Committee on Finance, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1447) recommending that H.R. No. 146, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 146, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE SCOPE, IMPLEMENTATION, EFFICIENCY, AND EFFECTIVENESS OF TITLE 7, HAWAII REVISED STATUTES, AND TO SEEK CONSENSUS ON NECESSARY OR APPROPRIATE CHANGES," was referred to the Committee on Finance, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1448) recommending that H.C.R. No. 226 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A REPORT SETTING FORTH RECOMMENDATIONS TO REFORM STATE GOVERNMENT," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1449) recommending that H.R. No. 134 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A REPORT SETTING FORTH RECOMMENDATIONS TO REFORM STATE GOVERNMENT," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1450) recommending that H.C.R. No. 9, as amended in HD 1 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 9, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW, REASSESS, AND STRENGTHEN THE VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OF THE COMMUNITY COLLEGE SYSTEM," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1451) recommending that H.R. No. 6, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 6, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW, REASSESS, AND STRENGTHEN THE VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OF THE COMMUNITY COLLEGE SYSTEM," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1452) recommending that H.C.R. No. 227 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1453) recommending that H.R. No. 155 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-

KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Cachola and Herkes, for the Committees on Tourism and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 1454) recommending that H.C.R. No. 78, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 78, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN INTERNATIONAL TECHNO-TOURISM POLICY," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1455) recommending that H.C.R. No. 65, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PUBLIC FINANCING OF STATE ELECTIONS," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1456) recommending that H.C.R. No. 103, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE EXECUTIVE DEPARTMENTS TO DETERMINE IF THERE ARE OVERTIME ABUSES," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1457) recommending that H.R. No. 135, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 135, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN AUDIT OF THE EXECUTIVE DEPARTMENTS TO DETERMINE IF THERE ARE OVERTIME ABUSES," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1458) recommending that H.C.R. No. 105, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 105, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON PROGRESS IN UTILIZING THE EMPLOYMENT AND TRAINING FUND," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yonamine, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1459) recommending that H.R. No. 60, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO REPORT ON PROGRESS IN UTILIZING THE EMPLOYMENT AND TRAINING FUND," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1460) recommending that H.C.R. No. 203 be referred to the Committee on Finance.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1461) recommending that H.R. No. 139 be referred to the Committee on Finance.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 203 and H.R. No. 139 be referred to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Ward rose and stated:

"I rise with reservations on both resolutions for two reasons. Number one is, there was not a bill or a resolution attached to the Committee Report, and the Committee Report said that there were some technical considerations that were to be looked at, and I am not aware of those.

"Number two, I have some constituents who would be up in arms unless they saw the balance side of the fluoridation chemicals and the result of that which would be impacting upon their particular children.

"So for those reasons, I have reservations. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER ECONOMIC AND TECHNICAL CONSIDERATIONS TO FLUORIDATE HAWAII'S WATER SUPPLY," and H.R. No. 139, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER ECONOMIC AND TECHNICAL CONSIDERATIONS TO FLUORIDATE HAWAII'S WATER SUPPLY," were referred to the Committee on Finance, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 1462) recommending that H.C.R. No. 145, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE HAWAII HEALTH QUEST PROGRAM AND TO MAKE RECOMMENDATIONS TO IMMEDIATELY REDUCE THE PROGRAM'S INCREASING COSTS OR TO STABILIZE THEM, OR BOTH, WITHOUT AN INCREASE IN FUNDING," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 1463) recommending that H.R. No. 91, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.R. No. 91, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE HAWAII HEALTH QUEST PROGRAM AND TO MAKE RECOMMENDATIONS TO IMMEDIATELY REDUCE THE PROGRAM'S INCREASING COSTS OR TO STABILIZE THEM, OR BOTH, WITHOUT AN INCREASE IN FUNDING," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1464) recommending that H.C.R. No. 62 be referred to the Committee on Judiciary.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 62 be referred to the Committee on Judiciary, seconded by Representative M. Oshiro.

Representative Ward rose and requested a no vote be cast for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO PERMIT AND FACILITATE RESEARCH ON THE EFFICACY OF THE MEDICAL USES OF CANNABIS," was referred to the Committee on Judiciary with Representative Ward voting no, and Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1465) recommending that H.C.R. No. 178 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1466) recommending that H.C.R. No. 3, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 3, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF THE IMPACT OF THE ACTIVITIES OF THE UNIVERSITY OF HAWAII ON THE ECONOMIC DEVELOPMENT OF THE STATE OF HAWAII," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 1467) recommending that H.C.R. No. 95, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 95, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1468) recommending that H.C.R. No. 125, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND MAINTAIN CHILD AND ADOLESCENT MENTAL HEALTH SERVICES THAT ARE ACCESSIBLE, COMMUNITY-BASED, AND SENSITIVE TO THE NEEDS AND SOCIO-ECONOMIC PROFILE OF HAWAII'S COMMUNITIES," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1469) recommending that H.R. No. 79, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND MAINTAIN CHILD AND ADOLESCENT MENTAL HEALTH SERVICES THAT ARE ACCESSIBLE, COMMUNITY-BASED, AND SENSITIVE TO THE NEEDS AND SOCIO-ECONOMIC PROFILE OF HAWAII'S COMMUNITIES," was referred to the Committee on Finance with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1470) recommending that H.C.R. No.

234, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 234, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW," was referred to the Committee on Consumer Protection and Commerce with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1471) recommending that H.R. No. 167, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 167, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING A BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW," was referred to the Committee on Consumer Protection and Commerce with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1472) recommending that H.C.R. No. 233, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 233, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, THROUGH THE SECRETARIAT FOR CONSERVATION BIOLOGY, TO DEVELOP A COMPREHENSIVE PLAN TO ESTABLISH HAWAII AS A PACIFIC CENTER-OF-EXCELLENCE IN ENVIRONMENTAL AND NATURAL RESOURCE SCIENCE, MANAGEMENT, AND POLICY," was referred to the Committee on Higher Education with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1473) recommending that H.R. No. 164, as amended in HD 1, be referred to the Committee on Higher Education.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 164, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, THROUGH THE SECRETARIAT FOR CONSERVATION BIOLOGY, TO DEVELOP A COMPREHENSIVE PLAN TO ESTABLISH HAWAII AS A PACIFIC CENTER-OF-EXCELLENCE IN ENVIRONMENTAL AND NATURAL RESOURCE SCIENCE, MANAGEMENT, AND POLICY," was referred to the Committee on Higher Education with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1474) recommending that H.C.R. No. 267, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and H.C.R. No. 267, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON PLANS TO RELOCATE ANY PARTS OF THE INSTITUTE FOR ASTRONOMY TO THE BIG ISLAND," was adopted with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1475) recommending that H.C.R. No. 50, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A TASK FORCE TO EVALUATE THE COURT ANNEXED ARBITRATION PROGRAM," was adopted with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1476) recommending that H.C.R. No. 231 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was adopted, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1477) recommending that H.R. No. 161 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 161, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was adopted, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1478) recommending that H.C.R. No. 205 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was adopted with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1479) recommending that H.R. No. 141 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was adopted, with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1480) recommending that S.B. No. 653, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1480 and S.B. No. 653, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 653, SD 2, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1481) recommending that S.B. No. 293, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 293, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1482) recommending that S.B. No. 1766, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1766, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Goodenow, Morihara, Say and Souki being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1483) recommending that S.B. No. 1069, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1069, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Goodenow, Morihara, Say and Souki being excused.

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Goodenow, Morihara, Say and Souki were excused.)

STANDING COMMITTEE REPORT

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1484) recommending that S.B. No. 1578, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M Oshiro and carried, the report of the Committee was adopted and S.B. No. 1578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," passed Third Reading by a vote of 47 ayes, with Representatives Goodenow, Morihara, Say and Souki being excused.

THIRD READING**S.B. No. 1242, SD 1, HD 1:**

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1242, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS," passed Third Reading by a vote of 47 ayes, with Representatives Goodenow, Morihara, Say and Souki being excused.

S.B. No. 140, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 140, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 47 ayes, with Representatives Goodenow, Morihara, Say and Souki being excused.

The Chair directed the Clerk to note that S.B. Nos. 1578, 1242 and 140 had passed Third Reading at 12:33 o'clock p.m.

At this time, Representative M. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving Standing Committee Reports and House Resolutions and House Concurrent Resolutions attached thereto, seconded by Representative Thielen and carried. (Representatives Goodenow, Morihara, Say and Souki were excused.)

Representative M. Oshiro then moved that all Standing Committee Reports received by the Clerk up to 6:00 o'clock p.m. this legislative day be adopted and that the House Resolutions and House Concurrent Resolutions attached thereto proceed to their designated committees, seconded by Representative Thielen and carried. (Representatives Goodenow, Morihara, Say and Souki were excused.)

At 12:34 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

The following Standing Committee Reports (Stand. Com. Rep. Nos. 1485 to 1559) were received in the Clerk's Office up to 6:00 o'clock p.m. this legislative day, and in accordance with the motion made earlier, said Standing Committee Reports were adopted and all House Resolutions and House Concurrent Resolutions accompanying said Standing Committee Reports were referred to the committees designated on said Standing Committee Reports:

Stand. Com. Rep. No. 1485 (JUD) was adopted and H.C.R. No. 183, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A COMMITTEE FOR THE PURPOSE OF STUDYING AND MAKING RECOMMENDATIONS ON THE MATTER OF SUCCESSORSHIP," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1486 (JUD) was adopted and H.C.R. No. 143, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY ALTERNATIVES TO THE CURRENT METHOD OF ELECTING TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1487 (JUD) was adopted and H.R. No. 89, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY ALTERNATIVES TO THE CURRENT METHOD OF ELECTING TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1488 (JUD) was adopted and H.C.R. No. 276, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO FACILITATE DISCUSSIONS BETWEEN ALL AFFECTED PARTIES AND SEEK CONSENSUS ON APPROPRIATE STATE REGULATION OF RIGHTS REAFFIRMED UNDER ARTICLE XII, SECTION 7, OF THE HAWAII STATE CONSTITUTION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1489 (JUD) was adopted and H.R. No. 197, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF PLANNING OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO FACILITATE DISCUSSIONS BETWEEN ALL AFFECTED PARTIES AND SEEK CONSENSUS ON APPROPRIATE STATE REGULATION OF RIGHTS REAFFIRMED UNDER ARTICLE XII, SECTION 7, OF THE HAWAII STATE CONSTITUTION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1490 (JUD) was adopted and H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1491 (JUD) was adopted and H.R. No. 24, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATE CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1492 (JUD) was adopted and H.C.R. No. 235, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE IDENTIFICATION CARDS AND/OR OTHER FORMS OF IDENTIFICATION TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1493 (JUD) was adopted and H.R. No. 165, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE IDENTIFICATION CARDS AND/OR OTHER FORMS OF IDENTIFICATION TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1494 (JUD) was adopted and H.R. No. 120, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A COMMITTEE FOR THE PURPOSE OF STUDYING AND MAKING RECOMMENDATIONS ON THE MATTER OF SUCCESSORSHIP," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1495 (WLU) was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1496 (WLU) was adopted and H.R. No. 93, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1497 (WLU) was adopted and H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON LAND USE PLANNING," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1498 (WLU) was adopted and H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HISTORIC HOMEOWNERSHIP TAX CREDIT," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1499 (WLU) was adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION SUPPORTING THE HISTORIC HOMEOWNERSHIP TAX CREDIT," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1500 (WLU) was adopted and H.C.R. No. 259, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COMMISSION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1501 (WLU) was adopted and H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COMMISSION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1502 (WLU) was adopted and H.C.R. No. 288, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSESS THE FEASIBILITY OF

DESIGNATING THE FORMER WAIMEA CIVIC CENTER AND ITS GROUNDS AS A HISTORIC SITE AND PROVIDING TENANTS WITH LONGER TERM LEASES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1503 (WLU) was adopted and H.R. No. 205, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ASSESS THE FEASIBILITY OF DESIGNATING THE FORMER WAIMEA CIVIC CENTER AND ITS GROUNDS AS A HISTORIC SITE AND PROVIDING TENANTS WITH LONGER TERM LEASES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1504 (TSM) was adopted and H.C.R. No. 70, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1505 (CPC) was adopted and H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF OCCUPATIONAL THERAPY," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1506 (CPC) was adopted and H.C.R. No. 19, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1507 (CPC) was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1508 (CPC) was adopted and H.C.R. No. 18, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING THE COSTS OF MENTAL HEALTH SERVICES IN HAWAII AND THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE IN HEALTH CARE INSURANCE PLANS EQUIVALENT TO THE COVERAGE FOR ANY OTHER MEDICAL ILLNESSES," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1509 (CPC) was adopted and H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO DETERMINE WHETHER APPRAISALS SHOULD BE PERFORMED IN ACCORDANCE WITH USPAP IN BOTH FEDERALLY AND NON-FEDERALLY RELATED TRANSACTIONS," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1510 (EDN) was adopted and H.C.R. No. 93, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VALUES AND ETHICS

PROGRAMS DETERMINED BY EACH SCHOOL COMMUNITY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1511 (EDN) was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO SEEK ASSISTANCE FROM THE COUNTY WATER SUPPLY AGENCIES AND UTILITY COMPANIES IN SOLICITING DONATIONS FOR SUPPORT OF PUBLIC LIBRARIES," was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 1512 (EDN) was adopted and H.C.R. No. 32, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT CARDIOPULMONARY RESUSCITATION AND FIRST AID BE REQUIRED IN ALL PUBLIC AND PRIVATE HIGH SCHOOL HEALTH CLASSES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1513 (EDN) was adopted and H.R. No. 31, HD 1, as amended in HD 2, entitled: "HOUSE RESOLUTION REQUESTING THAT CARDIOPULMONARY RESUSCITATION AND FIRST AID BE REQUIRED IN ALL PUBLIC AND PRIVATE HIGH SCHOOL HEALTH CLASSES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1514 (HSH) was adopted and H.C.R. No. 206, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE WAIMANALO HOMES PROJECT TO REMAIN LIVING THERE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1515 (HSH) was adopted and H.R. No. 142, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE WAIMANALO HOMES PROJECT TO REMAIN LIVING THERE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1516 (EDN) was adopted and H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE REGULAR MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1517 (EDN) was adopted and H.R. No. 97, entitled: "HOUSE RESOLUTION REQUESTING THE REGULAR MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1518 (OMR) was adopted and H.C.R. No. 253, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING OCEAN RESOURCES AND OCEAN INDUSTRIES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1519 (OMR) was adopted and H.R. No. 180, as amended in HD 1, entitled: "HOUSE RESOLUTION ACKNOWLEDGING OCEAN RECREATION INDUSTRIES AND OCEAN INDUSTRIES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1520 (OMR) was adopted and H.C.R. No. 186, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1521 (OMR) was adopted and H.R. No. 121, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1522 (EDN) was adopted and H.C.R. No. 251, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1523 (EDN) was adopted and H.C.R. No. 178, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1524 (EDN) was adopted and H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO CONSIDER SHIFTING A PORTION OF FOREIGN LANGUAGE EDUCATION RESOURCES FROM THE HIGH SCHOOL TO THE ELEMENTARY SCHOOL LEVEL," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1525 (EDN) was adopted and H.R. No. 78, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO CONSIDER SHIFTING A PORTION OF FOREIGN LANGUAGE EDUCATION RESOURCES FROM THE HIGH SCHOOL TO THE ELEMENTARY SCHOOL LEVEL," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1526 (EDN) was adopted and H.C.R. No. 38, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE AND THE DEPARTMENT OF EDUCATION TO TAKE CERTAIN ACTIONS TO FACILITATE THE CONSTRUCTION OF COMMUNICATIONS WIRING AND CONDUIT SYSTEMS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1527 (EDN) was adopted and H.R. No. 37, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE THE DEPARTMENT OF BUDGET AND FINANCE AND THE DEPARTMENT OF EDUCATION TO TAKE CERTAIN ACTIONS TO FACILITATE THE CONSTRUCTION OF COMMUNICATIONS WIRING AND CONDUIT SYSTEMS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1528 (EDN) was adopted and H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1529 (EDN) was adopted and H.R. No. 172, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1530 (EDN) was adopted and H.C.R. No. 149, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A MONITORING SYSTEM TO ENSURE CONSISTENCY IN ADMINISTERING DISCIPLINE IN THE PUBLIC SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1531 (EDN) was adopted and H.R. No. 95, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A MONITORING SYSTEM TO ENSURE CONSISTENCY IN ADMINISTERING DISCIPLINE IN THE PUBLIC SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1532 (EDN) was adopted and H.C.R. No. 175, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF BUDGET AND FINANCE, AND THE STATE PROCUREMENT OFFICE TO EXPLORE VARIOUS OPTIONS FOR THE ACQUISITION OF COMPUTER EQUIPMENT FOR HAWAII'S PUBLIC SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1533 (EDN) was adopted and H.R. No. 115, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF BUDGET AND FINANCE, AND THE STATE PROCUREMENT OFFICE TO EXPLORE VARIOUS OPTIONS FOR THE ACQUISITION OF COMPUTER EQUIPMENT FOR HAWAII'S PUBLIC SCHOOLS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1534 (WLU) was adopted and H.C.R. No. 257, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH OTHER AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE FUTURE OPTIONS FOR THE COMMUNITY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1535 (WLU) was adopted and H.R. No. 184, HD 1, as amended in HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL

RESOURCES TO WORK WITH OTHER AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE FUTURE OPTIONS FOR THE COMMUNITY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1536 (OMR) was adopted and H.C.R. No. 277, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO SMALL BOAT HARBORS," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1537 (OMR) was adopted and H.R. No. 198, as amended in HD 1, entitled: "HOUSE RESOLUTION RELATING TO SMALL BOAT HARBORS," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1538 (Consumer Protection and Commerce and Judiciary) was adopted and H.C.R. No. 248, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO REPORT ON H.B. No. 567 AND S.B. No. 1077 RELATING TO REAL PROPERTY LEASES," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1539 (EEP) was adopted and H.C.R. No. 237, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE TRANSPORT OF NUCLEAR WASTE TO, AND STORAGE OF NUCLEAR WASTE ON, ANY TERRITORY OR POSSESSION OF THE UNITED STATES," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1540 (EEP) was adopted and H.R. No. 168, as amended in HD 1, entitled: "HOUSE RESOLUTION EXPRESSING OPPOSITION TO THE TRANSPORT OF NUCLEAR WASTE TO, AND STORAGE OF NUCLEAR WASTE ON, ANY TERRITORY OR POSSESSION OF THE UNITED STATES," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1541 (EEP) was adopted and H.C.R. No. 115, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1542 (EEP) was adopted and H.R. No. 70, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1543 (PSM) was adopted and H.C.R. No. 107, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1544 (PSM) was adopted and H.R. No. 62, as amended in HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF

THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1545 (EDN) was adopted and H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE THE FEASIBILITY OF EXTENDING THE LENGTH OF THE SCHOOL DAY TO INCREASE TEACHING OPPORTUNITIES AND MAKE THE MOST OF THE LEARNING POTENTIAL OF CHILDREN IN KINDERGARTEN TO GRADE THREE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1546 (EDN) was adopted and H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE THE FEASIBILITY OF EXTENDING THE LENGTH OF THE SCHOOL DAY TO INCREASE TEACHING OPPORTUNITIES AND MAKE THE MOST OF THE LEARNING POTENTIAL OF CHILDREN IN KINDERGARTEN TO GRADE THREE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1547 (EDN) was adopted and H.C.R. No. 278, HD 1, as amended in HD 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1548 (EDN) was adopted and H.R. No. 199, HD 1, as amended in HD 2, entitled: "HOUSE RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1549 (EDN) was adopted and H.C.R. No. 66, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC LIBRARY SYSTEM," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1550 (EDN) was adopted and H.C.R. No. 250, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EVALUATE THE BIG ISLAND PILOT PROJECT ON MENTAL HEALTH SERVICES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1551 (EDN) was adopted and H.C.R. No. 188, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE ADEQUACY OF THE NUMBER OF INSTRUCTIONAL DAYS IN THE SCHOOL YEAR," was referred to the Committee on Labor and Public Employment.

Stand. Com. Rep. No. 1552 (EDN) was adopted and H.R. No. 123, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF THE ADEQUACY OF THE NUMBER OF INSTRUCTIONAL DAYS IN THE SCHOOL YEAR," was referred to the Committee on Labor and Public Employment.

Stand. Com. Rep. No. 1553 (EDN) was adopted and H.C.R. No. 82, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PROVISION OF ALTERNATIVE EDUCATION PROGRAMS FOR HIGH SCHOOL STUDENTS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1554 (EDN) was adopted and H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF

A LONG-RANGE FINANCIAL AND OPERATIONAL PLAN TO ENSURE THE DEVELOPMENT OF THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1555 (EDN) was adopted and H.R. No. 23, HD 1, as amended in HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO EVALUATE THE BIG ISLAND PILOT PROJECT ON MENTAL HEALTH SERVICES," was referred to the Committee on Legislative Management.

Stand. Com. Rep. No. 1556 (EDN) was adopted and H.C.R. No. 262, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1557 (EDN) was adopted and H.R. No. 187, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1558 (EDN/HED) was adopted and H.C.R. No. 242, as amended in HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS OF THE STATUS OF EFFORTS TO PROMOTE FAIRNESS AND EQUITY FOR FILIPINO-AMERICANS," was referred to the Committee on Judiciary.

Stand. Com. Rep. No. 1559 (EDN/HED) was adopted and H.R. No. 173, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING REPORTS OF THE STATUS OF EFFORTS TO PROMOTE FAIRNESS AND EQUITY FOR FILIPINO-AMERICANS," was referred to the Committee on Judiciary.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. on Tuesday, April 1, 1997.

FORTY-THIRD DAY**Tuesday, April 1, 1997**

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:48 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Pastor Bill Ashpole of the Faith Assembly of God, after which the Roll was called showing all members present with the exception of Representatives Fox, Jones, Menor, Meyer and Stegmaier, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 173 and 174) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 173, transmitting copies of the HFDC Funds report prepared by Grant Thornton, Certified Public Accountants and the Housing Finance and Development Corporation, Department of Budget and Finance, to satisfy the requirements of Section 201E-40, Hawaii Revised Statutes.

Gov. Msg. No. 174, informing the House that on March 31, 1997, he signed the following bill into law:

Senate Bill No. 1493 as Act 4, entitled: "RELATING TO LIMITED LIABILITY COMPANIES".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 410 through 412) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 410, transmitting S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," which was adopted by the Senate on March 31, 1997.

Sen. Com. No. 411, transmitting S.C.R. No. 179, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ETHNIC STUDIES DEPARTMENT TO DOCUMENT THE ROLE OF FIREWORKS IN HAWAII IN RELIGIOUS AND CULTURAL PRACTICES AND LOCAL CUSTOMS," which was adopted by the Senate on March 31, 1997.

Sen. Com. No. 412, transmitting S.C.R. No. 243, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF INSTALLING APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," which was adopted by the Senate on March 31, 1997.

By unanimous consent, further action on S.C.R. Nos. 26, 179 and 243 was deferred.

At 11:54 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:58 o'clock a.m.

ORDER OF THE DAY**INTRODUCTION OF RESOLUTION**

H.R. No. 220, entitled: "HOUSE RESOLUTION ADOPTING AN AMENDMENT TO SECTION 21.1 OF THE HOUSE ADMINISTRATIVE AND FINANCIAL MANUAL OF THE HOUSE OF REPRESENTATIVES OF THE NINETEENTH LEGISLATURE," was offered by Representative Souki, and was announced by the Clerk.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, H.R. No. 220 was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1560) recommending that S.B. No. 208, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1560 and S.B. No. 208, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 208, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1561) recommending that S.B. No. 251, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1561 on S.B. No. 251, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 251, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1562) recommending that S.B. No. 941, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1562 and S.B. No. 941, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 941, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1563) recommending that S.B. No. 1018, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1563 and S.B. No. 1018, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1018, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1564)

recommending that S.B. No. 1385, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1564 and S.B. No. 1385, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1385, HD 1, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1565) recommending that S.B. No. 1571, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1565 and S.B. No. 1571, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1571, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1566) recommending that S.B. No. 1636, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1566 and S.B. No. 1636, SD 2, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1636, SD 2, HD 1, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1567) recommending that S.B. No. 1919, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1567 and S.B. No. 1919, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1919, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1568) recommending that S.B. No. 1943, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1568 and S.B. No. 1943, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1943, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1569) recommending that S.B. No. 991, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1569 and S.B. No. 991, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 991, SD 2, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1570) recommending that S.B. No. 1554, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1570 and S.B. No. 1554, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1554, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1571) recommending that S.B. No. 1588, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1571 and S.B. No. 1588, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1588, SD 1, HD 2, were made available to the members of the House.

Representatives Takamine and Tarnas, for the Committees on Water and Land Use and Ocean Recreation and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1572) recommending that H.C.R. No. 258 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE DESIGNATION OF THE WAILOA STATE PARK AS THE PERMANENT SITE OF THE ANNUAL HAARI BOAT RACE," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representatives Takamine and Tarnas, for the Committees on Water and Land Use and Ocean Recreation and Marine Resources, presented a joint report (Stand. Com. Rep. No. 1573) recommending that H.R. No. 185 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and H.R. No. 185, entitled: "HOUSE RESOLUTION ENDORSING THE DESIGNATION OF THE WAILOA STATE PARK AS THE PERMANENT SITE OF THE ANNUAL HAARI BOAT RACE," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1574) recommending that H.C.R. No. 59 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO CONVENE A WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH IN 1998, WITH THE THEME "IT TAKES A VILLAGE TO RAISE A CHILD", was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1575) recommending that H.R. No. 51 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO CONVENE

A WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH IN 1998, WITH THE THEME "IT TAKES A VILLAGE TO RAISE A CHILD", was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1576) recommending that H.C.R. No. 33, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 33, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALTER THE CONTENT OF THE REQUIRED HEALTH CLASSES IN SECONDARY SCHOOLS," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1577) recommending that H.R. No. 32, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 32, HD 2, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALTER THE CONTENT OF THE REQUIRED HEALTH CLASSES IN SECONDARY SCHOOLS," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1578) recommending that H.C.R. No. 152, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE STATE AND DISTRICT LEVEL MANAGEMENT AUTHORITY FOR THE HAWAIIAN STUDIES PROGRAM," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1579) recommending that H.R. No. 98, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 98, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE STATE AND DISTRICT LEVEL MANAGEMENT AUTHORITY FOR THE HAWAIIAN STUDIES PROGRAM," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1580) recommending that H.C.R. No. 239, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 239, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOGNITION AND DESIGNATION OF SURFING AND OUTRIGGER CANOE RACING AS

OLYMPIC SPORTS," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1581) recommending that H.R. No. 170, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 170, HD 1, entitled: "HOUSE RESOLUTION REQUESTING RECOGNITION AND DESIGNATION OF SURFING AND OUTRIGGER CANOE RACING AS OLYMPIC SPORTS," was adopted with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

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

The House of Representatives reconvened at 12:13 o'clock p.m.

DISPOSITION OF MATTER PLACED ON THE CLERK'S DESK

Representative Okamura moved that the House disagree to the Senate amendments made in House Bill No. 139, HD 2, SD 1, and requested a conference on the subject matter of said amendments, seconded by Representative M. Oshiro.

Representative Ward rose and stated:

"Mr. Speaker, I know it's unorthodox to stand and disagree with something we conventionally would naturally disagree with, except this is the 'high-three', and generally, as the saying goes: If it ain't broke, why try to fix it.

"I think the Senate has done a good fix on this so the implication is, unless we can do it better, why should we disagree with it. So the 'high-three', as it stands, unless we can really improve upon it, I'm not really sure what the motivation is to have a disagreement with it.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I believe that it is important to disagree. One, we do this as a matter of course, to allow the Chairperson to look at the bill and to make a final decision as to whether that person is going to agree or disagree.

"But even more importantly, there are certain things in the bill that we need to look at, one of which is, the Senate amendment to the high-three for legislators does not take effect until the year 2000, and we do want to consider possibly moving that date up.

"Thank you."

Representative Halford then rose to speak against the motion to disagree, stating:

"I don't believe that the Senate version is perfect; I think it needs some improvement. However, if it is a big move in the right direction, if we agree with them right now, we will finish this session certainly with a high-three reform. But by disagreeing, we possibly will be in a logjam and not have anything come out by the end of session.

"Thank you."

The Chair remarked:

"I see some people are ready to become Senators."

The motion was put to vote by the Chair and carried, and the House disagreed to the Senate amendments made in House Bill No. 139, HD 2, SD 1, and requested a conference on the subject matter of said amendments, with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

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, with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

RECONSIDERATION OF ACTION TAKEN

Representative Okamura moved that the House reconsider its action taken on March 17, 1997 in disagreeing to the amendments proposed by the Senate to House Bill No. 519, HD 1 (SD 1), seconded by Representative Ward and carried, with Representatives Fox, Jones, Menor, Meyer and Stegmaier being excused.

Representative Okamura then gave notice of intent to agree to the amendments proposed by the Senate to House Bill No. 519, HD 1 (SD 1).

At 12:10 o'clock p.m., Representative M. Oshiro asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 2, 1997. (Representatives Fox, Jones, Menor, Meyer and Stegmaier were excused.)

FORTY-FOURTH DAY

Wednesday, April 2, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:44 o'clock a.m., with the Speaker presiding.

The invocation was delivered by The Reverend Dr. Donald K. Johnson of the Lutheran Church of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Menor and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 413 through 418) were received and announced by the Clerk and were placed on file.

Sen. Com. No. 413, transmitting S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PUA KA'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL OCEAN ACTIVITIES," which was adopted by the Senate on April 1, 1997.

Sen. Com. No. 414, transmitting S.C.R. No. 11, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON NATIVE HAWAIIAN CULTURAL FOOD RESOURCES," which was adopted by the Senate on April 1, 1997.

Sen. Com. No. 415, transmitting S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF GIVING PREFERENCE TO HAWAII'S SMALL BUSINESSES, SMALL DISADVANTAGED BUSINESSES, WOMEN OWNED SMALL BUSINESSES, AND NATIVE HAWAIIAN OWNED SMALL BUSINESSES IN THE CLEANUP AND RESTORATION OF KAHO'OLAWA ISLAND CONTRACT," which was adopted by the Senate on April 1, 1997.

Sen. Com. No. 416, transmitting S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE," which was adopted by the Senate on April 1, 1997.

By unanimous consent, further action on S.C.R. Nos. 10; 11; 14, SD 1; and 109 was deferred until later in the calendar.

Sen. Com. No. 417, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate bills on April 1, 1997:

S.B. No. 5, SD 2, (HD 1), "RELATING TO MOTORSPORTS INSURANCE"; and

S.B. 1428, SD 1, (HD 1), "RELATING TO FILM PERMITTING".

Sen. Com. No. 418, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate bills, and has requested a conference on the subject matters thereof, in consequence of which the President has this day appointed as

Conferees on the part of the Senate for the consideration of said amendments:

S.B. No. 305, SD 1, HD 1:
Senators Chumbley and Matsunaga, Co-Chairs; McCartney and Anderson.

S.B. No. 823, SD 1, HD 1:
Senators Chumbley and Matsunaga, Co-Chairs; Sakamoto and Anderson.

S.B. No. 986, SD 1, HD 1:
Senators Chumbley and Matsunaga, Co-Chairs; Metcalf and Anderson.

S.B. No. 1279, SD 1, HD 1:
Senators Chumbley and Matsunaga, Co-Chairs; McCartney and Anderson.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were referred to committee by the Speaker:

S.C.R.Nos. Referred to:

- | | |
|-----|--|
| 10 | Committee on Ocean Recreation and Marine Resources, then to the Committee on Transportation, then to the Committee on Finance |
| 11 | Committee on Hawaiian Affairs, then to the Committee on Finance |
| 14 | Committee on Hawaiian Affairs, then to the Committee on Energy and Environmental Protection, then to the Committee on Public Safety and Military Affairs |
| 26 | Committee on Human Services and Housing, then to the Committee on Finance |
| 109 | Committee on Higher Education, then to the Committee on Water and Land Use, then to the Committee on Legislative Management |
| 179 | Jointly to the Committee on Culture and the Arts and the Committee on Higher Education, then to the Committee on Finance |
| 243 | Committee on Transportation |

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 221 and 222) were announced by the Clerk and the following actions taken:

H.R. No. 221, entitled: "HOUSE RESOLUTION CONGRATULATING KEITH IKAIA-PURDY ON HIS SUCCESSFUL OPERATIC CAREER," was offered by Representative Santiago.

Representative Santiago moved that H.R. No. 221 be adopted, seconded by Representative Takai.

Representative Santiago rose and stated:

"Today, we will be honoring one of Hawaii's most special and gifted sons, Mr. Keith Ikaia-Purdy. I am very excited about today's presentation and would like to thank you, Mr. Speaker, our Sergeant-At-Arms, and his staff for all of the assistance in making this presentation possible.

"I would like, at this time, for the members in the gallery to please acknowledge the presence of Keith, and Keith, could you please stand? As all of you can see we are in for a very special treat today.

"Mr. Purdy, in addition to being honored today, has also agreed to share with us his unique and special gift of music. He is battling a small cold or a major cold, but he has still agreed to follow through with us today. However, before we enjoy that part of the presentation, I would like to share with all of you just what his accomplishments are and why today's presentation is of such special significance.

"Mr. Keith Ikaia-Purdy is recognized as one of our generation's most important singers of the Italian and French Lirico-Spinto repertoire. He has literally sung all over the world and in some of the most prestigious opera houses known. He spends much of his time touring and sharing his unique gift with everyone who hears him.

"A 1975 graduate of Kamehameha Schools, he pursued his musical studies at the University of Redlands, where he graduated with honors in vocal performance. Initially singing as a baritone, his potential as a tenor was soon recognized, and under the guidance of La Scala Maestro Peter Gregg, his transformation into the world-class tenor he is today began.

"Mr. Purdy has won the American Bel Canto Competition and was honored with a gold medal at the International Verdian Voice Competition. He has recently recorded a duet with pop star Anna Maria Kauffmann on her new CD *Le Bele Epoch*, and he may also be seen in DGG's Kleiber conducted video of *Der Rosencavalier*.

"Mr. Purdy is, as you can see by now and as you can imagine, a highly sought after operatic singer. Mr. Speaker, I could go on and on about all his awards, his appearances in prestigious opera houses all over the world, and his concerts, but that would just be words, and I cannot describe in words what he does with his singing.

"But I believe talent is but one thing and although, as we will see it here, Keith has much of that, Mr. Speaker, talent is not everything. To have achieved the success that Keith has achieved requires a lot more than just talent; a complete and total commitment to his art and more is needed.

"So, Mr. Speaker, while I am impressed with Keith, the operatic star, I am equally impressed with Keith Ikaia-Purdy, the person, a native son of Hawaii who, through hard work, determination and courage, can now share his special aloha spirit with the rest of the world.

"Keith, we are truly honored with your presence here today, and we wish to thank you for all that you have done, and all that we know you will do in the future. You have made your family very proud, and you have made this great State proud of you. As for Mister Pavarotti, Domingo, and Carreras, move over guys, someone named Keith Ikaia-Purdy is on his way.

"Mr. Speaker, I would also, at this time, like to acknowledge a few of the special guests we have here today, if I may. First, we're very honored to have here today the person who brought Keith into this world, and I

met her one year ago, and I'd like to again say aloha to Mrs. Ikaia-Purdy. If we could all acknowledge her presence here today.

"Also seated next to Mrs. Purdy is the mother of a classmate of mine who, I just found out today -- I actually knew her way back when I was in high school -- Mrs. Manunupau, Keith's aunty. Keith and I both graduated in the same year. 1975 is a very good year, by the way, Keith.

"We're also very pleased to have with us, Mr. Purdy's manager, Mr. Michael Blevins, who has worked closely with me in putting today's presentation together. He has been with Keith for a number of years.

"Also with us today is a very special person, who I've only recently had the privilege of getting to know. She is the Associate Artistic Director with the Hawaii Opera Theatre, and is a virtuoso pianist, appearing today with Keith. Her accomplishments could also fill up a number of pages, suffice it to say that she is beloved by all who come in contact with her, and so a special thanks goes out to Ms. Bebe Freitas.

"Mr. Speaker, at this time, I'd also like to acknowledge, in the gallery, the presence of many supporters of Keith and the culture and arts here in Hawaii. For today's presentation underlines and highlights why we need to continue our support of the culture and arts here, for today and into our future. First, from the Honolulu Symphony, we have in attendance someone many of us already know on the Board of Directors, Sam Lee; Lynne Johnson, Chairperson of the Board; Michael Tiknis, Executive Director; Steve Dinion and Maile Reeves; and Milton Carter of the Musician's Union.

"Mr. Speaker, if I may continue, we have from the Hawaii Opera Theatre, the President, Evelyn Lance; Development Consultant to the Hawaii Opera Theatre and Hawaii Youth Chorus, Judy Muncaster; another special friend that I recently got to know, Nola Nahulu with the Hawaii Youth Opera. Also present are friends of mine from the Hawaii Opera Theatre Chorus, who I got to know this past year. Would Mr. Mark Yasuhara and the young singers accompanying him please stand?

"I'd also like to give special acknowledgement to a friend of Keith's and mine who helped put this whole thing together today, Mr. Guy Sibila.

"We have in the gallery, a film crew from Germany, who is basically documenting everything Keith's doing here in Hawaii, so the film crew is also here. A special thanks also goes out to Thayer Piano for coming in yesterday and complimentarily tuning our piano for this performance."

Representative Takai then rose to speak a few words in support of the resolution, stating:

"Mr. Speaker, as your Chair of the Committee on Culture and the Arts, I stand in strong support of this resolution, and in much awe of the successes of our honoree.

"I was at the Blaisdell Concert Hall on Sunday, March 23rd, to witness the musical talents of Hawaii's very own, Keith Ikaia-Purdy.

"The performance was exceptional and, as you will soon find out, Keith's voice is unmatched. Starting as a baritone as a graduate from the University of Redlands in vocal performance, he soon undertook the difficult transformation to tenor.

"Keith is recognized as one of the young generation's most important singers of the Italian and French Lirico-Spinto repertoire. I remember a conversation I had with another person who attended the Honolulu Symphony's performance. She said, and I agree, that Keith Ikaia-Purdy is a living treasure.

"Mr. Speaker, Keith's performance on March 23rd highlighted another celebration, for that evening celebrated also the ratification of the new two year contract between the Honolulu Symphony and the Musician's Union. This far-reaching contract guarantees a cooperative arrangement with the Hawaii Opera Theatre through the reinstatement of subcontracting, eliminates the need for musicians to negotiate separate contracts with the Symphony and the Opera, and extends the number of work weeks, a critical factor in recruiting new players to fill current vacancies.

"To the musicians, represented by Musician's Union President Milton Carter; to the Honolulu Symphony, represented by Lynne Johnson, Executive Director Michael Tiknis, and Maestro Samuel Wong; and to the Hawaii Opera Theatre, represented by President Evelyn Lance, and Henry Akina, the General and Artistic Director, I congratulate all of you on your successful settlement.

"And to Mr. Keith Ikaia-Purdy, I wish you many successful years as Hawaii's ambassador of operatic music. Congratulations!

"Thank you, Mr. Speaker."

Representative Hiraki then rose to speak in support of the resolution, stating:

"Mr. Speaker, I was also very fortunate to attend Mr. Ikaia-Purdy's performance on Sunday at the Blaisdell Concert Hall. Prior to that afternoon, I thought Hawaii's best voice was probably sitting in these chambers, either Representatives Kawakami, Santiago, Kanoho, Kahikina or others. Now I know that Hawaii's best voice is before us, being honored by this body this afternoon.

"I want to thank Mr. Ikaia-Purdy for returning home to share his special talent with us. That Sunday noon, I was witness to a very memorable performance that included standing ovations and several encores. We're very proud of your accomplishments, and we hope that you will be back again in time for the 1999 season of the Hawaii Opera Theatre. Thank you."

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

"Mr. Speaker and members, it is such an honor to wish Keith Ikaia-Purdy special congratulations on his musical talents and accomplishments on behalf of my son, Wendell, who graduated with Keith at the Kamehameha Schools, and myself. Congratulations!

"Thank you, Mr Speaker."

Representative Kanoho then rose and stated:

"All of us who call Hawaii home and those of us who share the common bond of recently graduating from Kamehameha, and being Hawaiian, are very proud of Keith Ikaia-Purdy.

"I met him, for the first time, a few minutes ago, I knew that he graduated from Kamehameha, but I wasn't sure whether he was before or after me. We are all so

very proud of you, and best wishes for much success, and God's blessings in all of your endeavors. Thank you."

Representative Kahikina then rose to speak in support of the resolution, stating:

"I would be remiss not to give my accolades to one of the 'sons of Hawaii,' and to say, 'well done.' I wish you much luck in the future. I know the saying is going to come home: 'Ikaia-Purdy, Number 1'. Mahalo! God bless you."

The motion was put to vote by the Chair and carried, and H.R. No. 221 was adopted, with Representatives Fox, Menor, Nakasone, Thielen and White being excused.

At 12:03 o'clock p.m., the Chair declared a recess to allow Mr. Ikaia-Purdy, accompanied by Ms. Freitas, to entertain the members of the House.

The House of Representatives reconvened at 12:11 o'clock p.m.

At this time, Representative Santiago presented Mr. Keith Ikaia-Purdy with a Certificate of Recognition, while Representatives Hiraki, Kawakami, Morita, Takai and Takamine presented the honoree and his guests with floral leis.

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

The House of Representatives reconvened at 12:22 o'clock p.m.

H.R. No. 222, entitled: "HOUSE RESOLUTION CONGRATULATING QUEEN CHERYL LYNNE KUMIE KOIDE, MEMBERS OF THE 45TH ANNUAL CHERRY BLOSSOM FESTIVAL COURT, AND THE ORGANIZERS OF THE 45TH ANNUAL CHERRY BLOSSOM FESTIVAL," was jointly offered by Representatives Ito, Takai, Ahu Isa, Aiona, Case, Garcia, Goodenow, Hamakawa, Jones, Marumoto, Saiki, Stegmaier and Yonamine.

Representative Ito moved that H.R. No. 222 be adopted, seconded by Representative Takai.

Representative Ito rose and stated:

"Mr. Speaker and members of the House, I am proud to announce that the Queen of this year's 45th Annual Cherry Blossom Festival is from my own district, in Kaneohe.

"Cheryl Lynne Kumie Koide graduated from Castle High School in 1994, and is currently attending the University of Hawaii at Manoa. Her professional goal is to become an optometrist and establish a private practice specializing in pediatrics. Queen Koide has already made her start in the field. She works part-time with my optometrist, Dr. Bryan Sakka. In her spare time, Queen Koide enjoys spending time with her family and friends, playing the saxophone, and doing some modeling.

"Next, let me introduce the ladies which make up the Queen's Court. This year's First Princess is Alyssa Sakiko Nako. Next we have Princess Suzanne Leiko Yamada. This year's Miss Popularity and Miss Congeniality is Shawn Yoshie Matsunaga.

Mr. Speaker, regretfully, two princesses could not be with us today, Princess Arlene Rumi Ige and Princess Sandra Aiko Makino. But we have with us Mr. Andrew Wang, President of the Hawaii Japanese Junior Chamber

of Commerce, and Mr. Alan Okimoto, who is the 45th Cherry Blossom Festival Pageant General Chair.

"Mr. Speaker, in the gallery today, I would like to introduce Mr. Earl Mostoles, the Queen Area Chair from the Honolulu Japanese Junior Chamber of Commerce. Thank you."

Representative Takai then rose to speak in favor of the resolution, stating:

"I, too, wish to congratulate the achievements of these fine young women and gentlemen.

"Mr. Speaker, the Cherry Blossom Court symbolizes much more than the fragile, yet striking beauty of the flower for which it is named. For, unlike the blossom that shares its beauty for just a brief period of time, the women of this Court have goals to contribute to our State for years to come.

"Their noble and unselfish desire to use their education and to give back to the community that has honored them exemplifies an even rarer beauty: the beauty of their hearts and the strength of their minds.

"I am particularly proud to stand with fellow Japanese-American Representative Ken Ito and others to celebrate the heritage that we share. Recent national headlines have caused many Asian-Americans to retreat to what some say is a traditional, almost invisible role in the general population. It is a shame, in the midst of honoring our proud culture and heritage on our House floor today, that some in our nation have characterized Asian-Americans as being greedy, Machiavellian influenced peddlers on behalf of foreign governments.

"Mr. Speaker, I am proud to honor these young women and young men who serve to bring honor and respect for our shared heritage. While some may characterize the Cherry Blossom Festival as representing superficial aspects of the the Japanese-American culture in Hawaii, those who have worked with the program and all who have participated in it know that many of the court members and contestants have gone on to make outstanding contributions to our community -- politically, socially, and intellectually. So I humbly thank all of our colleagues for this opportunity to honor this program, the oldest non-interrupted ethnic celebration in the State of Hawaii.

"I am a very proud member of the Honolulu Japanese Junior Chamber of Commerce, the sponsor of the Cherry Blossom Festival. As you are quite aware, Mr. Speaker, the Jaycees throughout Hawaii, and in particular the Honolulu Japanese Chapter, do great work because 'service to humanity is the best work of life.'

"In conclusion, Mr. Speaker, I want to say to all the members of the Court and to the Queen, that your individual and collective efforts do well to honor your parents, your ancestors, and the rich traditions of a proud culture and heritage that we share in common.

"Thank you, Mr. Speaker."

Representative McDermott then rose to speak in favor of the measure, stating:

"I'd just like to congratulate all the ladies over there. I had the opportunity to meet them, they're all very beautiful and charming. As a matter of fact, I was mesmerized for a few moments, and I forgot where I was.

"I'd like to particularly thank Alyssa Nako, who happens to be a Foster Village resident. She lives right

around the corner from me and I didn't know that. So thank you, ladies for coming. I thank Representatives Takai and Ito for letting me join in on this. Thank you."

Representative Santiago then rose and stated:

"I'm in such a talkative mood today as you can tell. I'm in support of this resolution.

"Mr. Speaker, I'm very pleased to be able to, along with all of my colleagues, congratulate all of the honorees here today. In particular, I am pleased to be able to congratulate Princess Suzanne Leiko Yamada. Princess Yamada is the daughter of Gilbert and Nancy Yamada, residents of my district on the North Shore of Oahu.

"A 1991 graduate of Leilehua High School, Miss Yamada presently works with Aloha Airlines. She has many diverse interests, including tennis, soft tennis, sewing, traveling -- which is good if you are employed by an airlines company. Her goal, presently, is to obtain a degree in Japanese language and to promote the Aloha Airlines Explorer Program.

"On behalf of the North Shore Community, we offer our congratulations to you and your family. And our best wishes to all of you here today in all of your future endeavors.

"Thank you, Mr. Speaker."

Representative Yoshinaga then rose to speak in favor of this resolution, stating:

"As the Representative, within which the Junior Japanese Chamber of Commerce is located, I wanted to give my special aloha and congratulations for this event. Also to say that once we get older and we can't be members of the Junior Chamber, we then become members of the Japanese Chamber of Commerce, of which I am a member, and very supportive of the group's activities. So thank you very much for sharing this with us today, and congratulations!"

Representative Lee then rose to speak in favor of the resolution, stating:

"Shawn Yoshie Matsunaga, daughter of Earl and Jessie Matsunaga, continues the tradition of Mililani women selected for the Cherry Blossom Court -- I'm very proud of her.

"She's a 1988 graduate of Mililani High School, the biggest and best high school on the island, and hopes to pursue a career in the travel industry. I'd like to congratulate Yoshie and her family for her selection as both Miss Congeniality and Miss Popularity. That's quite an achievement. Yoshie, you're another reason for us to be proud of our All-America city.

"Thank you, Mr. Speaker."

Representative Marumoto then rose and stated:

"I realize Representative Marcus Oshiro is a bachelor, but I too would like to add some support to this resolution.

"Mr. Speaker, I notice that there are some non-Japanese names mentioned in the presentation. I just think it demonstrates that the Cherry Blossom Festival has matured into a Hawaiian Festival, a statewide cultural event, and a very important social occasion for us. Not only for ethnic Japanese, but for all peoples of Hawaii who wish to participate.

"I wish the Chamber, the Queen and the Court a spectacular year, and continued success thereafter. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 222 was adopted, with Representatives Aiona, Fox, Nakasone, Tarnas, Thielen and Yonamine being excused.

At this time, Representative Ito presented Queen Cheryl Lynne Kumie Koide with a Certificate of Recognition, while Representatives Hiraki, Kawakami, Lee, Marumoto, McDermott, Saiki, Santiago, Suzuki, Takai and Yoshinaga presented the honorees with floral leis,

At 12:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:04 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Cachola, Fox, Menor, Morihara, Say, Takai, Tarnas, Thielen and Yonamine were excused.)

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1480 and S.B. No. 653, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 653, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 41 ayes, with Representatives Arakaki, Cachola, Fox, Morihara, Menor, Say, Takai, Tarnas, Thielen and Yonamine being excused.

The Chair directed the Clerk to note that S.B. No. 653 had passed Third Reading at 1:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1582) recommending that S.B. No. 426, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1582 and S.B. No. 426, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 426, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1583) recommending that S.B. No. 497, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1583 and S.B. No. 497, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 497, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1584) recommending that S.B. No. 927, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1584 and S.B. No. 927, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 927, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1585) recommending that S.B. No. 1293, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1585 and S.B. No. 1293, SD 1, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1293, SD 1, HD 1, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1586) recommending that S.B. No. 1631, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1586 and S.B. No. 1631, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1631, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1587) recommending that S.B. No. 1548, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1587 and S.B. No. 1548, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1548, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1588) recommending that S.B. No. 130, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1588 and S.B. No. 130, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 130, SD 1, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1589) recommending that S.B. No. 377, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1589 and S.B. No. 377, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 377, SD 2, HD 2, were made available to the members of the House.

Representative Stegmaier, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1590) recommending that S.B. No. 817, SD 1, as

amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 817, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1591) recommending that S.B. No. 1575, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATIONS," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1592) recommending that S.B. No. 382, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 382, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

Representative Tom for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1593) recommending that S.B. No. 26, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 26, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

Representatives Tom and Menor, for the Committees on Judiciary and Consumer Protection and Commerce presented a joint report (Stand. Com. Rep. No. 1594) recommending that S.B. No. 165, SD 2, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 165, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

THIRD READING

S.B. No. 293, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 293, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO THE PENAL CODE," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

S.B. No. 1766, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1766, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

S.B. No. 1069, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1069, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," passed Third Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

The Chair directed the Clerk to note that S.B. Nos. 1575, 382, 26, 165, 293, 1766 and 1069 had passed Third Reading at 1:07 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 considering a bill on Final Reading on the basis of a modified consent calendar. (Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine were excused.)

FINAL READING

The following bill was taken from the Clerk's desk and the following action taken:

H.B. No. 519, HD 1, SD 1:

On motion by Representative M. Oshiro, seconded by Representative Kawanakoa and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 519, HD 1, and H.B. No. 519, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Final Reading by a vote of 44 ayes, with Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine being excused.

The Chair directed the Clerk to note that H.B. No. 519, had passed Final Reading at 1:08 o'clock p.m.

ANNOUNCEMENTS

Representative Herkes, on behalf of the members of the House, wished Representative Lei Ahu Isa a "Happy Birthday."

Representative Arakaki rose and stated:

"Mr. Speaker, in your behalf, and on behalf of the Foodbank Food Drive Co-Chairs, Representatives Goodenow and Pendleton, I'd like to announce that we've officially kicked off our House Foodbank Food Drive. We do expect 100% participation from all the members.

"We have a couple of challenges. One, we'd like to ask everyone to set up a little display in their office, to

show their support for the Food Drive, and we're going to have a contest to see who can come up with the best display. This is for all offices, not only for Representatives, but for the staff offices as well.

"We also want to challenge each office to perhaps forego lunch or breakfast and bring in what they would have spent -- I guess the food items they would have used to prepare that lunch and donate that to the Food Drive.

"I just want to make note that last night I was at a presentation, and one speaker mentioned that the average American utilizes over a million pounds of raw products in the preparation of meals that they eat. Yet in America, in this land of plenty, there are many of those who are going without meals. Many of them are children; many of them are elderly. I think it behooves all of us and I think some of us show those million pounds of food, but in this land of plenty, I do hope that we can take at least a little bit of what we use and share with others.

"So with that, I'd like to urge all of you to support the Food Drive. We're going to challenge the Senate, and this year we're going to prevail. Thank you."

ADJOURNMENT

At 1:12 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Kawanakoa and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 3, 1997. (Representatives Fox, McDermott, Menor, Morihara, Tarnas, Thielen and Yonamine were excused.)

FORTY-FIFTH DAY

Thursday, April 3, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:48 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Reverend Bob Nakata, an Independent Methodist, and a former member of the House, after which the Roll was called showing all members present with the exception of Representatives Menor, Tarnas and Thielen, who were excused.

On motion by Representative M. Oshiro, seconded by Representative Kawanakoa and carried, reading of the Journals was dispensed with and the Journals of the House of Representatives of the Thirty-Eighth, Thirty-Ninth, Fortieth and Forty-First Days were subsequently approved.

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

Representative Garcia, on behalf of Representatives Takumi, P. Oshiro and himself, introduced 150 fifth grade students from Waipahu Elementary School. They were accompanied by their teachers, Sean Saturnio, Dale Castro, Glenn Umetsu, Amy Coronel and June Tamashiro.

Representative Moses then rose, saying:

"As another Representative from Waipahu, I would also like to welcome the students today."

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

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

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Kawanakoa and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar, with Representatives Menor, Tarnas and Thielen being excused.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1560 and S.B. No. 208, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 208, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"Mr. Speaker, every year there are a few bills that the Legislature did not get enough recognition for when it passed, but when implemented had a profound positive impact on the economy of the State. As an example, Act 225, which passed a few years ago, provided competition in the local telecommunications market that has already

resulted in lower prices and greater service in telecommunications.

"This bill, Mr. Speaker, will help the economy by making it easier for computer software companies to do business in the State. Mr. Speaker, I believe that this body must do as much as possible to encourage the development of co-technology not only for this State, but for our nation. Cheap, powerful technology and free information have transformed the science of economics. New growth theorists like Paul Romer argue that the long-term economic growth requires capital and labor but also technology. Technology is a central part of the economic system, and technology raises returns on investments.

"With the recent arrival of companies like Square U.S.A. and the two hundred jobs they bring, the presence of the Maui High Performance Computing Center, competition in our local telecommunication market, wiring and networking of our public schools, and bills such as this, Mr. Speaker, Hawaii has a potential to become a leader in science and technology for the Pacific Rim. Thank you."

Representative Pendleton then rose in support of the bill and asked that his remarks be entered into the Journal, and the Chair "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill 208, SD 1, HD 1, relating to taxation.

"Mr. Speaker, I ask that Representative Thielen's prepared remarks be entered into the Journal as my own. While she has prepared these remarks, I wholly concur with them, both in substance and form. These remarks were instrumental in my decision-making process and I believe are extremely helpful and particularly pertinent to this Senate Bill.

"I believe inclusion of these remarks in the Journal will document my own, that is, Rep. David Pendleton's thinking on this issue, and will, it is hoped, provide valuable guidance to any future readers of this Journal, be they judges or attorneys or legal researchers. After all, the point of this entire exercise is to document our thought process or our legislative intent, as we lawyers say.

"Mr. Speaker, Rep. Thielen's remarks, with which I wholly and unequivocally agree, are as follows:

"This bill gives the high tech industry a tax incentive for the purpose of encouraging high tech companies to locate in Hawai'i. These companies in turn would provide decent paying jobs for our graduates.

"Did you know that high tech employment is the largest manufacturing employer, surpassing the auto and textile/apparel industries? However, Hawai'i does not benefit from this major industry. Currently, Hawai'i is ranked 47th in the nation in the number of high tech jobs, according to a study done by the American Electronics Association.

"Our local high tech industry leaders understand why we are lagging behind. Other states offer incentives to entice high tech companies to their jurisdiction. Senate Bill 208, HD 2, will do just that.

"I want to thank some of our local high tech industry leaders who came out to testify in support of S.B. 208, also in H.B. 74, a similar bill. These leaders are Andy

Bumatai and Seth Ashby of Digital Hawai'i, Peter Martinez of Hawai'i Internet Emporium, Ron Jarett of Jarett Technology, Michael Richards of Hi-Tech, David Kuening of Postcard Software, Robert Kay of Pac-Tech, and Richard Moody, founder of Aloha Conferencing who was the SBA's Small Businessman of the Year 1996. Barbara Kim Stanton with High Tech Development Corp., also testified in favor of this bill. Stanton stated, 'This tax incentive, although only one of the key components to our industry development package, will send a message to the high-tech industry that Hawai'i's lawmakers want their companies based here.'

"The beaches, sun, and golf courses are just not enough. A good example is VeriFone Inc., founded right here in the islands. VeriFone, now an international company with over 3,000 employees, has moved its headquarters to Redwood City, California. Hatim Tyabji, VeriFone's chairman and chief executive points out, 'California, Tennessee, the Dakotas, and Colorado all offered a five-year [tax] holiday, real estate help and other incentives.'

"Just think, 3,000 high paying jobs lost due to the unfriendly business attitude here in our state.

"The Department of Taxation was the only opponent to this bill. Their argument was that they, or we the state, will lose a whopping 1.8 million dollars in tax revenue. 1.8 million dollars is a drop in the bucket compared to the amount of tax revenues that could be recovered from our incentive. If a high tech industry is established here, everyone will benefit, including the Tax Department.

"Attracting the high tech industry to Hawai'i just makes plain and simple sense. Environmentally safe, intellectually stimulating, higher paying jobs are something our residents want for their children after graduating from college. This bill stops the youth exodus from our islands.

"Mr. Speaker, I thank you for permitting me to share my thought processes on this measure through the inclusion of the remarks of Rep. Thielen, which remarks were essential and central to my decision-making process on this issue.

"Mr. Speaker, for the foregoing reasons, I support passage of Senate Bill 208 relating to computer software companies tax incentives."

Representative McDermott then rose in support of the bill, stating:

"Since I am always kicking the Majority whenever I see a tax increase, this is a tax decrease, and I would like to applaud them for that.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 208, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1561 and S.B. No. 251, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 251, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed

Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1562 and S.B. No. 941, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 941, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Fox rose to speak against the bill, stating:

"The Constitutional Convention of 1978, in its wisdom, recognized that the people of Hawaii have to live with the resources that are provided to them by the tax base that they have. I think the Legislature overestimates the amount of money that they take from the people, that that money should be returned to the people at the end of the year. This has been a principle that has been honored more in the breach than in the practice with our usual one dollar refunds, that I think that it's an honorable principle and should remain in the Constitution.

"The purpose of the measure that is before us today would be to essentially do away with that practice and use the funds to set up a budget stabilization fund. I think that is the wrong approach to take, that the people are entitled to their tax money back if it is not used by the Legislature in a given session.

"Thank you, Mr. Speaker."

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

"Many of us in the Minority will be voting no on this measure and I would like to make it perfectly clear: We are not opposed to the creation of a budget stabilization fund. Instead, we oppose the removal of the rebate provision from the Constitution. After all, one of these days we may have another \$700 million surplus.

"Also, we do not believe that three provisions should be placed on the ballot as one question.

"Mr. Speaker, we strongly believe that we can enact a budget stabilization fund without getting rid of the excess revenue provision. I urge all others who believe likewise to vote no.

"Thank you."

Representative Kawanakoa then rose in opposition to the bill and requested that Representative Marumoto's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

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

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in opposition to Senate Bill 941, relating to the budget stabilization fund.

"Mr. Speaker, Senate Bill 941, Senate Draft 1, House Draft 2, is flawed not because of what it proposes to do, but because of how it proposes to do it. That is, I have no objection to the ultimate objective. I disagree with the manner in which we reach our objective.

"More specifically, Mr. Speaker, Senate Bill 941, relating to a budget stabilization fund, will establish a 'rainy day' fund. This is good. We need such a fund. We should have done so during the 1980 session rather than waiting until now to do so.

"Mr. Speaker, in the Bible we read that Joseph, one of my heroes, was named prime minister in Egypt. His task: create a rainy day fund. He knew from the King's dream that there were to be seven years of plenty followed immediately by seven years of famine and drought. Joseph was wise. Instead of living high on the hog, as it were, he used the fat years to prepare for the lean years. Unfortunately, our State Legislature has not proved itself to be as prudent.

"I contend, Mr. Speaker, that we should have been preparing for such a circumstance as we presently find ourselves in. I suppose we could say that S.B. 941 is attempted to correct for the excesses or oversights of the past. Some might say: better late than never.

"Mr. Speaker, while I might agree with the 'better late than never' sentiment, I disagree with our method of creating this fund. The rainy day fund is created by Senate Bill 941 by diverting surplus general fund revenue, normally constitutionally mandated per Article VII to return to taxpayers, into a budget stabilization fund.

"I appreciate the necessity to establish such a fund in anticipation of future unforeseen economic crises. However, the money should be returned to our citizens. The fact that there is an excess of revenues in our State's coffers means that we have overtaxed our citizens, and that excess money belongs in our citizens' pockets, not the State's coffers! Furthermore, other states have established rainy day funds without having to overtax and change the Constitution as we propose to do so here in Senate Bill 941.

"A second concern of mine, Mr. Speaker, is that there is a pronounced absence of any explicit ceiling on the fund. There are no limits on how much money could be diverted into this fund. By placing a carefully selected ceiling on the budget stabilization fund, the excess revenues, that is, those revenues which are in excess of the budget stabilization fund's ceiling, would be returned to the people, as is consistent with the policy objectives embodied in Article VII of the Hawaii Constitution.

"The citizens of Hawaii, Mr. Speaker, need to know that this is another tax covertly levied on the already overburdened citizenry. We are talking about diverting money which would otherwise be returning to families. A budget stabilization fund is good, but the manner in which we are creating it is bad.

"Mr. Speaker, thank you for this opportunity to expound upon my carefully considered reasons for opposing Senate Bill 941, Senate Draft 1, House Draft 2. Accordingly, I urge my colleagues to oppose this bill, to in effect join me in my 'no' vote, or to amend the manner in which the fund is established."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 941, SD 1, HD 2, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, TO ESTABLISH A BUDGET STABILIZATION FUND," passed Third Reading by a vote of 36 ayes to 11 noes, with Representatives Aiona, Fox, Halford, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Ward and Whalen voting no, and Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand.Com. Rep. No. 1563 and S.B. No. 1018, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1018, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1564 and S.B. No. 1385, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1385, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1565 and S.B. No. 1571, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1571, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Meyer rose to speak against the bill, stating:

This bill deals with vital statistics. What this will do, in addition to changing the existing law from 'delayed' to 'late', I don't have a problem with that, although I think it was brought up in testimony in the Finance Committee that this may still not solve the problem that the Department of Health is trying to solve. HGEA has an argument with the department as to who should handle these delayed, or now, according to this bill, would be called late. That is somewhat of a concern of mine but the part that I have a real problem with is the index data which this bill would eliminate, index data consisting of name, age and sex of the registrant and date, type and file number of the vital event.

"As many of you may know, the Advertiser has been trying to get some of this information. The present law made it public, may be made available, but the newspaper has not been able to get any of this information from our Department of Health for at least a year. Moya Davenport, the Director of the Office of Information Practices did testify against this bill. She felt it would be further withholding public access to public information. And for that reason, I don't say that this body wants to encourage making public information impossible to get. I don't know of any state that has done this and I would hope that other members of this body would also vote no on this issue.

"Thank you."

Representative Ward then rose and stated:

"Mr. Speaker, as this issue also deals with government control of information, I also vote no."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1571, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives Halford, Meyer and Ward voting no, and Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1566 and S.B. No. 1636, SD 2, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee be adopted and S.B. No. 1636, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1567 and S.B. No. 1919, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1919, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Ward rose to speak in strong opposition to the bill, stating:

"This bill is called the legislative public access bill, but it should better be named the propaganda bill, Mr. Speaker, because it just ain't true. It's not public access, because as it implies openness and freedom of speech, it is so for the Majority but it is not so for the Minority.

"What am I talking about?

"I am talking about: After every session, for the last two years the Majority had 18 hours of public television, but for the Minority we have had zero. Using Peter Carlisle's way of keeping scores: Democrats, 18; Republicans, 0. The point being, Mr. Speaker, this is taxpayers' money. It is not accessible to the other side of the story, it is not openness. And as you know, we filed a complaint with the Media Council, and there's a dissenting report that everybody has on their desks.

"So if we're not going to be lying out of our teeth, saying: We have a public access bill but we don't have the Republicans in because at the end of the session, we don't let them say anything because technically, they're not chairs. Mr. Speaker, that's not fair. It's not something that we should agree with; it's not something that should be allowed to happen.

"So if we are serious that we want this to be public access, let us, at the end of the 1997 session that we are in now, have at least a half hour, Mr. Speaker. You've got eighteen chairs -- you get nine hours. Give us a half hour; otherwise, Mr. Speaker, the ball scores are going to be: Democrats, 27 hours of public taxpayers' money to propagandize the people of Hawaii. . .

The Chair interrupted and stated:

"Will you please speak to the merits of the bill. . .you are out of order, Representative."

Representative Ward responded:

"I don't think I am out of order. . .

Chair: "You are out of order."

Representative Ward retorted:

"I challenge the Chair that I am out of order, that the people who pay taxes. . .

Chair: "You are out of order. . .recess."

At 12:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:31 o'clock p.m., Representative Ward continued his remarks, stating:

"Mr. Speaker, as in the dissenting report, and as the words that I quote here: 'This partisan abuse was most evident at the close of the 1996 Regular Session when the Legislative Access Cable Television Project', which is from the fees of the taxpayers who have cable television, 'became the vehicle for partisan control of programming exercised by the House leadership.' Mr. Speaker, it says: 'The "infomercial" format used for the wrap-up reporting by chairs of majority-controlled committees provided for partisan manipulation of the media and the public at its worst. It provided the public with only a one-sided view of the Legislature's accomplishments and failures and excludes the Minority Caucus from participating in the wrap-up of the legislative session.'

"Mr. Speaker, there is no media set up in the nation that allows this to happen; that is, the media rebroadcast under the control of the political body. The City Council has an objective way of allowing anytime filming at anyplace.

"Mr. Speaker, I'm not asking for us to relinquish control, but I'm asking us to be true to what it says in terms of public access. Let the Minority be heard, let us have a half hour at the end of the 1997 session. Otherwise, as I said, it's going to be: Republicans 0, Democrats 27 hours of taxpayers' public money.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, the purpose of this bill is to provide equal access to the legislative process. First, it will make the Legislative Broadcast Program a permanent part of the Legislature's Public Access Program; and second, the bill allows for funding to ensure that all residents of Hawaii, especially those on the Neighbor Islands, will be able to have access.

"I also want to point out, Mr. Speaker, that this bill in no way sets any type of policy. The program allows for the chairs to report to the people of Hawaii what transpired during the session. And I might add that the chairs represent all members of the House. We don't have the Democratic Majority leadership going on the air. And as I stated, this is really to allow for broadcast to all residents of the State.

"Thank you."

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

"I know that this is a good bill in that it affords the Neighbor Islands and others access to our legislative process, but I think the Minority Leader has aptly stated the concerns of your Minority, Mr. Speaker.

"We simply would like to have an opportunity to further explain what occurred in the committees, what the tug and pull's about, and what had ultimately transpired throughout the legislative session so that people on the Neighbor Islands, this island, throughout our good state, will have the opportunity to hear both sides of the story so they will be better informed in their capacity to support or otherwise not support the next legislative session and to come forward with their concerns themselves as citizens.

"I think it's not unreasonable to ask for a legislative wrap-up or committee compilation of concerns that the Minority might be able to proffer at the end of the session. If the numbers are correct, I understand the actual hours are couched in this bill. But if the last two years are any indication of the policy of allowing only the chairs to espouse their committee work without the dissenting concerns of the Minority, it seems to be a little unbalanced, as far as giving true public information and public knowledge.

"So with that I state those reservations, which would otherwise be a very good bill.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to express her reservations, stating:

"I will be voting for the bill, but my reservations go to the fact that I don't think it provides equal public access, at least for the Minority. But the Majority Leader brought up a very good point in that this bill does not set policy for the programming, and indeed I don't know where there is a written policy regarding what will be carried. But perhaps the format at the end of session programming could be worked out by the House Legislative Management Committee, or perhaps even the Senate/House Joint Public Access Committee.

"We look forward to participating in developing such a policy.

"Thank you very much."

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

"I think, as the previous speaker mentioned, there really is left a lot of discretion in the chairs to develop the format for reporting the product of their individual committees. Over the years that I've had the opportunity to make these reports as a chair of committees, and I know that others have done the same, we've attempted to present an objective view of those successes as well as the failures that we experienced during the session.

"I, for one, would like to go a step further and say that just to avoid any appearance of partisanship, I would invite a member of the Minority who is a member of my committee to join me in that report. And I think that each chair will decide for him or herself how best to report the product of the various committees.

"Thank you."

Representative M. Oshiro then rose to speak in support of the bill, stating:

"I support this bill, Mr. Speaker, because I believe that the practice of the Legislature and the process of the Legislature have always placed the chairs of the respective committees in the position of authority to decide what bills are heard, what bills are passed from their committees. I think that's an important point that the public needs to understand, that the committee chairs do wield a lot of influence and responsibility for the work of their committee. I think it's only appropriate that the chairs, at the end of the session, are featured and report to our community on the work that they have done.

"The second reason I support this measure, Mr. Speaker, is that if we take the Minority Leader's position, as far as allowing for equal time of a member's view, then all 51 of us here should be allowed the same equal access to be featured at the end of the session regarding

our comments, our opinions, our perceptions, regarding the work of the Legislature. If we take it to that logical extreme as he seems to want to impose upon this body, it would not make any sense and will defeat the purpose of holding the chairs of the respective committees responsible for the work that is done.

"Thank you, Mr. Speaker."

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

"Basically, I think the Minority chooses to see this as a partisan issue because they interpret it that way, and it is their perspective. However, I think in many instances, including my own when I served as Chair of the Hawaiian Affairs Committee, I invited all members -- Majority and Minority -- to participate in the report. Unfortunately, after session the fact is, there is very little interest in participating in these types of activities, even if given the opportunity.

"But I also want to say that not only did I give everyone on the committee an opportunity, but also to opposing voices; for example, for Hawaiian Affairs, we invited organizations like Ka Lahui to also participate in these reports, to give opposing views. And I think it's a matter of what the Chair chooses to do, but I think it's an opportunity, it's an open forum, to report not only the successes, but the failures, and I think we did that.

"And I think rather than trying to criticize the process, we should be looking at how we can improve the process.

"Thank you, Mr. Speaker."

Representative Meyer then rose and stated:

"I was originally going to vote no on this measure but I am going to change my vote to 'with reservations' because of some of the things I've heard in the chamber here today which are encouraging.

"But this bill is talking about public access and from what I have observed in the last two sessions was not public access. The public got a very one-sided picture of what went on in the Legislature. And while the Minority is the minority and the Majority sets the pace, you control what will be covered by Olelo, you control the budget for public access as far as the TV shows.

"The Minority was not afforded any access to those more professional products and that I think is what we feel is not fair. I think if we would be included in these committees, I realize the chairs are responsible, they settle the agenda for the Legislature, and they are first in line as far as having to explain what went on in their committees so, surely, I know that they will control the forum.

"But since we're all minority members on every committee, it's a much more accurate picture of what goes on in the Legislature if you include a Minority member in those wrap-ups.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I would vote a straight aye with no reservations if the suggestions or the approach of Representative Stegmaier or Representative Arakaki were a part of the bill. I applaud the way they operate and handle their committees, the way they conduct business in those committees, and I wish that were part of the bill

and that were part of the procedure and the approach that we would take, so those are my reservations.

"Thank you."

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

"Mr. Speaker, the bill and the process provide an opportunity for the public to witness the goings-on of the Legislature in session, in committees, and then after the session a report by the chairs. It's an honest attempt to do just that -- to allow the public to know what has happened, what is going on.

"And frankly, I am naturally dismayed, but I take offense at the Minority in describing the good effort as being propaganda and being manipulative.

"Thank you."

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

"Mr. Speaker, this bill has the support of Common Cause Hawaii, the League of Women Voters of Hawaii and various individuals and groups.

"Mr. Speaker, this bill has been in the House since the beginning of March and it didn't go straight to the Finance Company; it made a stop at LMG. If the Minority members had concerns about the bipartisan nature of the broadcast, it should have been brought up at LMG. Two members voted aye and one was excused. When it reached Finance, again there was no mention. Throughout this bill, there was no input. Now, they propose new language and suggest 'several nonpartisan models' as being available.

My question is: What models, and why now? If changes need to be made, shouldn't they have been addressed in committee? Time is running out. We cannot hold out on a measure that will benefit the public because of these members' failure to render their concerns at the appropriate time.

"Thank you, Mr. Speaker."

Representative Fox then rose to speak against the measure, stating:

"I'm not able to comment on what went on in the Legislative Management Committee, but in Finance these very issues were discussed.

"Thank you."

At 12:45 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 12:46 o'clock p.m.

Representative Ward rose and stated:

"Mr. Speaker, my counter remarks are to thank the benevolence of my colleague from Hawaii Kai and the Majority Floor Leader, and I think that points to the very issue that, if you so choose to let us in on it, we get in on it. If you choose not to, we don't get it. And, Mr. Speaker, that's why I think people who say you haven't said anything don't get it: we're excluded! Do you want to know what separate but unequal is? Or what separate but equal is? Or do you want to know what back-of-the bus is? You want to know what exclusion is? You want

to know what discrimination is? You don't have to be a color or religion, you got to be a party in Hawaii to feel it.

"And when I hear benevolence, I appreciate it. When I know that if I am a good boy and I can get excluded, I know the message that it sends. And it's a good one for some of my colleagues who said: Well, let's cooperate, let's stop here. And I'm saying, until there's an equal sign of us having a representative, full equal access, and only a half hour. Give us a half hour to your 27 hours, of which you've bombarded the people of Hawaii with. That's all we're saying: give us a half hour. . .

Chair: "Representative, will you please stick to the merits of the bill and not what may happen."

Representative Ward: "Mr. Speaker, and this is the strangest thing in that. . .

Chair: "Will you please stick to the merits of the bill."

Representative Ward: "Mr. Speaker, you and your colleagues are hiding behind the language of the bill, and I am talking about the test. . .

Chair: "Again, I will have to call you out of order."

Representative Ward: "Mr. Speaker, I want you to know that it's the 27 hours to a half hour -- the implementation of it. . .

Chair: "Sergeant-at-Arms, will you escort him out."

Representative Ward: "The 27 hours to half hour is the implementation of it. That's what is not fair. The way it's implemented is not fair. . .

Chair: "Sergeant-at-Arms, escort him out."

Representative Ward: "And what you're doing to me is muzzling me. . .just like this bill does. You've also cut off my microphone. . .

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

Upon reconvening at 12:49 o'clock p.m., the Chair said:

"And we need some order in the House, as mentioned to the members."

Representative Kawananakoa then rose and stated:

"I must rise again with regard to Stand. Com. Rep. 1567. I have asked this legislative body for patience in the past and I find it difficult that we would escort off the floor our Minority Leader because of a call with regard to whether or not he was speaking to the merits. As I recall, though, on many of the. . .

The Chair interrupted and said:

"Will you please speak to the merits of the bill, please."

Representative Kawananakoa responded:

"I am concerned about the merits of this bill because of all the statements that have been made by prior Representatives in substantiating the reasons for passing this bill with favor. I find that the particular instances of how this public access has been administered doesn't seem to comport with the title of the bill. For those reasons, I think we're all in a dilemma here. I think we're making progress with regard to understanding the

concerns of the chairs with respect to having this public access go out to the Neighbor Islands and further extending the influence that our chairs have in reporting at the end of the session with respect to the issues confronting the Legislature and the people of Hawaii.

"But I do have difficulty with us simply closing down that debate or process and discussion with regard to this particular information, this process of knowledge, and it's quite dismaying to see that we have to allow ourselves to get to the point where we need to have people escorted off the floor of the Legislature. I think that's really counterproductive to public access and especially with respect to the discussion of this bill.

"I will continue to vote no, seeing as the good faith that was extended via the Chairs seems to be overruled by the leadership.

"Thank you, Mr. Speaker."

Representative Goodenow then rose and stated:

"I just would like to say that I don't think the Minority Leader was escorted off the floor over this bill. This bill.

At this point, the Chair interrupted and said:

"Will you please speak to the merits of the bill."

Representative Goodenow continued, saying:

"This bill is about providing the public access to information about what happened in the committees of the Legislature. This is not about any party either way. . .

Representative Marumoto rose and asked:

"Is he speaking in favor of the bill or against?"

Representative Goodenow responded:

"I'm speaking in favor of the bill.

"It's not about any party having access to free public information, it is about the legislative body. And I think the earlier remarks made by the previous speaker about why or that someone was escorted out was not germane to the bill.

"Thank you."

At 12:54 o'clock p.m., Representative Kawanakoa asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1919, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Third Reading by a vote of 40 ayes to 7 noes with Representatives Aiona, Fox, Kawanakoa, McDermott, Moses, Ward and Whalen voting no, and Representatives Jones, Menor, Tarnas and Thielen being excused.

"DISSENT TO STAND. COM. REP. NO. 1567
RE: Senate Bill No. 1919, SD 1, HD 2
April 3, 1997

Honorable Joseph M. Souki
Speaker, House of Representatives
Nineteenth State Legislature

Regular Session of 1997
State of Hawaii

Sir:

We the undersigned dissenting members of the Committee on Finance beg leave to file this dissent to Standing Committee Report No. 1567 in reference to S.B. 1919, SD 1, HD 2, RELATING TO THE LEGISLATURE. We agree with the permanent use of the Legislative Broadcast Program to increase public access to the legislative process. While we support the goal to provide equal access to legislative broadcasts for all citizens in the State, we are deeply concerned that without safeguards to insure accountability and equal access, this program will become nothing more than partisan manipulation of media resources funded by the public.

This partisan abuse was most evident at the close of the 1996 Regular Session when the Legislative Access Cable Television Project became the vehicle for partisan control of programming exercised by the House leadership. The 'infomercial' format used for the wrap-up reporting by chairs of majority controlled committees provided for partisan manipulation of the media and the public at its worst. It provided the public with only a one-sided view of the Legislature's accomplishments and failures and excludes the Minority Caucus from participating in the wrap-up of the legislative session.

More importantly, partisan control was used to deny minority members of the House equal access to the cable access TV coverage of end of session wrap-ups provided by Olelo. Such practices are intolerable and can no longer be accepted. The Legislature must strive for more coverage of its public business, and not be complacent where this coverage is subject to partisan influence, control, and manipulation.

There are several nonpartisan models available to the Legislature that would provide equal access to the media by all members of the House, including programming produced by the Honolulu City Council which is managed independently, with nonpartisan controls in place and the organization of the Cable Satellite Public Affairs Network.

Language should be added to this bill requiring the contractor under this program to change the current format for the wrap-up of the regular session of the 1997 House of Representatives by including the Minority Caucus as one of the reporters, or no wrap-up reports should be done at all.

For these reasons, your dissenting members on the Finance Committee on S.B. 1919, SD 1, HD 2, is not in accord with the aforementioned H.D. 2, as currently drafted, and recommends that it not pass Third Reading in its present form. We further recommend that the bill be amended as described above.

Respectfully submitted,
/s/ Representative Gene Ward
/s/ Representative Barbara Marumoto
/s/ Representative Colleen Meyer
/s/ Representative Galen Fox"

Stand. Com. Rep. No. 1568 and S.B. No. 1943, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1943, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1569 and S.B. No. 991, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 991, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1570 and S.B. No. 1554, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1554, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Stand. Com. Rep. No. 1571 and S.B. No. 1588, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1588, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 47 ayes, with Representatives Jones, Menor, Tarnas and Thielen being excused.

The Chair directed the Clerk to note that S.B. Nos. 208, 251, 941, 1018, 1385, 1571, 1636, 1919, 1943, 991, 1554 and 1588 had passed Third Reading at 1:05 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1595) recommending that S.B. No. 1532 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1596) recommending that S.B. No. 1110 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1597) recommending that S.B. No. 1522,

SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1522, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1598) recommending that S.B. No. 1518 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1599) recommending that S.B. No. 1513 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1600) recommending that S.B. No. 1490, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1490, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1601) recommending that S.B. No. 1523, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1602) recommending that S.B. No. 1487, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1487, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1603) recommending that S.B. No. 985, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 985, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1604) recommending that S.B. No. 1118, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1118, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1605) recommending that S.B. No. 1715, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1606) recommending that S.B. No. 1516, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1516, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1607) recommending that S.B. No. 1507 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1507, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1608) recommending that S.B. No. 1517 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1517, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1609) recommending that S.B. No. 1514 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1610) recommending that S.B. No. 958 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 958, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1611) recommending that S.B. No. 1508 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1612) recommending that S.B. No. 1511 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and S.B. No. 1511, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1613) recommending that S.B. No. 1515, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1515, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1614) recommending that S.B. No. 1510 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1615) recommending that S.B. No. 1524, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1616) recommending that S.B. No. 1521, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1521, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1617) recommending that S.B. No. 1501 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1501, entitled: "A

BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1618) recommending that S.B. No. 1519, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1619) recommending that S.B. No. 1509 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1509, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1620) recommending that S.B. No. 818, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 818, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1621) recommending that S.B. No. 1495, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1495, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1622) recommending that S.B. No. 1115, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1115, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1623) recommending that S.B. No. 1116, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the joint report of the Committees be adopted and S.B. No. 1116, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register a no vote for him, and the Chair "so ordered."

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

"In committee, members, we had an opportunity to review this debate on whether or not twenty dollars was an appropriate amount of money to charge, I guess, drafters of dishonored checks that were submitted to a merchant. While we did amend the bill in a favorable manner, there is still a requirement that the check drafter has to be placed on notice that if their check bounces, the merchant has the opportunity to charge you twenty dollars as a service fee.

"You know, I find that notice requirement is a little ridiculous and the standard practice of a merchant, let's say a small merchant, they would either have to put signs up saying that a service charge will be applied if there's a dishonored check or if your check bounces. There's an implication by making these statements either verbally or through signage that the particular client or customer is not worthy of their drafting of a check. I find it to be difficult for our merchants to put the onus upon them, to otherwise notify the drafter that if you draft a bad check, I'm going to charge you a service fee up to twenty dollars.

"I think it is appropriate for the Legislature to put a cap, or in some way limit the amount of service charge that can be applied, and that's what we have done. We've allowed for a twenty dollar cap so that there won't be any gorging by merchants or otherwise taking advantage of unwary customers. However, I ask, when a customer comes into a shop, a store, a food establishment and drafts a check for a particular item or merchandise, they are promising that this check is good. The onus should be placed upon them. Should we have them give notice to the merchant that: Mr. Merchant, if my check bounces, I want you to know that you can only charge me twenty dollars. It just seems to be that we're placing the burden and trying to protect the wrong person.

"The committee that I sat on was the Committee on Commerce and Consumer Protection. It seems to me that we often look at the consumer protection aspect which I applaud, but many times we fail to address the commerce concerns. And in this matter, I think the notice requirement could be deleted. I understand this should go to conference and I hope we can advocate further in that forum.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 1116, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed Second Reading and was placed on the calendar for Third Reading, with Representative McDermott voting no, and Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1624) recommending that S.B. No. 35, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 35, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1625) recommending that S.B. No. 57 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Jones, Menor, Tarnas and Thielen being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1626) recommending that S.B. No. 1553, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1626 and S.B. No. 1553, SD 1, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1553, SD 1, HD 1, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1627) recommending that S.B. No. 1806, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1627 and S.B. No. 1806, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1806, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1628) recommending that S.B. No. 202, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1628 and S.B. No. 202, SD 1, HD 1, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 202, SD 1, HD 1, were made available to the members of the House.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1629) recommending that S.B. No. 846, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1629 and S.B. No. 846, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 846, SD 1, HD 2, were made available to the members of the House.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1630) recommending that S.B. No. 1560, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1630 and S.B. No. 1560, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1560, SD 1, HD 2, were made available to the members of the House.

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

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

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1631) recommending that S.B. No. 45, SD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 45, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 46 ayes, with representatives Jones, Menor, Morihara, Tarnas and Thielen being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1632) recommending that S.B. No. 1016, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1016, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 46 ayes, with Representatives Jones, Menor, Morihara, Tarnas and Thielen being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1633) recommending that S.B. No. 1653 pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1653, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," passed Third Reading by a vote of 46 ayes, with Representatives Jones, Menor, Morihara, Tarnas and Thielen being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1634) recommending that S.B. No. 373, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 46 ayes, with Representatives Jones, Menor, Morihara, Tarnas and Thielen being excused.

The Chair directed the Clerk to note that S.B. Nos. 45, 1016, 1653 and 373 had passed Third Reading at 1:12 o'clock p.m.

At 1:13 o'clock p.m., Representative Say asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:15 o'clock p.m.

ANNOUNCEMENTS

Representative Say rose and requested waiver of the 48-hour hearing notice requirement to hear Senate Bill Nos. 871, SD 2, HD 2; 1874, SD 2, HD 1; and 1794, SD 1, HD 1, this afternoon at 2:00 o'clock p.m., and the Chair "so ordered."

Representative M. Oshiro: "There will be a leadership meeting with all Committee Chairs immediately following session. There will also be a Majority caucus at 4:30 p.m. tomorrow in the Caucus Room."

Representative Kawanakoa: "Your Minority Caucus will have a caucus at 4:30 p.m. tomorrow."

ADJOURNMENT

At 1:17 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Kawanakoa and carried, the House of Representatives adjourned until 5:00 o'clock p.m. tomorrow, Friday, April 4, 1997. (Representatives Jones, Menor, Morihara, Tarnas and Thielen were excused.)

FORTY-SIXTH DAY

Friday, April 4, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 5:12 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Carolyn Winston, Executive Director of the Woman's Board of Missions of the United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Arakaki and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fifth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 419 through 425) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 419, returning H.B. No. 1, HD 1, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

Sen. Com. No. 420, returning H.B. No. 345, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

Sen. Com. No. 421 returning H.B. No. 939, HD 1, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

Sen. Com. No. 422, returning H.B. No. 1216, HD 1, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

Sen. Com. No. 423, returning H.B. No. 1450, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

Sen. Com. No. 424, returning H.B. No. 1864, HD 1, (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," which passed Third Reading in the Senate on April 3, 1997, in an amended form.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 1, HD 1 (SD 1); 345 (SD 1); 939, HD 1 (SD 1); 1216, HD 1 (SD 1); 1450 (SD 1); and 1864, HD 1 (SD 1), and requested a conference on the subject matter of said amendments. (Representatives Arakaki, Goodenow, Menor, Takamine and Takumi were excused.)

By unanimous consent, H.B. Nos. 1, HD 1; 345; 939, HD 1; 1216, HD 1; 1450; and 1864, HD 1, as amended by the Senate, were placed on the Clerk's desk.

Sen. Com. No. 425, transmitting S.C.R. No. 22, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO PROVIDE FINANCIAL SUPPORT TO THE NATIVE HAWAIIAN HEALTH CARE SYSTEMS," which was adopted by the Senate on April 3, 1997.

By unanimous consent, further action on S.C.R. No. 22, SD 1, was deferred.

At this time, Representative Kawakami rose and requested waiver of the 48-hour hearing notice requirement for the Finance Committee to have decision-making on Senate Bill Nos. 1683, SD 1, HD 1; and 1874, SD 2, HD 1, during recess in the Majority Caucus Room, and the Chair "so ordered."

At 5:19 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:29 o'clock p.m.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Goodenow, Morihara, Takamine and Takumi were excused.)

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1582 and S.B. No. 426, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 426, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1583 and S.B. No. 497, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 497, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1584 and S.B. No. 927, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 927, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative McDermott rose to speak against the bill, stating:

"I am being consistent; I am going to vote against any tax increase or a tax matter like that. Thank you."

Representative Moses then rose in opposition to the bill, stating:

"I'll go into some of the merits of the bill and explain the reason why I'm opposed to this bill. I spoke on a similar measure earlier -- I think it might have even been the same bill when it passed through earlier.

"Basically, this bill requires military installations to buy cigarettes locally and they are taxed, and this is contrary to the federal sundry, I believe. It goes into language that because of the black marketeering on cigarettes, that we need to raise the price to charge the same as people would buy off base. . .they would pay off base.

"However, it also has a tax-exempt stamp that is required. And if we have that tax-exempt stamp on the cigarettes, then these cannot be sold on the black market. So it's contrary to its own intended purpose.

"It also goes on to say that it's increasing the tax rate from 3 cents to 3.5 cents for cigarettes. However, for cigarettes bought on military bases, it increases the tax rate from 3.5 cents to 4 cents, so we're taxing the military members even more than our own population.

"Also, originally, this bill required that half-a-million dollars would go into the Health Department because of the social ills of smoking. That provision has been removed, and the tax now goes into the general fund. And if the Speaker remembers when I talked about this bill earlier, I mentioned that we should not be using the tax revenue -- the tax code, if you will -- for social reasons. Taxes are to raise revenue, not to change people's mores, so I'll be voting no on this bill, Mr. Speaker. Thank you."

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

"Just to acknowledge and express my appreciation to the Finance Committee for having clarified that this is a tax measure and that at least we are dealing with it as such, and I understand the very strong reasons why we should be looking to measures like this, given our financial situation.

"But based on some commitments that I have made to my constituents, this is within the realm of those kinds of bills that I promised to vote against and, therefore, I am going to vote against this measure. Thank you."

Representative Takai then rose in strong support of the measure, stating:

"I just wanted to clarify statements made previously by another speaker in regards to the increase in tax for military institutions. I just want to make it clear that all stores across the State, including those on military installations, will be required to pay four cents per cigarette on the first day of the month one hundred eighty days after a United States congressional act is signed into law which requires military installations to purchase cigarettes in Hawaii in the same manner that everyone else does. So it's not an additional tax for the military. It just raises the tax for the State, including the military institutions, after Congress acts.

"I would also like to ask, Mr. Speaker, that additional written comments be inserted," and the Chair "so ordered."

Additional comments by Representative Takai are hereby inserted:

"Mr. Speaker, thanks for allowing me to add additional comments in support of S.B. 927, SD 1, HD 2.

This bill is quite similar to House Bill 979, House Draft 2, which I supported a few weeks ago.

"This bill does two very important things. First, it introduces the requirements of physically affixing a non-removable identification on all non-tax cigarettes. This process normally referred to as stamping would clearly identify non-tax cigarettes sold through manufacturers, wholesalers, and dealers. Stamping is required in many tax jurisdictions throughout the Mainland on taxable cigarettes, unlike this bill, which requires stamping on untaxed cigarettes.

"This approach is much more efficient with the objective of identifying military cigarettes and preventing its leakage into the civilian market. I believe that the stamping provision should result in more taxes being paid to the general fund, thereby increasing our revenues.

"The second thing that this bill does is it increases the tax on cigarettes from 3 cents to 3.5 cents a cigarette.

"I've been a proponent of a cigarette tax increase from three cents a cigarette to five cents a cigarette since being elected in 1994.

"Although the tax increase proposal in the bill falls a little short of the five cents per cigarette that I continue to support, it does, nevertheless, increase the tax, and for that matter, the cost of cigarettes.

"As I mentioned in earlier floor debates, one of my biggest concerns is the health of the State's young people. Tobacco companies have been aggressively targeting teenagers in their efforts to keep businesses profitable in Hawaii. And, unfortunately, their efforts are paying off.

"While rates of adult smoking have dropped steadily in the past several years, teenage rates of smoking have risen sharply. Because persons who start smoking in their teens are most likely to become lifetime smokers, the State faces a serious health crisis if present trends continue. Steps must be taken to prevent this.

"Raising the cigarette tax is an important part of these efforts. The health benefits of an increase in the cigarette tax is clear. States that have implemented a higher tax have immediately seen a decrease in smoking, especially among young persons.

"Because children are much more price sensitive than adults, this tax increase has an even greater effect on young smokers and discourages those children who are considering taking up this habit.

"Each day, 3,000 young children take up this habit of smoking nationally. It has been said that more than 1,100 die of disease related to tobacco smoking and tobacco related illnesses and exposures each year in the State of Hawaii.

"It is estimated that the negative effects of smoking costs this State over \$328 million in 1995 alone. In 1995, the State spent more than \$159 million in its share of Medicaid costs to treat patients with tobacco-related illnesses and \$169 million more in lost productivity and sick leaves related to these illnesses.

"So you see, much more than the increase in the tax revenues for the State and much more than the leakage that we are now facing in terms of the purchasing of cigarettes from military institutions, is the health benefits that we'll receive from passing this bill.

"And while I continue to urge the Legislature to consider a tax increase from 3 cents to 5 cents per cigarette, I stand in strong support of this increase in the tax from three cents to 3.5 cents.

"In a February 6, 1997 editorial, The Honolulu Advertiser questioned the Legislature's actions regarding the proposed increase in the cigarette tax. Is the proposal meant to reduce smoking by increasing the cost of cigarettes or is it meant to help the State by providing additional revenues. My answer is that this bill does both.

"In addition, Mr. Speaker, some new polling information suggests that the general public also supports an increase in the cigarette tax. This survey, conducted by Ward Research, Inc. in December 1996, shows that 67 percent of the registered voters in Hawaii supports raising the tax on cigarettes from 3 cents to 5 cents per cigarette. Of the 67 percent, 44 percent strongly favor this tax increase.

"In a March 19, 1997 editorial in The Honolulu Advertiser, the paper's editors crystallized their position in support of a tax increase on cigarettes. 'There's simply no compelling argument against going ahead with the tax increase on cigarettes,' states the editorial.

"We all pay for what the tobacco industry causes. They reap the profits, while we pick up the tab for medical care and the loss of productivity.

"I commend the Finance and Health Committee Chairs for moving this measure along.

"Thank you, Mr. Speaker."

Representative Moses, in rebuttal, stated:

"It's true that it wouldn't go into effect until Congress passes the law; however, the same thing was done a few years ago with alcohol. Only Alaska and Hawaii, of all the states in the union, have this special provision to honor their military, like taxing them more and forcing them to pay part of their limited benefit package out of their very limited funds that they're paid for their normal salaries.

"As a military veteran, I can tell you, Mr. Speaker, all those years in uniform we were told: You're so lucky. You're only getting a very, very little amount of take-home pay, but look at all the benefits you have: like free medical which is gone, like exchange privileges and commissary privileges where you save an average of about five percent and those things are going, and now we're trying to make another one gone.

"So, Mr. Speaker, when you hear that we're just going to pay the same as everybody else, we don't get paid the same as everybody else in the first place. So that's the difference, Mr. Speaker. Thank you."

Representative Pendleton then rose and asked the Clerk to register a no vote for him, and requested that his remarks be entered into the Journal, and the Chair "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in opposition to Senate Bill 927, SD 1, HD 2, relating to taxation.

"Mr. Speaker, this bill increases the excise tax on cigarettes. I voted in favor of a similar House Bill while it was in the Health Committee. That bill, at the time it

was before the Health Committee, had a provision which I felt was key to the entire measure. It was a provision which earmarked, as it were, the revenues to be used in ways which would decrease tobacco usage. The House Bill proceeded through various committees. Eventually it was altered in the Finance Committee, where this key provision was removed. I voted in favor of the bill despite being greatly disappointed with the Finance Committee's change.

"The Finance Committee permitted the monies to go into the general fund. I did not favor this change because I see this tax as a health measure, as a user fee of sorts. If the increased revenues went for the prevention and education efforts against tobacco use, then I could and would support it.

"I voted in favor of the House Bill dealing with this very subject because I reasoned that although there was no longer an earmark feature, yet the increased tax would to some extent deter youngsters from purchasing cigarettes. This would save lives. It was not ideal, but it was better than no increase.

"Mr. Speaker, today I cast a 'no' vote, a vote in opposition to Senate Bill 927, SD 1, HD 2, because I strongly oppose the removal of the earmarking concept. This tax should have language which would require the additional revenues to go towards education and prevention. If we are generally concerned about the health of our young people, then that is what the money would go towards. Instead, it is clear, or at least it has been made clear by the Finance Committee, that this is just another way of raising revenues. I wish this tax did not just send more money into the General Fund. That is what I oppose about this bill.

"Mr. Speaker, the experience of other states is relevant to Senate Bill 927. California passed Proposition 99. This Proposition raised taxes on cigarettes but used all, or substantially all, of the monies in the battle against lung cancer and pulmonary problems related to the use of tobacco products.

"Mr. Speaker, I vote no today and have changed my vote from what it was in Health Committee because the bill has changed substantially from the one which I favored. I voted in favor of the increase because the bill had language making the increase more akin to a user fee. I can support a user fee, especially where saving lives is the bottom line result. But this bill does not have the language, the earmarking language, which language I feel is necessary to transform this bill into a health bill or a user fee bill. Now what we have here before us today is just another tax, the revenues of which will be dumped into the general fund to be used for more government spending. I vote no.

"It is my hope that my friends in the health professions understand my vote and correctly interpret it as a protest against removing the ear-marking language. I will continue to speak out in favor of policies which save lives, which benefit our young people, which curb unhealthful behavior, and the like. This bill could be a much better bill. For the reasons aforesaid, I just cannot vote for it in its present form. I thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 927, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Kawanakoa, McDermott, Meyer, Moses, Pendleton, Stegmaier and Ward voting no, and Representatives

Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1585 and S.B. No. 1293, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1293, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1586 and S.B. No. 1631, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1631, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1587 and S.B. No. 1548, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1548, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1588 and S.B. No. 130, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 130, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Stand. Com. Rep. No. 1589 and S.B. No. 377, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 377, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

The Chair directed the Clerk to note that S.B. Nos. 426, 497, 927, 1293, 1631, 1548, 130 and 377 had passed Third Reading at 5:38 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635) recommending that S.B. No. 37, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1635 and S.B. No. 37, SD 1, HD 2, was

deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 37, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1636) recommending that S.B. No. 242, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1636 and S.B. No. 242, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 242, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1637) recommending that S.B. No. 257, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1637 and S.B. No. 257, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 257, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1638) recommending that S.B. No. 727, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1638 and S.B. No. 727, SD 2, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 727, SD 2, HD 1, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1639) recommending that S.B. No. 843, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1639 and S.B. No. 843, SD 1, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 843, SD 1, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1640) recommending that S.B. No. 1160, SD 1, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1640 and S.B. No. 1160, SD 1, HD 3, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1160, SD 1, HD 3, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1641) recommending that S.B. No. 1581, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1641 and S.B. No. 1581, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1581, SD 2, HD 2, were made available to the members of the House.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1642) recommending that S.B. No. 1624, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1642 and S.B. No. 1624, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1624, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1643) recommending that S.B. No. 870, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1643 and S.B. No. 870, SD 2, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 870, SD 2, HD 2, were made available to the members of the House.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1644) recommending that S.B. No. 1621, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 1621, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Representative Tom, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1645) recommending that S.B. No. 1589, SD 2, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 1589, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1646) recommending that S.B. No. 58, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 58, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1647) recommending that S.B. No. 1486, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 1486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1648) recommending that S.B. No. 1506, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 1506, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

Representative Say, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1649) recommending that S.B. No. 262, SD 1, HD 1, pass Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. 262, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 47 ayes, with Representatives Arakaki, Goodenow, Takamine and Takumi being excused.

The Chair directed the Clerk to note that S.B. Nos. 1621, 1589, 58, 1486, 1506 and 262 had passed Third Reading at 5:39 o'clock p.m.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1650) recommending that S.B. No. 718, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESENTENCE DIAGNOSIS AND REPORT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1651) recommending that S.B. No. 1277, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1277, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1652) recommending that S.B. No. 1286, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1653) recommending that S.B. No. 1619, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1619, HD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Kawanakoa rose and stated:

"I simply would like to note a reservation that we're increasing the fines from \$150, I take it, to \$300, if I read the Committee Report accurately. That seems to be quite a hefty fine for accidentally parking your car in the wrong stall, or otherwise I would perhaps encourage that what we truly need is enforcement as opposed to fining the one or two people that happen to be in the wrong place at the wrong time. . .

The Chair interrupted and asked:

"Excuse me, Representative, are you voting against this bill or with reservations?"

Representative Kawanakoa responded:

"With reservations. I rise in support but otherwise note these reservations.

"And I hope that as we look at it further, maybe we might find the right number for this fine.

"Thank you, Mr. Speaker."

Representative McDermott then rose and asked the Clerk to register a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1619, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING STALLS FOR DISABLED PERSONS," passed Second Reading and was placed on the calendar for Third Reading with Representative McDermott voting no and Representatives Arakaki and Takamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1654) recommending that S.B. No. 1464, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1464, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1655) recommending that S.B. No. 1948, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1948, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1656) recommending that S.B. No. 1901, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1901, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1657) recommending that S.B. No. 1778, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1778, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1658) recommending that S.B. No. 1714, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1714, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1659) recommending that S.B. No. 1814, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1814, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1660) recommending that S.B. No. 680, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1661) recommending that S.B. No. 681, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 681, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1662) recommending that S.B. No. 152, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 152, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1663) recommending that S.B. No. 1484, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1484, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1664) recommending that S.B. No. 623, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 623, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1665) recommending that S.B. No. 147, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 147, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

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

"It's a step in the right direction. I read the Committee Report but I couldn't quite figure it out, to be honest with you. I guess I'm not alone in that, but I asked Representative Say, Chairman of the Finance Committee, and he told me that it is a tax decrease and it's good for business so I'm going to support it. Thank you, Representative Say."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 147, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1666) recommending that S.B. No. 1316, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1316, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

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

"I haven't had the time to digest fully the ramifications of this tax conformity bill. This simply takes our state tax code and conforms to the IRC or the Internal Revenue Code.

"One of my concerns, however, is that if we look to page 8, line 19, we are conforming to the code in most every area except we make the exception of the deductions with regard to Section 213. It will no longer allow deductions with respect to long-term health care or care services, or long-term care insurance contract premiums. As it applies to long-term care insurance contract premiums, this sort of arena needs a little further digesting by myself. But I needed to note those reservations because this exception increases the taxes, with respect to our elderly.

"I have a concern with incorporating this exemption from what otherwise is allowed under the Internal Revenue Code and what it seems that we have allowed in the past. It seems to be an increase in that area and so I raise a concern.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1316, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1667) recommending that S.B. No. 1618, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1618, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1668) recommending that S.B. No. 1699, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1699, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

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

"Originally this was intended as a tax increase but I have to applaud the Committee; they amended it to a decrease, and I think it's wonderful. And so I'm being consistent and sticking with that, and for the sake of the House, I'd be willing to go on a one-man commission -- Blue Ribbon Commission. I'll examine all of these establishments and report back and ascertain whether they do deserve a tax decrease.

Thank you."

The Chair remarked:

"Alright, Representative, I'll take it under consideration."

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

"The purpose of this bill, as received by your Committee, is to increase the general excise tax on certain establishments holding liquor licenses from four to ten percent of the gross, and make no mistake, that's still the purpose of this bill even though it has been amended to 3.5 percent. I hate to say I don't trust you, but I think this, in Conference Committee, will go up to some much higher figure than 3.5.

"It's unconstitutional to pick out these specific bars over others and try to get them to pay this much higher rate, so I would like the Clerk to register a no vote for me."

The Chair "so ordered."

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

"I had the same concern about the amount of tax that may be either placed at conference or as this goes through the process. And I would also request that I not be placed on that Blue Ribbon Committee."

The Chair remarked:

"Okay, thank you very much. I would like to say, trust us."

Representative Ward then rose and asked for a no vote, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1699, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE TAXATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Meyer and Ward voting no and Representatives Arakaki and Takamine being excused.

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

Com. Rep. No. 1669) recommending that S.B. No. 952, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 952, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1670) recommending that S.B. No. 1153, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1153, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1671) recommending that S.B. No. 226, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 226, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1672) recommending that S.B. No. 141, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 141, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1673) recommending that S.B. No. 1114, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1114, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1674) recommending that S.B. No. 228, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1675) recommending that S.B. No. 1533, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1533, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1676) recommending that S.B. No. 1191, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1191, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1677) recommending that S.B. No. 1499, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1499, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1678) recommending that S.B. No. 1565, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1565, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1679) recommending that S.B. No. 1113, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1113, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose and asked the Clerk to cast a no vote for her (the Chair "so ordered"), saying:

"Mr. Speaker, the purpose of the bill is to establish new procedures for non-judicial foreclosures, and a non-judicial foreclosure is a process where a lender can foreclose on a mortgage under a power of sale without filing a lawsuit. This means that there would be no independent entity -- the court -- looking at what would occur.

"The Legal Aid Society submitted testimony in opposition to this measure. I found their testimony very persuasive, and I oppose this bill."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 1113, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was placed on the calendar for Third Reading with Representative Thielen voting no and Representatives Arakaki and Takamine being excused.

Representatives Menor and Tom, for the Committees on Consumer Protection and Commerce and Judiciary, presented a joint report (Stand. Com. Rep. No. 1680) recommending that S.B. No. 1159, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Arakaki and Takamine being excused.

THIRD READING

S.B. No. 817, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 817, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1532:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1110:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1518:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1513:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1490, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1490, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 985, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 985, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1507:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1507, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1517:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1517, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1514:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 958:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 958, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1508:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO

PRELICENSING INSPECTIONS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1511:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1511, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1510:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1501:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1501, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 1509:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1509, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

S.B. No. 57:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," passed Third Reading by a vote of 49 ayes, with Representatives Arakaki and Takamine being excused.

The Chair directed the Clerk to note that S.B. Nos. 817, 1532, 1110, 1518, 1513, 1490, 985, 1507, 1517, 1514, 958, 1508, 1511, 1510, 1501, 1509 and 57 had passed Third Reading at 5:48 o'clock p.m.

ANNOUNCEMENTS

Representative Ward: "There will be a Minority caucus at 10:00 a.m. on Monday in Room 309."

Representative Okamura: "Just to inform the members that all bills that will be decked this evening for Third Reading will be delivered to your offices tomorrow by noon."

The Chair then said:

"The House will be in recess on Monday, April 7th, and of course, we will reconvene on Tuesday."

Representative M. Oshiro: "Just to remind all Majority members that there will be a Majority caucus at 10:00 a.m. in Room 329 on Monday."

Representative M. Oshiro then moved to keep the Journal open until 12:00 midnight this legislative day for the purpose of receiving Standing Committee Reports and bills to be received for Third Reading, seconded by Representative Thielen and carried. (Representatives Arakaki and Takamine were excused.

At 5:55 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

The following Standing Committee Reports (Stand. Com. Rep. Nos. 1681 through 1726) were received in the Clerk's Office up until 12:00 o'clock midnight this legislative day, and subsequent to its recessing at 5:55 o'clock p.m., the House of Representatives took the following action:

Stand. Com. Rep. No. 1681 (FIN) and S.B. No. 1268, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1682 (FIN) and S.B. No. 1535, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1683 (FIN) and S.B. No. 1625, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1684 (FIN) and S.B. No. 1628, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1685 (FIN) and S.B. No. 1773, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1686 (FIN) and S.B. No. 1891, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1687 (FIN) and S.B. No. 944, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1688 (FIN) and S.B. No. 138, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1689 (FIN) and S.B. No. 656, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT

INSURANCE BENEFITS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1690 (FIN) and S.B. No. 717, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1691 (FIN) and S.B. No. 969, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1692 (JUD) and S.B. No. 1197, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1693 (JUD) and S.B. No. 647, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1694 (CPC/JUD) and S.B. No. 388, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1695 (WLU) and S.B. No. 633, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1696 (CPC) and S.B. No. 263, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1697 (CPC) and S.B. No. 512, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1698 (FIN) and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1699 (FIN) and S.B. No. 1264, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1700 (FIN) and S.B. No. 209, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1701 (FIN) and S.B. No. 538, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1702 (CPC) and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1703 (CPC) and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1704 (CPC) and S.B. No. 1304, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1705 (CPC) and S.B. No. 835, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1706 (CPC) and S.B. No. 137, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1707 (CPC) and S.B. No. 1599, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1708 (EDN) and S.B. No. 161, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1709 (CPC) and S.B. No. 135, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1710 (FIN) and S.B. No. 252, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1711 (FIN) and S.B. No. 1266, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1712 (FIN) and S.B. No. 1472, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1713 (FIN) and S.B. No. 1794, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1714 (FIN) and S.B. No. 1879, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1715 (FIN) and S.B. No. 1285, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF

NOTICES BY GOVERNMENT AGENCIES," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1716 (FIN) and S.B. No. 286, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1717 (FIN) and S.B. No. 375, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1718 (FIN) and S.B. No. 871, SD 2, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1719 (FIN) and S.B. No. 1632, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1720 (FIN) and S.B. No. 1951, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1721 (FIN) and S.B. No. 831, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1722 (FIN) and S.B. No. 1032, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1723 (FIN) and S.B. No. 1082, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1724 (FIN) and S.B. No. 1683, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1725 (FIN) and S.B. No. 1874, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," were placed on the calendar for Third Reading on April 8, 1997.

Stand. Com. Rep. No. 1726 (FIN) and S.B. No. 1089, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," were placed on the calendar for Third Reading on April 8, 1997.

ADJOURNMENT

At 12:00 midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Tuesday, April 8, 1997.

FORTY-SEVENTH DAY

Tuesday, April 8, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 10:17 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Reverend Woodrow Yasuhara of the Hawaii Assemblies of God, after which the Roll was called showing all members present with the exception of Representative Chang, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Sixth Day was deferred.

GOVERNOR'S MESSAGE

Gov. Msg. No. 175, informing the House that on April 3, 1997, he signed House Bill No. 173 as Act 5, entitled: "RELATING TO LIQUOR", was received and announced by the Clerk and was placed on file.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 11, from the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Real Estate Branch, transmitting copies of the Real Estate Commission's March 1997 issue of the Real Estate Bulletin, was received by the Clerk and was placed on file.

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

Representative Case introduced a group of approximately 230 sixth through twelfth grade students, teachers and administrators from University Lab School. "The University Lab School has a very proud and distinguished history of over a hundred years. . .since it was originally affiliated with the teachers' Normal School prior to incorporation into the University," and asked Dr. Loretta Krause, Principal; Tracy Teixeira, Counselor; Debbie Kelsey, Student Activities Coordinator; Kekoa Tassill, grandson of "Uncle" Joe Tassill, and the students to stand to be recognized.

Representative Fox then rose and stated:

"I want to pay a special greeting to the students from University Lab School. I spent ten years at the Lab School. It's been a big part of my family's tradition. My brother went there and graduated from the school; my nephew, Kou Fox, is up there in the audience," and asked Kou to stand to be recognized. "His older brother was a graduate of the University Lab School last year."

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 223 and 224) were announced by the Clerk and the following action taken:

H.R. No. 223, entitled: "HOUSE RESOLUTION CONGRATULATING LORI CHIU NGIN YOUNG, THE 1997 MISS CHINATOWN USA," was offered by Representative Ahu Isa.

Representative Ahu Isa moved that H.R. No. 223 be adopted, seconded by Representative Stegmaier.

Representative Ahu Isa rose to speak in support of the resolution, stating:

"Mr. Speaker, ladies and gentlemen in the gallery, and fellow legislators, it gives me great honor and privilege to congratulate Miss Lori Young for being crowned the 1997 Miss Chinatown USA. She represents beauty and culture of our Chinese community, and she competed in the 39th Annual Miss Chinatown USA pageant sponsored by the Chinese Chamber of Commerce at San Francisco's Masonic Auditorium.

"The pageant featured thirteen talented and beautiful young women of Chinese ancestry from across the United States. And for the talent phase of the pageant, Lori performed a piano selection, 'Malaguena.' Other phases of the competition included the cheong-sam, the Chinese-style gown that she is wearing, a swimsuit contest, and an on-stage question and interview. And when Lori was asked: 'What period in your life was or is the most interesting and why?' Lori responded: 'That period would have to be right now. As Miss Chinatown Hawaii, I was not only given the opportunity to come here to San Francisco, but also the opportunity to explore more about my Chinese heritage. I know that this year will be just as exciting and rewarding for me as last year.'

"So this morning I want to introduce Lori," and asked Lori Chiu Ngin Young, 1997 Miss Chinatown USA, to stand to be recognized.

Accompanying Lori on the House floor were: Mrs. Mildred Young (Popo/Grandmother); Mrs. Ginny Young, her mother; Mr. Sun Hung Wong, Executive Director of the Chinatown Merchants Association and Honorary Mayor of Chinatown; and Mr. Lloyd Lau, President of the Chinatown Merchants Association, "and it's this group that put on the pageant so we're really, really grateful to you."

Representative Ahu Isa then asked Mr. Harvey Young, Lori's father who was seated in the gallery, to stand to be recognized.

Representative Ahu Isa then read a part of the resolution.

Representative Stegmaier then rose in support of the resolution, stating:

"Members, Lori Young is a graduate of Kaiser High School and the University of Hawaii where she obtained her Bachelor's degree in Marketing. She is a manager in charge of promotions and public relations at Hooter's Restaurant at the Aloha Tower Marketplace.

"Lori spends time creating special events and fund raisers for local charities and nonprofit organizations. Some of those charities that have benefited include the Muscular Dystrophy Association, the Arthritis Foundation of Hawaii, the Juvenile Diabetes Foundation, and the Pearl Harbor Morale, Welfare and Recreation Fund.

"Mr. Speaker, I want to recognize Lori for her courage in competing in this beauty pageant and for her success, of course. I want to recognize her for her conviction, the conviction that she obviously has had in pursuing a dream and an ideal of sharing her outer beauty as well as her inner beauty that we see in her today, as well as sharing those qualities of outer and inner beauty that she sees in all of us.

"Lori, I want to congratulate you on your success in representing Hawaii as well as all other Chinatowns throughout the United States. And I want to wish you well as you tour the country as well as other countries, including China, as I understand, and you have an opportunity to make a significant contribution to the Chinese-American community this year, as well as to all of us in our multicultural national as well as multicultural state society. Best wishes to you, Lori."

Representative Kawanakoa then rose in support of the resolution, stating:

"It's a great honor for me to speak in favor of this resolution. You know, my district runs right down to the Freeway, just above Chinatown, and yet I feel as if Chinatown is part and parcel of our district and Hawaii, and it's so wonderful to see all the support that we have here.

"I know that Chinatown certainly holds much of the history and significance of these islands and the ability to welcome all to our shores and to encourage prosperity for new folks and the old kamaaina that remain here in the islands.

"I just would like to extend my congratulations and to know that the best of the best is here with us today in representing Chinatown, the Chinese community and also, I guess, our broader community, because Chinatown means so much to all of us. Thank you."

Representative Lee then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I am happy to congratulate our 1997 Miss Chinatown USA -- Miss Lori Chiu Ngin Young.

"Miss Chinatown is about rediscovering our roots -- whether we were born with them, married them, or simply join with all the Chinese in Hawaii for the fun of it.

"Mr. Speaker, 90 percent of the Chinese in Hawaii have their roots in Chung Shan County in Kwantung Province. Buck Toy is one of the villages making up Leong Doo District of Chung Shan County.

"Our Miss Chinatown is one of the 90 percent. Her grandparents, Mr. and Mrs. Bow Lin Young, came from Buck Toy Village. Buck Toy has numerous descendants in Hawaii. They are very prosperous and have a large clubhouse on North Vineyard Street. Her father, Mr. Harvey Young in the gallery, was born and raised in Kalihi and is a graduate of Farrington High School.

"Lori is a wonderful example of the modern Chinese American woman and we should all be very proud of her achievement, and the recognition it brings to Hawaii."

The motion was put to vote by the Chair and carried, and H.R. No. 223 was adopted, with Representative Chang being excused.

A Certificate of Recognition was presented to Miss Young by Representative Ahu Isa, and floral leis were presented to the honorees by Representatives Hiraki, Lee and Stegmaier.

H.R. No. 224, entitled: "HOUSE RESOLUTION HONORING JAIMS ON ITS 25TH ANNIVERSARY," was jointly offered by Representatives Ward and Stegmaier.

Representative Ward moved that H.R. No. 224 be adopted, seconded by Representative Stegmaier.

Representative Ward rose to speak in support of the resolution, stating:

"Mr. Speaker, in my recent trip to Japan last December, I was reminded by my fellow APEC colleagues of two things. Two things remembered very dearly in Japan: One was Seiji Naya and the other was JAIMS. 'How is JAIMS doing? Not a person but an institute: the Japan America Institute of Management Science. Mr. Speaker, its mission is to contribute to the human and economic development of the Asia/Pacific region by educating and training business managers. I repeat, business managers, to be leaders in the interdependent global economy.

"The Japan America Institute of Management Science was formed right after the East-West Center was formed in 1972 by the Fujitsu Corporation, a leading technology company in Japan. To date, more than 14,000 participants have been students at JAIMS and have graduated and, Mr. Speaker, they are from forty different countries. As the Representative in whose district that JAIMS is located, it's the only mini United Nations we've got in the state, and I'm very proud to have that in my district in Hawaii Kai.

"JAIMS is known for its cooperative MBA Program in the University of Hawaii School of Business. It also has a three months internship, Mr. Speaker, that follows in a Japanese corporation in Japan, so you get a very thorough business education in addition to solid management education. Overall, JAIMS has been an exemplary corporate and community citizen, as my colleague from Hawaii Kai will indicate, very open for community activities and meetings.

"Lastly, Mr. Speaker, because of what JAIMS has done to train business leaders throughout the world and Hawaii, Hawaii is a better place, the world is a better place, we're all better for what this team, which I am now going to introduce, has done for the state of Hawaii and international trade."

Representative Ward then asked the following individuals who were seated on the House floor to stand to be recognized: Dr. Glen Miyataki, President and Dean of JAIMS; Mr. Makoto Takenaka, Vice President for Administration; Dr. Blair Odo, Vice President for Academic Affairs and Associate Dean; Mr. Katsumi Yamamoto, General Services Manager; and Ms. Sandy Kumabe, Program Assistant.

Representative Stegmaier then rose in support of the resolution, stating:

"Today is a focus on things taking place and people being raised in Hawaii Kai, and I wanted to add my words to the resolution before us, especially to express appreciation for the faith and confidence that the Fujitsu Corporation, as well as JAIMS, has had in Hawaii as a place where people could come from throughout the world to learn about business, especially the business activities of Japan, the United States, and now, China.

"Also, the faith and confidence that JAIMS has had in Hawaii Kai as a community and as a sometimes member of the Toastmasters Club of Hawaii Kai that meets at JAIMS, as well as the Hawaii Kai Lions Club, I know of your many contributions to the community of Hawaii Kai over the years, including that of being the home of part of the Waldorf School for a couple of years, and I want to express, on behalf of the entire community, our appreciation for that generosity.

"Lastly, Mr. Speaker, I want to thank not only the present people involved in JAAMS, but especially the founders, the people whose vision it was to create the Japan America Institute of Management Science. For the vision of bringing people together to strengthen United States-Japan relations, critical for the future of world peace, is the strengthening of the relationship between America and Japan, and I want to recognize the Fujitsu Corporation as well as JAAMS for your tremendous contribution in this regard. And thank you so very much for doing your part to maintain world peace.

"I am going to say something in Japanese that is more something that a child would say since I lived my thirteen years in Japan as a child, but please bear with me. He wa o mamottakoto totemo kansa shiite orimasu. Korekala no nijyu gonen ishoni he wa o mamolimashio.

"Thank you."

Representative Kahikina then rose to speak in support of the resolution, stating:

"I want to give my accolades to the honorees, especially to Dr. Glen Miyataki who, seven or eight years ago, I had the honor of meeting him through the capacity of Director of Boys and Girls Club where Dr. Miyataki, through his consultation, had led our agency to be on the cutting edge of quality and effective management in youth activities and staff growth. But also Dr. Miyataki's resource that I 'niele' every so often, I call him up and ask his 'mana o' on things that's going on here in the Legislature, and I wanted to congratulate him and to just say: A job well done. It's no wonder why he's being honored right here, just by knowing him personally through Boys and Girls Club and all the other things you've done for us, thank you. And for all the honorees, congratulations."

Representative Takumi then rose to speak in support of the resolution, stating:

"I would like to congratulate JAAMS for this recognition, and in particular to Glen. When he got the appointment to his present position, I was really happy and I felt that was a real benefit to JAAMS. I know he has done and will continue to do a great job there.

"For someone who has spent a few years in Japan also, I realize the value of intercultural understanding and the good work that JAAMS does.

"Thank you very much."

Representative Ahu Isa then rose in support of the resolution, stating:

"Mr. Speaker, I just wanted to add my congratulations, too, to Dr. Glen Miyataki, a very, very good friend, who I worked with at the University many years.

"I am so proud of you, and I am very glad that you got this wonderful position to head this wonderful organization.

"Thank you and good luck, Glen."

The motion was put to vote by the Chair and carried, and H.R. No. 224 was adopted, with Representatives Chang, Menor, Nakasone and Yamane being excused.

A Certificate of Recognition was presented to Dr. Miyataki by Representative Ward, and floral leis were presented to the honorees by Representatives Kawakami, Marumoto, Meyer, Moses and Stegmaier.

At 10:46 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:18 o'clock a.m., Representative McDermott was permitted a late introduction and he introduced Lon Tatum, a constituent of his.

SUSPENSION OF RULES

On motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar, with Representative Chang being excused.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1626 and S.B. No. 1553, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1553, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1627 and S.B. No. 1806, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1806, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"This bill is difficult to object to in its present form. It calls for the appropriation of two dollars on behalf of certain sports events. The bill seems primarily, however, a vehicle to help get funds to Hawaii Pacific Sports, Inc., and we are going to be dealing later today with some serious problems we have in supporting general assistance programs. This looks to be a little bit of corporate welfare here and a bill designed to aid one particular sports venture that is not going through the DBEDT test of whether the bill is going to bring in revenue to the state based on being an attractive sports program that millions will watch or bringing thousands of participants like the Honolulu Marathon. I think a little bit of caution is in order as this bill proceeds.

"Thank you, Mr. Speaker."

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

"I have similar reservations although I do support the bill. I guess being a sports fan, I think Hawaii does provide a lot of opportunities and and by the same token, would provide a lot of opportunities for economic development.

"My concern, as with the previous speaker, is that we may be using general funds for this purpose and in light of the tremendous cuts that our human services programs are projected to be taking, I think it does not send the right message to the people of Hawaii.

"I think, as an option, we should be looking at perhaps tax credits so that we have some way of measuring the

moneys that are being invested in this area, and also holding those investing to some accountable measure, so with that I would like to support this measure with reservations. Thank you."

Representative M. Oshiro then rose to speak in support of the bill, stating:

"Mr. Speaker, it is my understanding that the funds that will be appropriated would be matching funds and that the remainder of the money will be made up by the private sector. I think based upon testimony that was submitted to the Transportation, Tourism and Finance Committees, it is projected that the moneys -- approximately one-half million dollars -- would produce approximately \$16 million in tax revenues. I think that is a good investment of our limited resources.

"Thank you."

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

"Mr. Speaker, Representative Arakaki had some very serious concerns that I share in. We have a lot of needs in our state and we are, in another measure, going to be taking away money from some of the most disadvantaged in this state. I really frankly can't support a bill that is going to provide money out of the general fund, whatever amount it is, to promote these sporting events. I think we have private sector sponsors that can do it.

"I'd also like to refer the members to a very appropriate article that was written by Curtis Lum in the Advertiser, and his statement was that: 'Taxpayers may wind up subsidizing the ten-mile Koolau trek has angered some people.' I think that's an understatement; it certainly has angered people. The May 11th event has so far not lived up to its billing as the world's largest footrace and may lose money. So what happens? This is one of the events that slid into the bill that we're supposed to fund or help fund the H-3 footrace because the promoters weren't able to get enough people interested in that event to fund it. If events such as the Koolau H-3 trek can't pay for themselves, then they shouldn't have them. We shouldn't turn to the taxpayers and ask them to fund it.

"So at this point, I think the bill is a bad idea. I think we have other needs and I prefer that the money go to people that are really needing that money, that are some of our most disadvantaged in the state.

"Thank you."

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

"The Chamber of Commerce, the Department of Business and Economic Development all testified in support of this measure. If I may read from the Chamber of Commerce's testimony, it says: 'Sports tourism has always had an enormous impact on the economy of our state. Sports tourism has drawn thousands of visitors to our state and brought in hundreds of millions of dollars to our market.'

"When this was considered by the Finance Committee, no one voted against the measure. I think it is a good bill and I support it. Thank you."

Representative M. Oshiro then rose and stated:

"Mr. Speaker, just in response to some of the prior comments.

"For the members' information, in the bill in Section 4, this Act shall take effect on July 1, 1997. It is my understanding, as a register participant in the Trans-Koolau Race, that will be taking place next month on Mother's Day.

"Thank you, Mr. Speaker."

Representative Thielen, in response, stated:

"If the former speaker will refer to page 3 of the bill, and it states under Section 2, line 21 of the bill, the Trans-Koolau Race is included as one of those items to be funded. Whether the funding occurs to pay off a debt incurred by the Race's proponents after the fact or not, it's there and the money comes out of the general fund. And for those that look at H-3 as the greatest white elephant, we're now going to be funding it even more than the one billion dollars we've already spent on that white elephant."

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

"I just want to refer to the H-3 portion of the bill. I don't know if the Representative from the next district realizes, but the entry fee -- five dollars -- is going to be donated to the schools in the Windward district. If we have twenty thousand participants, that's \$100,000 that's going to be divided among all the Windward schools and I guess if we don't have the support of the Representative from the Windward side, I think we are all going to be losing out.

"Thank you, Mr. Speaker."

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

"In the past, the Hawaii Pacific Sports, Inc. received funding of over \$300,000 from DBEDT and from that funding I think the most they've done is have some kind of Intramural Day at Ala Moana Park.

"The point is that the Aloha Stadium Authority promotes sporting events; DBEDT has a division that supports sporting events. I think they get funding of somewhere near \$170,000 a year. They have just hired Russ Francis who I think knows a lot about professional football. I think he will be very helpful with his national experience, like some of the former speakers have said, when we are so short of funding, this looks like something we can forego.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1806, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Halford, Meyer and Thielen voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1628 and S.B. No. 202, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 202, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1629 and S.B. No. 846, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 846, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1630 and S.B. No. 1560, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the joint report of the Committees was adopted and S.B. No. 1560, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1635 and S.B. No. 37, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 37, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1636 and S.B. No. 242, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 242, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1637 and S.B. No. 257, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 257, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the bill, stating:

"The bill is not the same bill that the ERS Administrator testified favorably on. This bill was gutted and replaced with the language from our House Bill 1806, HD 1, which I voted against. It's been transformed, Mr. Speaker, into a raid on the state pension fund, and more specifically, it is a raid on the unfunded liability of the system.

"Mr. Speaker, in the interest of time, I would ask that the remainder of my remarks be inserted in the Journal, but I would also ask that the members take a look at this and realize that what we are doing is jeopardizing the integrity of the retirement fund that our retirees depend upon."

"The Chair "so ordered upon audit."

Representative Thielen's remarks are as follows:

"Senate Bill 257, SD 2, HD 2, a 'double trigger' bill, proposes to amend the funding method currently used in determining employer contributions to the ERS. It will achieve this change by switching to a five-year moving

average to determine employer contributions and allowing the State and counties to pay ten percent less in contributions each year for the next ten years that should be paid due to investment earnings shortfalls.

"The current liability or unfunded pension benefit obligation is currently over \$1.6 billion. Why is it this high? Because for the last twenty years ending in 1995, over \$1.23 billion of the ERS' earnings was used to pay for other State and County projects. It's interesting to note that the current \$1.2 billion liability would not even exist if we had allowed the ERS to rightfully keep its earnings.

"Senate Bill 257, SD 2, HD 2, allows the State to wash its hands of any responsibility to ensure the plans solvency and financial health completely in ten years. The State, which for decades has leached off the system to fund other projects, is unwilling to meet its rightful obligation when economic times are tough. The State wants to change the rules when the rules no longer result in opportunities to raid the fund.

"Over the years I have voiced my concerns about the way that the State has diverted funds from the ERS to the general fund to pay for other projects in our budget. Today, I am voicing my concern over the way that Senate Bill 257, SD 2, HD 2, 'diverts' funds from ever reaching the system in the first place.

"Act 276, passed by the Legislature and signed into law in 1994, slowly allows the ERS to keep excess investment earnings to reduce the huge \$1.2 billion unfunded pension benefit obligation. Although we should have allowed the system to keep all its earnings immediately, rather than over ten years, at least this was a step in the right direction to addressing the unfunded liability that hung like an albatross around the necks of all taxpayers.

"Senate Bill 257, SD 2, HD 2, in effect, says that now that our State has a stumbling economy which sets the stage for poor investment earnings, we want to change the rules and desert current and future retirees, to the detriment of future taxpayers. So we give with one hand and take back with the other. As the Administrator of the ERS has stated: 'When is the bleeding going to stop?'

"This bill represents a short-sighted approach to relieve the State's budgetary problems through financial engineering that creates a new problem by transferring a large and unfair tax burden to future taxpayers.

"This bill weakens the integrity of the State's Retirement System while it fails to assist in legitimately balancing the budget. For this reason, I am voting no on Senate Bill 257, SD 2, HD 2."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. 257, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Thielen and Ward voting no, and Representative Chang being excused.

The Chair directed the Clerk to note that S.B. Nos. 1553, 1806, 202, 846, 1560, 37, 242 and 257 had passed Third Reading at 11:30 o'clock a.m.

At 11:31 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:32 o'clock a.m.

At this time, the Chair introduced to the members of the House the Honorable Manny Aragon, Senate President Pro Tem of the New Mexico State Legislature, and Chairman of the Western States Council of State Government. A floral lei and a box of Hawaiian macadamia nuts were presented to Senator Aragon on behalf of the members of the House.

Senator Aragon then addressed the members of the House, stating:

"Thank you very much, Speaker Souki.

"I want to thank the Hawaii House of Representatives for having me over as a guest today. As you all know, we're planning the 50th Anniversary of the Council of State Government-West's annual convention on the Big Island of Hawaii this year, commencing on December 2nd, and then followed by the annual convention of the entire Council of State Government. Over fifteen hundred individuals are expected to join us here on the island of Oahu.

"Like the state of New Mexico, Hawaii has many things in common. We do have a few more people and a little bit more land but a lot less water. We're all looking forward to visiting the island paradise of Hawaii, and we want to thank you all for your kindness.

"We want to show you that in New Mexico we're also dealing with privatization, prisons, 85 percent, welfare reform, Medicare, managed care, and so on and so forth. These are truly challenging years. And one thing, Mr. Speaker, I want to say to your House and the great state of Hawaii that I think is the most significant movement that is occurring now with the number of women that are starting to represent their constituents for their individual districts. I think that is a real step forward not only for the Legislature, but for this country.

"Thank you very much."

Stand. Com. Rep. No. 1638 and S.B. No. 727, SD 2, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 727, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Ward voting no, and Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1639 and S.B. No. 843, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 843, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"This is a noble little bill that would provide people who are seeking SBA loans the credit for the money that they put out to get their loan guarantees from SBA. Unfortunately, the way the bill was changed in Finance, this credit will not be available until the United States Congress passes a law extending the credit to every state.

"What's unfortunate about this is that the Hawaii bill is modeled on that of the state of Rhode Island, and Rhode Island has used the tax credit for its taxpayers within

Rhode Island as a way of encouraging greater Rhode Island use of available SBA funds.

"If Hawaii were to enact the same credit, we would be encouraging wider use of these funds by the business people of Hawaii, and that wider use would be somewhat at the expense of people elsewhere in the United States. So you don't really get the advantage unless you extend the credit just to one state and hope that other states don't do the same thing.

"So I would hope that this change that took place in Finance can be changed again so that we will actually have a tax credit that will be useful to the businesses of Hawaii.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 843, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1640 and S.B. No. 1160, SD 1, HD 3:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1160, SD 1, HD 3, pass Third Reading, seconded by Representative M. Oshiro.

Representative Meyer rose to speak against the bill, stating:

"This is a bill that creates certain exemptions for electric cars. I have spoken against this bill all along the way -- the House version of it. I hate to be repetitive but I still have the same concerns.

"There are only about forty of these cars. They do use our roads along with everybody else. They don't buy gas so they pay nothing for a gas tax to support the maintenance of our roads. This bill would allow them to use high occupancy vehicle (HOV) lanes regardless of the number of people in their cars and exempt them from paying parking tickets. I can see why they want that. They have a minimum range that they can travel, from somewhere in the neighborhood of sixty miles. They may run out of power anytime but we are, in this bill, dictating to the county that they will not write any parking tickets for these vehicles.

"The idea is good, but I don't see why we have to further subsidize a very highly subsidized industry. I think Detroit and General Motors will come up with the answer in time, but this little token effort here is not going to do much to develop this industry here in Hawaii, and I think it's a matter of fair play. These are not regular cars, they don't have a motor. They've got about sixty batteries all hooked up in series which in itself is a nightmare, because if any of you have had Christmas lights and tried to find out which one is the bad one, but in an automobile it's considerably more difficult.

"I can't support this bill and I would ask that some of you take another look at this.

"Thank you, Mr. Speaker."

Representative Yoshinaga then rose in favor of the bill, stating:

"Just a quick comment in terms of the previous speaker's concerns. I would like to encourage all the

members to vote 'yes' on this measure because what it frankly does is to promote the public policy of the state, which is to look for alternate energy sources other than petroleum.

"The Department of Business, Economic Development and Tourism supported this measure in terms of not necessarily providing incentives that are astronomical in cost, but due to the cost of each vehicle and the limited numbers. What this does is to promote visibility and for consumers to take a look at this type of vehicle as a long-range vision for the state. It is not necessarily an immediate type of vehicle that many of our consumers will be able to purchase, so this is just a small, symbolic measure to support this, hopefully, budding industry.

"And just another comment of why our state really needs to focus on electric vehicles is that unlike other states in the mainland, Hawaii is well suited for the current range of technology that the batteries could support in short trips, that our island state can actually have a range for the vehicles to be utilized, whereas for long types of trips on the mainland, it is not feasible.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1160, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1641 and S.B. No. 1581, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1581, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 49 ayes, with Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1642 and S.B. No. 1624, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1624, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Third Reading by a vote of 49 ayes, with Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1643 and S.B. No. 870, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 870, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"The latest draft of the bill to restrict riding in pickup truck beds allows the counties to write their own ordinances, and this is a far cry from the original bill calling for a strong state law to protect citizens, especially our children, from getting killed or maimed in pickup truck incidents.

"Yet, it is an improvement over the existing statute, and appears to make explicit (I think it makes it explicit!) the right of counties to draw up their own restrictions.

Therefore, I am urging all Representatives to vote for Senate Bill 870.

"There is still a nagging fear in my mind, however, that state law may prevail in presenting stricter county ordinances because both the Senate and House provisions retain the existing statute which allows riding in pickup beds: when the front is full; if the sides and tailgate are secure; and if all are seated and not attempting to control unlash cargo.

"However, the language in House Draft 2 -- this draft, quote: 'Notwithstanding this section or any other law to the contrary, nothing shall preclude a county from regulating the operation of pickup trucks in the respective county,' appears to guarantee the ability of counties to write their own tickets. If it means that counties can pass stricter laws than the existing state statute, then it is very important that this sentence, in its entirety, remain in the final draft.

"My sincere thanks to the Chair of the House Transportation Committee who amended the bill which would have at least protected Oahu riders, and to the Chair of the House Judiciary Committee who has kept this 'vehicle' alive and moving.

"The stage is now set for conference committee. Essentially both the House and Senate versions allow riding in pickup truck beds with the aforementioned conditions. The House version offers a county option. The Senate version has one feature which increases pickup truck safety. It differs in that it prohibits passengers in back where the speed limit is over 45 miles per hour. But, unfortunately, there are several exemptions to this provision.

"Although it appears unlikely that a stronger bill will emerge from conference committee considering the vehement opposition which both the House and Senate measures have faced thus far, I ask that all Representatives vote for this county option measure before us today, and then support, in conference committee, the best possible bill to increase pickup safety.

"The fact that the bill has survived thus far despite strong opposition is a good indication that there are even more people out there who believe that we should pass a reasonable law to protect pickup truck bed passengers.

"Thank you."

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

"As the previous speaker has noted, this bill has gone a long way and is not as comprehensive in terms of pickup truck passengers as the version that was passed out by the House previously. I voted for this version without reservations in the Judiciary Committee because I was concerned as others with the nagging issue of whether home rule was in fact the best way to go and whether we should in fact let people make up their own minds whether they want to hurt themselves or not.

"But I had a personal experience over the weekend which convinced me that this version is too weak and that we should go further in conference committee. It's something that we all see everyday. I was driving on the freeway by Bishop Museum in traffic of somewhere around 50/55 miles an hour. A small pickup truck comes by me, six young men in the bed of the pickup truck all sitting on the rails, probably something I would have done at that age. But the problem is, one false move by that driver and some of those people would have been on the road; one false move by any one of them and some of

those people would have been on the road. The consequence would not only have been to those people, it would have been to anybody that was around them. It presented a significant traffic risk. And I don't think there is any doubt that the problem went well beyond the individuals that chose, so to speak, to sit on the rail of the pickup truck. If I had been the driver behind who had run over that kid after he fell off, I'm sure I would have been involved in a lawsuit; my passengers and I may have been injured also. I'm sure the driver would have been involved in a lawsuit. I'm sure our auto insurance system would have picked up some portion of the cost from the injuries that would have resulted.

"So in terms of thinking this issue through, I'm simply convinced that it's much the preferable way to go for the state to adopt some minimum standards that govern riding in pickup truck beds, and allow the counties to opt out as a matter of choice or as a matter of home rule. I think the state has to go the extra step of saying that this is in fact everybody's business, no matter what island it occurs on, and then let each island adjust to whatever the situation on that island is, in terms of public transportation, etc. This problem is simply worsening, I believe, and I think we have to go a little further than we have.

"Thank you."

Representative P. Oshiro then rose to speak in support of the bill, stating:

"Mr. Speaker, as with many of the issues that we deal with here at the Legislature, the regulation of passengers in truck beds is one which brings forth varying thoughts, which essentially come from varying perspectives. From the 'health and safety' perspective, many advocate that a prohibition on riding in truck beds will save the lives of some, and alleviate serious injuries to many others. Public testimony, Mr. Speaker, has been provided by individuals who have tragically lost loved ones in pickup truck accidents, or from others who have fortunately survived such mishaps. These testifiers, Mr. Speaker, present a very compelling justification for the prohibition of passengers in truck beds.

"An alternate perspective, Mr. Speaker, on this issue is expressed primarily by pickup truck owners who utilize their truck beds, on occasion, for transporting family members, friends, and co-workers. Some utilize this means of transporting passengers by choice. This may include those who have motor vehicles in addition to their pickup trucks within which passengers may be transported. For these individuals and businesses, Mr. Speaker, the passage of a statewide prohibition on truck bed riding, although very inconvenient, would for the most part be bearable.

"There are others, Mr. Speaker, who transport individuals in their truck beds not by choice, but out of necessity. In this group, Mr. Speaker, there may be a struggling entrepreneur whose business is marginally profitable, for whom investing in another vehicle or doubling back to transport employees to and from a jobsite in the cab of a pickup truck may be very detrimental to the business' survival.

"Another segment, Mr. Speaker, who transports passengers in pickup truck beds out of necessity are families who have but a pickup truck as their only motor vehicle. These families, Mr. Speaker, the vast majority of whom appear to reside in rural and outlying areas throughout our State, are, for the most part, everyday working people who are not always able to personally voice their concerns at our public hearings here at the State Capitol. There are many of these families residing

throughout our State, and their mobility will be severely impacted should a passenger in truck bed prohibition be enacted. I truly believe, Mr. Speaker, that we must remain sensitive to their circumstance and to their economic situation when considering such a prohibition.

"During our deliberations on this bill and on its companion measure, proposals have ranged from providing the counties with the ability to exempt themselves from a statewide passenger in truck bed ban, to prohibiting vehicles with passengers in truck beds from operating on certain roads and highways, to enacting a State law which would be applicable to only one county. These proposals, Mr. Speaker, acknowledge that the economic and social conditions may differ from county to county. In addition, Mr. Speaker, I strongly believe that within a particular county, vast differences may exist between residents in rural and in urban areas. Under these circumstances, it is prudent and very appropriate, in my mind, to delegate the authority to regulate the riding in truck beds to each individual county. Our local County Council members can then closely review and scrutinize how such a measure may be tailored to their respective county to enhance highway safety and still take into account the very real and prevalent economic situation of our truck owners.

"I wish to sincerely thank the Chair and members of our Judiciary and Transportation Committees for their compassion and for their sensitivity to our pickup truck owners throughout our State. And I am certain, Mr. Speaker, that should this measure be enacted, that this same compassion and sensitivity for our pickup truck owners will be embraced by our County Council members.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 870, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," passed Third Reading by a vote of 48 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang and Morihara being excused.

Stand. Com. Rep. No. 1681 and S.B. No. 1268, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1268, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," passed Third Reading by a vote of 49 ayes, with Representatives Chang and Morihara being excused.

The Chair directed the Clerk to note that S.B. Nos. 727, 843, 1160, 1581, 1624, 870 and 1268 had passed Third Reading at 11:51 o'clock a.m.

Stand. Com. Rep. No. 1682 and S.B. No. 1535, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1535, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 44 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1683 and S.B. No. 1625, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and S.B. No. 1625, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Third Reading by a vote of 44 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1684 and S.B. No. 1628, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1628, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Meyer rose to speak in support of the bill with very strong reservations, stating:

"This is the bill that would allow the Department of Education to rehire teachers who have previously taken advantage of the early retirement offered by the State.

"I see, in looking through the bill as it has been amended along the way, originally the teachers could be rehired at \$35,000 a year -- that was a figure that was put in there. That has been removed. I can only assume that teachers with a lot of seniority now will be hired at the regular rate which is not so cost effective. Another thing was that the original bill did not have them take up collective bargaining, but now the bill includes that so one can safely assume that teachers will be rehired at the rates that they were making when they took the early retirement.

"I know that the Board of Education is looking for qualified teachers. In the past they have always gone to the mainland; they can still do that. There are people that have retired from jobs that are not state jobs that are qualified, and oftentimes they are not considered because of the teacher's certificate that's required but they may be well qualified.

"The original bill also talked about schools that were hard to staff and those schools are in great need of qualified teachers, but that has also been removed along the way. I know that many of these teachers have much to offer, but the idea of taking early retirement was to move them on and save the state money, and it seems like we are going backwards here, and I just hope this is not going to be terribly costly to the state.

"Thank you, Mr. Speaker."

Representative Case 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 as audited."

Representative Case's remarks are as follows:

"Mr. Speaker, I rise in support of this measure with some reservations.

"Mr. Speaker, I agree that retired teachers are a valuable resource to utilize in addressing our current teacher shortage. My reservations relate to how they are used and whether the bill provides sufficient controls on utilization for inappropriate purposes.

"Specifically, I don't believe it is fiscally responsible to pay such teachers a regular salary and allow them to continue to draw pension benefits. That was clearly not the legislature's intent in enacting the ill-conceived (or at least ill-implemented) early retirement incentive program.

I would view it as more responsible to hire them back at an agreed salary figure and suspend retirement payments.

"I would also want better assurances that these teachers are utilized only for genuine shortage areas and do not supplant the allocation of current teachers to those needs. Because of the apparent availability of retired teachers in shortage subjects and areas, and because the bill as drafted provides a strong incentive to retired teachers to return to work, I fear that the measure may allow the Department of Education to postpone the hard decisions of how to provide an adequate number of such teachers in the long run.

"Thank you."

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

"The Education Committee had a long and comprehensive discussion about this measure. Among the changes that we made is to make sure that the draft relates to specific subject areas where there are an inadequate number of certified teachers teaching those areas such as math and science and leaves it up to the Department of Education and the teachers' union to work out the details of rehiring certain teachers who when coming back from retirement would make a significant impact on the students. That's the bottom line, Mr. Speaker.

"The Department of Education, determining that they would be willing to rehire certain teachers at whatever expense they agree to with the teachers' union for the benefit of those students who would be taught by those teachers who have the credentials and the ability to make a difference in students' lives, I think it would be a very limited number of teachers who would be rehired. But we must leave it up to the Department of Education to determine, and I understand that sometimes they wouldn't mind spending from their very limited budget for the rehiring of teachers if they think that, on balance, the expense is warranted to support the students involved. For that reason, I ask my colleagues to support this measure.

"Thank you."

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

"As this body is aware, I was opposed to this measure in earlier forms because there was talk about rehiring the teachers at reduced wages, and my belief is: they earn their retirement pay, they deserve it. If they come back to work because we need them to come back to work, then we should pay them the equivalent of everybody else working the same.

"As the Chair of Education has just pointed out, I believe this is cost effective since these teachers will be hired in areas where we have no teachers. What cost can we place on a vacant position when we cannot educate our children? So the Department of Education has assured us that they will look at all the opportunities available to fill these vacancies and if this is the only way they can do it, then they will do it judiciously.

"Thank you, Mr. Speaker."

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

"I feel very compelled to stand up right now and address some of the statements made by the previous speaker.

"In the discussions we had with the Department of Education -- the hearing for the Committee on Education -- we discussed the concerns about paying retired teachers that come back the same amount as they had left. I just want to point out to the members and to you, Mr. Speaker, that if we were to do that, the typical teacher retiring would make \$50,000-plus, and in addition to their pension benefits -- their retirement benefits -- some teachers may be returning, if the previous speaker has his way, at a cost of about \$80,000 for the State.

"I have spoken with some teachers, and comments made by those teachers suggest that although they are retired, they would not come back at a rate of \$80,000. And I think the Department of Education, along with the Hawaii State Teachers' Association, have both assured the Committee on Education that they would work out a meaningful compromise in these cases so that, in fact, maybe we will be able to fill these shortage positions at possibly not at full employment and full salary as they left.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1628, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 44 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1685 and S.B. No. 1773, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1685, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Morita rose in support of the bill with reservations, and asked that "the language in Senate Draft 2, House Draft 1, be reinstated for a more cost efficient glass recovery program."

Representative Thielen then rose and stated:

"Mr. Speaker, on the same measure, in support, with the same request that we go back to the other language.

"Thank you."

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

"It's a fee increase, Mr. Speaker, and I won't speak on all of them today in deference to my colleagues, but there's plenty of them. But I'm going to be voting no on this and all the other fee and tax increases.

"Thank you."

Representative Yoshinaga then rose and stated:

"I rise to speak in support of this measure for the following reasons: Basically what the bill originally was intended to do, as one speaker has alluded to previously, was to increase the recycling fee. In your Energy and Environmental Protection Committee, testimony was submitted by industry supporting the increase to adequately fund the program. However, as the bill proceeded through the legislative process, in the Finance Committee, concerns were raised by a report submitted by Grant Thornton LLP, on its Management Plan for the

Advance Disposal Fee Collection Program. And what the Management Plan recommends is to take a look at compliance by the glass importers who are affected by this recycling fee.

"The Chair for your Energy and Environmental Protection Committee concurred with the amendment which would eliminate the immediate increase of half-a-cent, but rather to focus on taking a look at ensuring that adequate compliance is being monitored by the Department of Health prior to increasing the fee. And as it is a two-year process, we will review this in terms of ensuring both effective compliance, as well as adequate funding, in the next session.

"Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1773, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Third Reading by a vote of 44 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1686 and S.B. No. 1891, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1891, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Third Reading by a vote of 45 ayes, with Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1687 and S.B. No. 944, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 944, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"Just very briefly, this measure puts the House in the forefront of getting injured workers the health care that they need as soon as possible, and helps get them back to work as soon as possible also.

"I just wanted to commend the Speaker and the Labor and Finance Chairs for resurrecting this issue in this measure and placing it on the agenda for conference committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 944, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Lee, Morita, Saiki, Takai, Takamine and Takumi voting no, and Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

Stand. Com. Rep. No. 1688 and S.B. No. 138, SD 1, HD 3:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 138, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES."

passed Third Reading by a vote of 45 ayes, with Representatives Chang, Ito, Jones, Suzuki, Ward and Yamane being excused.

The Chair directed the Clerk to note that S.B. Nos. 1535, 1625, 1628, 1773, 1891, 944 and 138 had passed Third Reading at 12:04 o'clock p.m.

Stand. Com. Rep. No. 1689 and S.B. No. 656, SD 1, HD 3:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 656, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

Stand. Com. Rep. No. 1690 and S.B. No. 717, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 717, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Kawanakoa rose in support of the bill with a few reservations, stating:

"While this bill has a noble intention of maintaining a program that educate parents about how their children are affected by a divorce or separation, its method of funding makes it a hidden tax increase on the residents of Hawaii. The imposition of a \$34 surcharge and the creation of yet another special fund will result in new costs and fees that will be paid by the people of this state. This program is worthy enough to be funded, Mr. Speaker, but it should be funded out of the general funds to ensure full accountability of Hawaii's taxpayers.

"I thank you for this opportunity to mention this shifting of the cost by incurring a fee. There's many bills throughout our agenda today that actually does this, with regard to creating a new fee for a worthy cause, and I find that we need to be a little more cautious. If it is such a worthy cause, it should come out of the general fund and thereby fund those particular programs.

"Thank you."

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

"The title of this bill is: 'Parent Education for Separating Parties Surcharge.' I think this is just absolutely ridiculous and ludicrous on its face.

"The previous speaker said it's another tax increase, and I won't support it. Thank you."

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

"Mr. Speaker, it's not an increase for the whole public. It's not that kind of a bill. For those of you who have constituents who have experienced divorce with children, it's real tough on the kids. This bill is only intended to affect those, and to put in the special fund those parents who have kids and who are going through a divorce.

"The Senate bill affects every divorce. The House bill took a more responsible position and said, it is for those parents who are going through a divorce with children. We are not here to save the marriage really, all we're

trying to say is: If you're going through a divorce with kids, which is in itself a traumatic enough experience, then there has to be a core program to ensure that the parents and the children go through a process in which they know the consequences, and to alleviate and diminish any adverse effects.

"It is not a general fund item that everyone must pay. It is an item which is only paid by those parents with kids who are going through a divorce. For the filing party, it's a mandatory \$35; for the other party, it is not mandatory. They can come into the program for free. The important thing is, the kids are involved and we diminish or minimize the negative impact it will have on children who are the subjects of divorces.

"Thank you, Mr. Speaker."

Representative Moses then rose in support of the bill with reservations, stating:

"I just wish to incorporate the remarks of Representative Kawanakoa as if they were my own," and the Chair "so ordered." (By reference only)

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

"Your Finance Committee, when hearing this bill, received numerous letters and examples of the great work that's being done in this program.

"My parents divorced when I was seven years old, and I found this to be a very important step in going forward with a successful, happy family life. So I can only support this measure and would request that Chairman Tom's remarks be taken as my own. (The Chair "so ordered." By reference only.)

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 717, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FROM SEPARATING PARTIES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1691 and S.B. No. 969, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 969, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"This bill raises the ceiling for UH parking fines to a hundred dollars, and I'm not sure if setting the ceiling should be a legislative function. But since the matter is before us now, I believe that a hundred dollars is too high. If I go out to Alakea Street and get a parking ticket, I have to pay \$25 the first week, and I think that's high. So I think one hundred dollars is offensive for students who have just been hit with the increased tuition.

"I would hope that the conferees would consider that students are hard pressed to pay all their fees that they face and will take a close look at this matter.

"Thank you."

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

"Students do not have a lot of money. They don't have jobs. They are there to study, to take exams, to get educated so that they can go out and work. Imposing a fine like this, even if it's in a handicapped parking zone, you know, you're late to take an exam, there's no parking as it is anyway on the University campus for students, even mopeds can't park up there, and to impose a fine like this, I think that's terrible. Take on another source for income.

"Thank you."

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

"We just hit them with a tuition increase. I think we should do it one at a time. If they want to hit them on parking, let's wait until next year."

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

"This measure would affect fines at UH. Surely a hundred dollars is rather high but, Mr. Speaker, the goal of this measure is not to have to ever collect that amount. The goal is to have the fine high enough so that no student is going to take the gamble of getting caught. They'll park where they're supposed to park and not park where they're not supposed to park.

"So this is a fine which I think is relatively high, but it's high enough so that no one would ever seek to take a chance, take a gamble, especially not in this state and, hopefully, this is a fine that we will never collect.

"Thank you, Mr. Speaker, and again I rise in strong support of this particular measure."

Representative McDermott then rose in strong opposition to the bill, stating:

"I am against this as one hundred dollars is too much, and I wish that others who feel outraged and think it's too much will vote that way, not just with reservations, but show that you knock this, please.

"Thank you."

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

"Basically, this bill allows the University to duplicate the same fines that the City and County of Honolulu has. It does not set the fine at a hundred dollars, it caps it at a hundred dollars, and the Regents will decide what those fines will be and if it's appropriate to those situations. And the main problem I think is in particular instances, especially in handicapped parking, where there is a larger fine versus the regular parking violation.

"Thank you."

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

"I was just going to point out what Representative Morihara just said, that this is an upper limit. We are not setting the fines at a hundred dollars, and I would just like to ask that we move down the street and park on some other bill for discussion."

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

"We also have to realize that people that break the law should pay, and that is what is at the heart of this bill, that people who violate the rules will pay for it. And as the previous speaker pointed out, all this is doing is allowing the Regents to have some authority of their own without us micro-managing, and to allow them to set the fees to be commensurate with the surrounding county and, therefore, I am in strong support of this measure.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, the report of the Committee was adopted and S.B. No. 969, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1692 and S.B. No. 1197, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1197, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1693 and S.B. No. 647, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 647, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the bill, stating:

"I am not speaking against the recreational activity portion of the bill. The original bill related specifically to providing protection for certain recreational activities, and we passed that version over to the Senate.

"I am speaking specifically against the inclusion of abolition of the doctrine of joint and several liability in this bill. I am very concerned about the impact that could have upon the lawsuit against the tobacco industry in which the state is involved. Joint and several liability is one of the strongest tools that we have to achieve justice against an industry that's the most powerful in our country.

"This bill, should it move forward and becomes law, takes away that tool that we have to recover on behalf of people that have been victims of the cigarette industry.

"Thank you."

Representative Pendleton then rose in support of the bill with reservations, stating:

"Mr. Speaker, as the previous speaker noted, this bill is listed as 'Recreational Activity Liability' on the OD, but it has a broader title related to tort liability.

"I have two concerns. One has to do with the general approach of how we move legislation through this body. I suppose that it is common practice to insert all kinds of matters into another bill, that I'm not sure if that's the ideal way to pass legislation. The abolition of joint and several liability was not part of this original Senate bill but I understand, for strategic reasons, has been added. That's one concern.

"The other concern, Mr. Speaker, has to do with the abolition of joint and several liability as the subject. I understand that our businesses are facing tough economic times; I see myself as pro-business and want to cut regulation. The concern I have, however, is that perhaps a modification of this long-standing, common law doctrine would have been a more prudent route to take rather than an outright abolition.

"When I first studied this subject in law school, the question that arose is: Why should a person have to pay for all of the injured victim's damages? Why not just the portion he or she was responsible for -- the 49 percent or the 51 percent? And the tort law professor's response was: The question is: who should bear the uncompensated loss, assuming one of the tortfeasors is uninsured, or unable to pay, or is judgment proof, or for whatever reason, who should be the carrier of that loss -- the innocent victim who is injured or the other person who has been held by a jury or a judge to be negligent? So we are talking about people who have acted unreasonably under the circumstances.

"And so the question I have is: I hope that maybe this is a strategic move, that we really aren't seriously abolishing this, because in some situations, for example, a person might be responsible for 49 percent of the negligence. But for that person, the injury would not have happened, so that 49 percent is actually quite significant. I could see where, in a situation where a person is only one percent negligent, you know, there's really no way that you should have that person bear all of the burden of compensating the victim just because of his one percent. But in other situations where there's a large percentage of negligence, and where that person has contributed a great deal to the fact that this accident occurred, we might want to hold that person responsible. So I would hope that maybe in conference that we could look at modification of this doctrine rather than an outright abolition.

"Thank you."

Representative Morita then rose in support of the bill with reservations, stating:

"My reservation is also with the provision related to joint and several liability. I have concerns about the impact to the injured party."

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

"Mr. Speaker, I will be up front. This wasn't done for strategic purposes. People think it's strategic, but you're wrong. The title of the bill is relating to tort liability -- tort liability. And let me remind everyone here that we had a full hearing on this joint and several liability already. We had another vehicle. The Senate killed it -- okay? I put it back in, but I didn't put something in that didn't have a full and fair hearing.

"Businesses are suffering out there. We've been trying to do this for four years. I'm not here putting caps on things, making regulations, hurting people. I'm here saying that if a person is one percent liable or two percent liable or three percent liable, why should they pay for the whole one hundred percent? Why should they pay for everything because they happen to be the deep pocket? You all know this already, so I am not going to make these arguments to you again. We've had these bills for as many times for the past four years. It's not a bill of strategics, it's a bill of fairness. It's a bill that will help make things fair for businesses and for individuals who could be you, me, our relatives, our businesses, who are one percent liable and got to pay the whole thing because

they happen to have some bucks. That's what this bill is about. We've had a full hearing, so I'm not crying about strategics at all.

"This bill has a lot of other good things, too. No one talks about the other good things. The other good thing is that we are trying to encourage landowners to open up their private property for recreational use. You folks talk about that in this bill? What about when you open your land up, somebody gets hurt and some rescuer comes on to get that person off your land who's there for recreational purposes and he hurts himself, sues the heck off of you, and then he sues you as the landowner. Is that fair? No, that's not fair!

"Judge Gilmore said that it's a legislative prerogative to change the law. 'You've got to do it, people in the Legislature, not me.' So we are doing it. We are sending a message that we want to encourage recreational use on private property. Does anyone talk about that? No. I wonder why.

"This bill is a well thought out, comprehensive bill. It is to protect fairness to landowners, it is to protect fairness to businesses, it's for fairness, and that's how I see the bill, and we've had full and fair hearings on all the subject matter contained in this bill.

"Thank you."

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

"I hadn't intended to speak on this bill but because of all the discussion, I feel I must.

"I believe that it is appropriate for us to point out the difficulties with bills. I don't believe we have the time to go through all of these eighteen pages of bills and say all the wonderful things about each and every bill.

"My good colleague from Enchanted Lakes was simply attempting to show another side of the story. I guess the difficulty I'm having is the fact that, again my colleague from Enchanted Lakes attempted to simply shed some light on the provisions. The Judiciary Chair has basically tried to stymie that discussion or that information. . .

At this point, Representative M. Oshiro rose on a point of order and stated:

"The speaker should be talking to the merits of the bill and not explain the. . .

Representative Thielen then rose.

Chair: "You're out of order, Representative."

Representative Thielen responded:

"I haven't said anything and I'm out of order, Mr. Speaker?"

Chair: "Will you please sit down. You are not recognized, Representative Thielen, you sit down."

Representative M. Oshiro continued, saying:

"The current speaker should stick to the merits of the bill and not go into the intentions of a previous speaker.

"Thank you."

The Chair then said:

"Representative Kawanakoa, you were out of order. Please proceed. . . and speak to the merits or demerits of the bill. In this case, the merits of the bill."

Representative Kawanakoa thanked the Chair and continued, saying:

"As I have mentioned, my colleague was raising a concern with regard to the. . .

The Chair interrupted and said:

"Representative, you need to speak to the merits of the bill, not to what your colleague said or not said."

Representative Kawanakoa continued, saying:

"Well, certainly, I'm expounding upon his words, Mr. Speaker. . .

Representative M. Oshiro: "Mr. Speaker. . . Mr. Speaker. . .

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

Upon reconvening at 12:23 o'clock p.m., the Chair stated:

"I know that the members are getting a little hungry and testy. We'll be taking a break for lunch as soon as this page is over," and recognized Representative Kawanakoa.

Representative Kawanakoa thanked the Chair and continued, saying:

"My point that I am attempting to make is that I agree with my colleague from Enchanted Lakes in some respects with his concern in eliminating some of the negligence that we currently have against landowners. I certainly believe that the bill has many good merits, but the argument and the concern about nullifying liability is basically bad, an example where someone is 51 percent negligent and yet they are not going to pick up all of the damages, they only have to pay for 51 percent of the broken leg or broken car or whatever the negligence may be, in that manner I find that we should perhaps consider a cap. If a landowner is 50 or less than 50 percent negligent, maybe he shouldn't have to pay the whole amount. That might be a more reasonable way to adjust our traditional tort system.

"I do agree that we need to adjust the current problem of going after a landowner or a deep pocket. They may be one percent negligent and yet they pay one hundred percent of the bill. That doesn't seem to be fair. So I believe my good colleague from Enchanted Lakes argument, with regard to taking a closer look at the shifting of responsibility, should perhaps be looked at a little closer at conference, and with that I speak with reservations on this matter.

"Thank you.

Representative Thielen then rose and stated:

"I also would like to continue my comments against the bill, Mr. Speaker.

"In response to the Judiciary Committee Chairman's comments, this bill came before us in the Judiciary Committee to define the liability of providers of recreational activities, and that was it. It marched out of the Judiciary Committee containing joint and several liability abolition. That's a pretty major change in this

bill. I heard what the Judiciary Chairman said that the Senate didn't hear our. . .

The Chair interrupted and said:

"Will you stick to the merits of the bill; you're getting away from the merits of the bill."

Representative Thielen continued, saying:

"I am just responding to what he just said, Mr. Speaker. I heard what he said about the Senate didn't hear our version so that's why he put this back into this bill.

"I think we are doing a disservice to the State. I think we are doing a disservice to those people that have been injured, that have serious health injuries or have died, in fact, from using tobacco. I think that our major area of concern is to be able to be able to have joint and several liability. We've seen what has happened when large companies are faced with lawsuits, we've seen some of them go under, close their doors, and then it leaves a smaller pool from which to recover on behalf of the injured consumer. I don't think that this measure is good in the way that the Judiciary Committee amended it.

"I also share in many of the concerns that have been stated by the Representative from upper Kailua. And what he was trying to do, members, is to educate you to a point of view that you should listen to. You may not agree with it, but you should listen to it.

"Thank you."

Representative Pendleton then rose and stated:

"Mr. Speaker, I just wanted to clarify some of my remarks. I didn't mean for my remarks to be taken to mean that the entire bill is useless, or that there are only strategic reasons. I had a concern about a specific portion, a specific section. My understanding is that if we critique a particular section explicitly, then we are consenting to the rest of it. I thought that would be implicitly clear to this body.

"Apparently the Judiciary Chair would like me to go on and expound and give the reasons for why I favor the rest of the bill. I favor the rest of the bill, and those reasons are in the Standing Committee Report, and I believe that the rest of the bill is fine for my concerns.

"I had to deal with the abolition of joint and several liability. I think for economic reasons, or for the efficiency of time, we should be permitted to constrain or confine our remarks to just the part that we have a problem with. . .

The Chair interrupted and stated:

"Yes, you are, the Chair has allowed that. . .

Representative Pendleton then said:

"Thank you, Mr. Speaker, that is all I have to say."

Chair: "Okay, thank you very much."

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

"For the information for the Representative from Enchanted Lakes, we had a hearing on House Bill 952, a full hearing, and at that time the language that is inserted, as far as the joint and several liability portion of this bill, was given at the hearing. . .

Representative Thielen then rose and asked:

"Is he speaking to the bill, or is he trying to. . ."

Representative Yamane continued speaking:

"And this is the language that is in this bill. . ."

The Chair interrupted and said:

"Please stick to the merits of the bill. Your point of information has been conveyed. so will you please stick to the merits of the bill."

Representative Yamane continued, saying:

"Mr. Speaker, as far as some previous speakers have mentioned a disservice, and I have a disagreement with that because I believe that a disservice. . ."

Representative Thielen then rose and asked:

"Mr. Speaker, is he speaking to the bill?"

Chair: "Representative, speak to the merits or demerits of the bill or I will have to call you out of order."

Representative Yamane then responded:

"I rise in support of the bill. Some previous speakers, Mr. Speaker, have said. . ."

Representative Thielen rose and asked:

"Is he speaking to the bill?"

Chair: "You are out of order. Will you please allow the Representative to speak. Proceed, Representative."

Representative Yamane continued, saying:

"Some previous speakers, Mr. Speaker, have mentioned some concerns about the bill that we had a full hearing twice on, and inherent features of the bill, I believe, do a service to the state of Hawaii.

"There has been concern in the state for years. In fact, all the states across the nation that have it, have concerns for joint and several liability, and the concern about the one percent tortfeasor being made to pay for one hundred percent of the cost. This is not a new issue, and this bill addresses that issue, Mr. Speaker. So contrary to some previous speakers who feel that this bill does a disservice to the people of Hawaii, I feel that this bill does a service to the people of Hawaii.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose and stated:

"I speak in support of this measure. I think that this measure does a service to the state of Hawaii; I think it's a wonderful bill. It's something that is looked at across the United States, and an issue that has confronted many other states -- us included.

"I simply note that there is a concern about letting someone who is perhaps 75 percent negligent in an accident not have to pay for the full cost. That's our current system. If someone is 80 percent negligent, they have to pay for the full cost, if they are the only tortfeasor that has any assets.

"I think that might be fair, and I believe that's the discussion we're having, not whether or not this bill is

good or bad, or whether or not the one percent negligent landowner example is a good example to avoid, or to legislate against having them retain the entire cost. Those are clear examples.

"I think myself, and I was not on the Judiciary Committee, so I wasn't there to hear all the arguments. I can't be in every committee. But what I've heard from my colleague from upper Kailua -- Enchanted Lakes -- he has noted this argument and concern about nullifying the joint and several liability that we have traditionally had here in the United States. He had mentioned, and I perhaps would entertain further discussion or understanding in conference with regard to an amendment that may put a cap if someone is less than 25 percent negligent. Then perhaps, they only have to pay for the percentage of their negligence with regard to the damages that are incurred. Maybe there's a more reasonable manner in which to go about this process. I simply raise that as a reservation or as a concern, and I hope we could have further discussion on it.

"Thank you."

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

"As a member of the Small Business Caucus, this is something they have been asking for for years, and in the rather down-market that we're in, the problems that businesses have, I think that they would be very appreciative. I think this will help our economy, and I hope that this measure will survive and pass as law.

"Thank you, Mr. Speaker."

Representative White then rose and stated:

"I'm sorry, but I just need to get up and share my thoughts, if you don't mind, in support of this measure.

"Mr. Speaker, I think that we may be losing sight of the importance of fairness with respect to our business community, and with respect to injured parties as well. We're talking about: maybe this measure shouldn't be addressed this session because it might block the suit against the tobacco companies.

"Well, I would say that we should be looking, Mr. Speaker, at what the joint and several liability provisions, currently existing by statutes, are doing to our existing businesses. Let's forget about what the state might get out of this suit, and let's think about the businesses that are doing business in this state now, not the big businesses that everyone has been mentioning, but the small businesses that can be wiped out by one claim. So if we are looking at fairness, let's look at fairness through business and, at the same time, let's look at fairness for the injured party, because what we have now, with joint and several liability in existence, is a form of legal lottery. If you happen to be able to scoop up somebody with a deep pocket, you are going to win. If you get injured and in the situation where there are no deep pockets, you lose. So where's the fairness to the injured party? How are we providing for their care and on-going subsistence if we are simply saying: If you get a deep pocket involved, you win big; if you don't, you lose big.

"Mr. Speaker, I think the chamber ought to congratulate the Chairman of the Judiciary Committee who have put this back in the bill. It's something that is necessary and as something that is well deserved, and I think it's something that we should certainly support.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 647, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1694 and S.B. No. 388, SD 2, HD 2:

Representative Okamura moved that the joint report of the Committees be adopted and S.B. No. 388, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Herkes rose and requested the Clerk to record an aye with reservations, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 388, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and Representative Chang being excused.

Stand. Com. Rep. No. 1695 and S.B. No. 633, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 633, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"The County of Kauai already can allow bed and breakfast operations to operate on agricultural land, and they do it under a use permit. They can operate as a nonconforming use.

"There are some serious tax implications to this bill. The Tax Director for the County of Kauai has stated that this bill could end up in bed and breakfast homeowner losing the homeowner's status in having that status changed to resort. That's a much higher tax base, so the tax implication could be quite significant. They also might lose their homeowner tax exemption for the property, and that would be another tax consequence. So while the State may be giving an ability for the bed and breakfast to operate on ag land, it also could be creating a much higher tax consequence for that property owner.

"I think that when we get the testimony in opposition from the County Planning Commission and we have that tax information, we've got to be pretty careful about this bill before it becomes law.

"Thank you."

Representative Goodenow 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 Goodenow's remarks are as follows:

"Mr. Speaker, I support this bill because Kauai needs this bill, and I believe that bed and breakfast operations can add to our tourist base. Many people want to spend their vacations hiking, horseback riding or just enjoying nature, hanging-out in the country. I certainly appreciate

this aspect of the bill. We must ensure, however, that we keep these country places, country.

"My other concern is that this bill calls for another exemption for agricultural lands. If some agriculture land needs to have a change in zoning, then let us do it. Why should prime agricultural land be the location for the operation of non-agricultural facilities.

"Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 633, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST" passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

The Chair directed the Clerk to note that S.B. Nos. 656, 717, 969, 1197, 647, 388 and 633 had passed Third Reading at 12:41 o'clock p.m.

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

The House of Representatives reconvened at 1:30 o'clock p.m.

Stand. Com. Rep. No. 1696 and S.B. No. 263, SD 2, HD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 263, SD 2, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Lee rose in support of the bill and asked that her remarks be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Lee's remarks are as follows:

"Mr. Speaker, the consequences of unintended pregnancy are serious and impose appreciable burdens on both children and families. These consequences are not confined to unintended pregnancies which occur in unmarried couples or teens, but also carry severe consequences at all ages and life stages.

"As of July 1996, private insurance coverage of over 70,000 women did not include family planning or contraceptive supplies. The policies of another 80,000 did not cover family planning visits which are good practice if contraceptives are to be prescribed.

"Mr. Speaker, family planning is cost effective and each dollar spent saves at least four dollars in other medical and social services. I urge my colleagues to support this bill which will assist women to have access to services which will optimize their health, wellness and positive development.

"Thank you."

Representative Pendleton submitted the following comments to the Clerk's Office for insertion into the Journal:

"Mr. Speaker, I rise in support of, but with significant reservations concerning, Senate Bill 263, Senate Draft 2 Standing Committee Report 1121, relating to Health Insurance Coverage -- Contraceptive Services.

"Mr. Speaker, while I support referring this measure SB 263, to the Labor and Public Employment Committee of the House of Representatives, for the purposes o

further deliberation and reflection by this body, I have concerns with this bill, concerns not so much relating to contraceptives specifically but rather concerns relating to government-imposed employer mandates in general. I have concerns with any legislation which will limit the flexibility of employers, as does SB 263.

"Mr. Speaker, SB 263 does more than make contraception an option. It mandates it as part of the employee health plan. I quote from the bill at page 2, line 14: 'In addition to the required provisions and benefits specified ... an employer group health policy, plan, or agreement ... shall include coverage provided under section 431:10A-.' Now section 431:10A- refers to the new section mandating contraceptive services. In essence, then, Mr. Speaker, this bill will mandate new and additional coverage that employers did not have to provide in the past, though they certainly were free to provide in their own discretion.

"Mr. Speaker, with respect to SB 263, I voted 'no' on this bill when it came before the Health Committee. Hence my 'yes' vote today should not be construed to mean that I wholly endorse all of the details of this bill or its ramifications and consequences. I do not. This bill is far from perfect, and for that reason I support the continuing dialogue on this bill and its subject matter. That is all my support-with-reservations vote means.

"I may in the end, that is, on Third Reading, vote 'no,' as I did in the Health Committee, or I may vote to pass the measure. It all depends on the exact language of the measure when it comes up for Third Reading. There is still hope for SB 263, though I have my doubts.

"Mr. Speaker, permit me to discuss a few of my concerns with Senate Bill 263. Its purpose is to require health insurers and mutual benefit societies to include contraceptive services in their benefit plans. While it provides a religious exclusionary clause to exempt religious organizations or religiously affiliated organizations if contradictory to their philosophy, and I support this important provision and applaud the wisdom of its inclusion in this measure, my concerns are of a business nature.

"Namely, what will the impact of this law have on small business and what will the impact be to health care providers? I do not have the answer to this question yet, but I hope to have more information before Third Reading.

"HMSA raised a few points in committee which caused me a few concerns about the effects of this bill: 'HMSA is generally in opposition to government-imposed employer mandates understanding all too well that employers want flexibility themselves to choose which benefits they provide based on their employee's interests and needs. Because the 1974 Hawaii Prepaid Health Care Act caps an employee's premium share at just 1.5% of gross wages, any additional mandated benefit is primarily paid by the employer. Especially in these economic times, mandating any benefit forces an employer to make very difficult choices and reduces the employer's ability to offer nonmandated benefits such as dependent coverage or dental, drug or vision benefits.'

"Mr. Speaker, because of the quoted concern of HMSA regarding SB 263, I have serious reservations regarding this legislation and may in fact ultimately vote 'no' on Third Reading if we do not address such concerns.

"SB 263, Mr. Speaker, may very well have adverse and harmful implications for small business. I hope to hear from Betty Tatum of the National Federation of Independent Business within the next few days to see

whether small businessmen and small businesswomen have strong feelings on this point. While we cannot permit any single individual or any single group to dictate what goes on here at the Legislature, I believe that now is the time, more than ever before, for this Legislature to listen to business. I am not saying that they tell us what to do. I am simply saying that we need to be sensitive to their concerns.

"SB 263 has larger ramifications than just making contraception available, it indicates that the Legislature may be looking to micromanage this entire area. That concerns me.

"One need only think about the fact that this bill would require employer's to pay for health policies which would include contraceptive services for women who have passed through menopause. Now I am an attorney, not a physician, but it seems to me that that would not be the optimal use of money for both employer and employee. Would we not all agree that such services would not be a top priority for such a woman? Would she not rather have the money or a portion of it from the employer? Yet this bill provides no such exceptions.

"Another point, Mr. Speaker: services would be provided in such a health plan even for strict Roman Catholics who would not want such services. Imagine a strict Roman Catholic woman who has strongly held moral beliefs concerning contraception. She might not want such a plan. The employer might not have any moral reservations whatsoever regarding contraception. The employer does not want the additional cost. The woman does not want such services appearing on her health plan, as she will never avail herself of such services, her being a strict Roman Catholic. Yet the bill does not afford an opt out. There is no exception for religious beliefs of the employee or employer. The opt out provision is for 'Religious organizations or religiously affiliated organizations ... if it contradicts their philosophy.' The language does not apply to small businesses or insurance sales or restaurants where owner/operators or employees have strongly-held religious beliefs concerning contraception.

"In this hypothetical, Mr. Speaker, the employer may have economic/financial reasons for not wanting to offer such coverage and the employee may have compelling religious reasons for not wanting such coverage, but our law would ignore such objections and require the employer to pay for something she/he would rather not have to pay for and would require the employee to have something she would rather not have in her health plan. That is what would happen with a mandate such as this.

"But, lest I digress too far afield, my major concerns with SB 263 are that it may not be good for small business. The majority of employees out there work for small businesses. Do we want to pass legislation which harms our small businesses? Do we want to pass legislation which will be counter to growing the economy and energizing business? I think not.

"SB 263 may very well not have much of an adverse impact on business, as some of my Democrat colleagues have suggested. They may be correct. I do not have enough information at this time. Mr. Speaker, I thank you for permitting me to share my concerns regarding S.B. 263."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 263, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Aiona voting no, and Representatives

Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

Stand. Com. Rep. No. 1697 and S.B. No. 512, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 512, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

Stand. Com. Rep. No. 1699 and S.B. No. 1264, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1264, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

Stand. Com. Rep. No. 1700 and S.B. No. 209:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 209 pass Third Reading, seconded by Representative M. Oshiro.

Representative Halford rose to speak against the bill, stating:

"Mr. Speaker, extending the time between Tax Review Commissions from five to ten years is undesirable. Hawaii has the highest per capita tax and fee collections of all the states in our nation. How we tax our people and businesses has tremendous implications to our economy. I believe that our current approach to taxation is stifling our economy and hurting our people.

"The Legislature has a tendency to pass tax measures, adding new taxes or changing tax rates, in a piecemeal fashion. The more frequent the review by our Commission, the better we focus on a comprehensive view of our tax structure. In fact, reviewing the taxation structure, I believe, should be a continuous process. Even five years between appointment of commissions, in my view, is too long. Additionally, it is useful to have an outside perspective, an outside force, prodding us to improve our taxation system.

"Thank you."

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

"Mr. Speaker, just like I don't believe the people of Hawaii should wait another ten years until there's a Constitutional Convention that the Supreme Court just ruled out of order, I don't believe the people of Hawaii should wait another ten years for our Tax Review Commission.

"As the previous speaker just indicated, we have a tax system that is either the first or the fourth highest in the nation. This means we should be examining that or, as this present Tax Review Commission report indicated, we have a tax system of an agrarian nature that fits a

plantation economy, not a service economy, not a tax system that fits our present tourism and military spending type economy. We have this out of synch, Mr. Speaker.

"So, in effect, we should say, instead of every ten years, we need this every year because for the last three Tax Review Commissions, little, if anything, has ever been adopted. So, Mr. Speaker, what we're doing is pushing the people of Hawaii further away by saying: Wait another ten years and we'll look at your taxes, even though we are already at that high point of taxation in the nation. And if we wait another ten years, Mr. Speaker -- out of sight, out of mind -- it's likely we'll never really change that tax system which is now a great burden.

"Thank you."

Representative Kawanakoa then rose in opposition to the bill and requested that the words of the previous two speakers be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

At 1:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:38 o'clock p.m., the Vice Speaker assumed the rostrum.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 209, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," passed Third Reading by a vote of 32 ayes to 13 noes, with Representatives Aiona, Case, Fox, Halford, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Thielen, Ward and Whalen voting no, and Representatives Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

Stand. Com. Rep. No. 1701 and S.B. No. 538, SD 3, HD 1:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 538, SD 3, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

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

"This bill has to do with the Legislature's response to an outcry on the part of the public, as well as the librarians in our state, to the sole outsourcing of the selection of books and library materials to a private non-Hawaii company for the entire library system. In recognition of the authority that the Board of Education has over library contracts, and in recognition of the existence of a valid contract with the private company -- Baker and Taylor -- the Legislature has amended the Senate language in a couple of ways, and I would like to bring them to the attention of the members.

"One, to mandate that the Board take all steps possible in any outsourcing contract which is in effect on the effective date of this Act, meaning the Baker and Taylor contract, to ensure formal involvement by the State public service librarians in the selection of books and other library materials.

"Second, the amendment they are voting on today states that upon termination of any outsourcing contract in effect on this date, meaning the Baker and Taylor contract, decisions regarding the selection of books and other resources on behalf of the State Library System that

require the expenditure of public moneys, shall be performed internally by the public service librarians of the State Library System.

"Mr. Speaker, what we are saying by these amendments to the Senate bill is that the Legislature finds this type of outsourcing contract to be poor public policy. It elevates the book's price over the book's content. Hawaii taxpayers should not be paying higher prices for books that they never wanted and do not use. The Legislature finds that the savings that would be generated by the contract that's in effect will be worthless if inappropriate book choices are made.

"And for this reason, Mr. Speaker, I ask the members of this body to support this measure as the House has amended the Senate bill.

"Thank you."

Representative Moses then rose in support of the bill, stating:

"The previous speaker was very eloquent in his remarks and has left little for me to add other than only our librarians know what our libraries need, and they should be making the selection.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 538, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

Stand. Com. Rep. No. 1702 and S.B. No. 1363:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Kanoho, Menor and Takumi being excused.

The Chair directed the Clerk to note that S.B. Nos. 263, 512, 1336, 1264, 209, 538 and 1363 had passed Third Reading at 1:36 o'clock p.m.

At 1:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:39 o'clock p.m., the Vice Speaker assumed the rostrum.

Stand. Com. Rep. No. 1703 and S.B. No. 1303:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1704 and S.B. No. 1304:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1304, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 44 ayes,

with Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1705 and S.B. No. 835, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 835, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1706 and S.B. No. 137:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 137, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 43 ayes to 1 no, with Representative McDermott voting no, and Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1707 and S.B. No. 1599, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1599, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1708 and S.B. No. 161, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 161, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

Stand. Com. Rep. No. 1709 and S.B. No. 135, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 135, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose and stated:

"I am rising to speak in support of Senate Bill 135, Standing Committee Report 1709, the optometry bill, but with the following understanding. And this is why I wanted to make my comments.

"I am reading the bill to state that the practice of optometry does not include the employment of or use of surgery, including refractive or therapeutic laser surgery, and I hope that is the correct understanding. . . if the Chairman of the Consumer Protection and Commerce Committee could indicate if he agrees with my interpretation.

"The bill is poorly worded actually, and it's on page 1 of the bill, Chairman Menor, and it's Section 2. I'll rephrase my question: I understand that under this bill, that optometry will not include the use of refractive or therapeutic laser surgery."

Representative Menor responded:

"In response to the previous speaker's question: Yes, the intent of this language is to exclude refractive or therapeutic laser surgery.

"If you look at lines 16 through 18 on page 1 of the bill, it indicates 'other than the use of surgery, including refractive or therapeutic laser surgery.'

"So in addition to the exclusion for laser surgery, any other surgical procedure which would involve an invasive procedure, and which would therefore be performed by an ophthalmologist as opposed to an optometrist, would be excluded from this bill."

Representative Thielen thanked the Chair, saying:

"Mr. Speaker, I appreciate that confirmation of my interpretation of the bill, and I do support the bill.

"Thank you."

Representative M. Oshiro then rose in support of the bill and asked that his comments be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative M. Oshiro's comments are as follows:

"For the members' information, similar to the provisions regarding topical pharmaceuticals, the provision regarding the removal of foreign bodies above the Bowman's layer provided it may not be within three millimeters from the central cornea is common language found in other states' laws.

"For the members' information, the Bowman's layer is located beneath the top epithelium layer of the cornea which comprises roughly 5 percent of the thickness of the cornea. What this law says is that only objects that penetrated the epithelium layer (or the very top layer) outside of the central three millimeters may be removed. Examples of objects to be removed may be items such as minuscule flakes of wood, or metal filings.

"Optometrists are capable of measuring the penetration of the foreign object and would document their findings of how deep the object penetrated the eye in their diagnosis of the injury. Since this documentation can be made, it would also be easily ascertained if the optometrist acted beyond what is allowed by law and subject him to regulatory action if he in fact did.

"I believe that adequate protections are built into this bill and urge all members to vote in favor of it.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 135, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Third Reading by a vote of 43 ayes to 1 no, with Representative McDermott voting no, and Representatives Abinsay, Chang, Hiraki, Jones, Kanoho, Morihara and Souki being excused.

The Chair directed the Clerk to note that S.B. Nos. 1303, 1304, 835, 137, 1599, 161 and 135 had passed Third Reading at 1:43 o'clock p.m.

Stand. Com. Rep. No. 1710 and S.B. No. 252, SD 1, HD 2:

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

Stand. Com. Rep. No. 1711 and S.B. No. 1266, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1266, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 44 ayes, with Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1712 and S.B. No. 1472, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1472, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"Mr. Speaker, this bill clarifies the extent of the state and county governments' authority to utilize the private sector in the provision of appropriate public services, and confirms that the legislature, not the courts, is the appropriate policy decisionmaker in this area.

"Mr. Speaker, I think we all agree that a strong, skilled and motivated civil service is essential to any well-managed and efficiently operated government. I think we also all agree that there are certain functions of government which, for various reasons -- all of them good -- should be operated solely by the civil service.

"On the other hand, especially in recent years, I think we can no longer simply deny that there are many functions of government which are traditionally and customarily performed by the civil service, which can in fact be better and more efficiently performed by the private sector without any appreciable risk to the public. Similarly, we must recognize that competition or sometimes the possibility of competition from the private sector in the provision of certain government services can be a tremendous motivator to the preservation of a first-class civil service.

"Mr. Speaker, we had been moving, albeit slowly, but at least inexorably, toward full implementation of these realities of modern-day government management. And as ably set forth in the Finance Committee's report, the Supreme Court of Hawaii's recent Konno decision places an obstacle in this progress which I believe we must remove at this point.

"At its heart, that decision calls into question the privatization of any government service 'customarily and historically provided by civil servants.' But since, especially in this highly centralized and highly government-managed state, virtually any government service can be arguably 'customarily and historically provided by civil servants,' the decision may be at least argued by some to prevent any private sector provision of public services.

"That is obviously not an acceptable result. In this bill, the House has responsibly exercised the legislature's policymaking role, as acknowledged by the Supreme Court, to outline what are appropriate government services for performance in conjunction with the private sector. And since I and others view a much broader spectrum of government services as appropriate for

provision outside of government, I believe that this bill already represents a substantial compromise between competing viewpoints and would not want the House to modify its position in conference.

"Finally, Mr. Speaker, this bill must be viewed as just part of a much broader ongoing effort to bring our state government into the modern world. For example, tomorrow the Finance Committee will hear a proposed majority package resolution urging the Governor to facilitate a comprehensive review of Title 7, which incorporates most of our laws on public officers and employees. These and other initiatives must proceed if we are ever to improve our state and county governments.

"Thank you."

Representative Kawanakoa then rose in support of the bill, stating:

"Mr. Speaker, together we stand, divided we fall. The other day, perhaps a couple of days back, an elderly Chinese man in my district told me that increasing taxes to pay for increasing government services is like a tiger chasing its tail and is doomed to failure. I found this to be profound words because we are facing that right now.

"With the recent Supreme Court decision in Konno vs. County of Hawaii, if the Legislature fails to act will have the effect of voiding a number of state programs currently provided by private contractors, the Supreme Court and its judges attempted to fix something that is not broken and their ruling has the effect of nullifying private contract programs like A+ After-School Care. The Konno ruling would eliminate existing employees within the program, simply because they are not civil service employees. Other examples are airport security and Department of Public Safety services such as maintenance workers, medical services at prison facilities, security at hospitals and security at schools and libraries, hospital services, ambulance services, psychologists and psychiatrists, health centers such as Palama Health Facilities, Department of Human Service functions would include family and adult elderly care, substance abuse and child care programs, there's road repair, garbage collection and other services. The list goes on and on. In fact, the Department of Health outsourcing contracts in 1996 was 541; in 1997 it was 307.

"Government, business and labor must unite to improve Hawaii's economy. The private sector contractors who provide public services often do so at a reduced cost, Mr. Speaker. Further, they pay taxes, boosting revenues for the State and assuring that the public payroll can be met, placing the State in the impossible position of hiring only public workers to do certain tasks or limit our greatest resource, Mr. Speaker, the hardworking people of Hawaii.

"The size of government could sink Hawaii's economy. The increased tax burden of requiring all public services to be handled by government employees could jeopardize these vital services and ultimately jeopardize those services currently being provided by State and City workers under the civil service program. I would urge public employees and their leaders to view privatization as an opportunity to reduce the present tax burden currently placed on all of Hawaii's residents. For Hawaii's economy to grow, we must downsize government right now. The ratio of state government to Hawaii's overall economy is about 15 percent greater than it was just one decade ago. That means that the private sector economy which pays for government is that much smaller. We must shift the portion of the government payroll, employees and functions back into the private sector which will lower the cost of government, reduce the cost

of services through competition and efficiency, Mr. Speaker, and increase the tax revenues.

"My concern, Mr. Speaker, is to provide civil servants' rights while pursuing an efficient use of taxpayers' dollars to provide the public services it needs today. We, the government, and union leaders must continue to look after civil service workers by encouraging openness, merit and productivity while preventing the spoils systems of political favoritism. We must also encourage competition which rewards productivity and stimulates the economic growth, benefitting again all the people of Hawaii.

"Therefore, Mr. Speaker, my job is to encourage competition between private employees and public employees and not eliminate or restrict either of them. If there are no jobs in the private sector soon, there can be no public employees. The former pays for the latter. If the Legislature does not act to retain the right to contract out public services, under the Konno decision, many services can no longer be done by private contractors that have provided these services at cost savings. With our present budgetary difficulties, Mr. Speaker, it's a very good change that these services will no longer be provided at all.

"The people of Hawaii are extremely resourceful. As an island state, we share the aloha spirit and depend upon each other to provide a quality of life that all can enjoy. Union leaders and business owners, lawmakers, and laborers: we must all work hand in hand to improve the economy of our State and share the responsibility of providing vital services to ensure a safe and bright future for our children.

"Mr. Speaker, I feel strongly that we must continue on this road to providing services to the private sector -- the needed services, the vital services. And again, I encourage, as my colleague from Manoa has stated earlier, that we support wholeheartedly the House's position. It is the better position to take than what may have been contemplated at conference with this current Senate position, so I hope we will hold fast and continue on our path.

"Thank you, Mr. Speaker."

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

Representative Pendleton's comments are as follows:

"Mr. Speaker, I rise in support, very strong support, of Senate Bill 1472, Senate Draft 2, House Draft 2, Standing Committee Report 1712.

"Mr. Speaker, Senate Bill 1472 is our response to the Hawaii Supreme Court's ruling in Konno v. County of Hawaii, S. Ct. No. 18203. That decision called into question all of our State's, or virtually all of our State's, privatization efforts.

"The Court held, in pertinent part, that "the civil service encompasses those services that have been customarily and historically provided by civil servants" and, absent legislative authority to obtain services or such services from other sources, civil servants must provide such services.

"In my mind, Mr. Speaker, there are many services that the private sector has been contracted to perform. What happens in such cases? On the one hand, it can be argued that because they have been customarily and historically provided by non-civil servants Konno is

inapplicable. I would tend to agree with this line of reasoning. On the other hand, Mr. Speaker, it can be argued, perhaps as legitimately though not as persuasively, that such practices have been all along improper under the laws of our State and hence improper under Konno.

"The fact that there is uncertainty in this area concerns me, Mr. Speaker. And this is why I support Senate Bill 1472. It is our only vehicle to address the uncertainty and the potential large-scale ramifications of this Supreme Court decision.

"Perhaps before I continue I should note that I am not calling into question the competency or judicial capability of our justices. They are able and honest justices. I call not their abilities into question. I merely argue with the holding of this case. Reasonable minds can differ, and can do so civilly and with a healthy respect for one another and the respective institutions we represent.

"Mr. Speaker, our legislature in the past expressly authorized the use of the private sector to provide services to the people of Hawaii. I think of school bus transportation, I think of volunteer firemen, I think of SCBM volunteers, I think of concession services at airports, I think of contracts with repair services, I think of some of the business and economic development programs. All of these privately provided services indicate a long history of purposeful availment by the State of the resources of the private sector in accomplishing the goals of government. One might even use the word "reliance" in describing the relationship between public and private sectors. I would think it would be exceedingly difficult for us at this time to use civil servants to perform all tasks presently performed on behalf of the government.

"As the Standing Committee report points out, Mr. Speaker, it was never the intent that all things which were paid for by tax dollars were done through the civil service system. History proves this. The practice of other states underscores this.

"Mr. Speaker, I do not believe that privatization is a cure-all of all the problems facing society. I do not think anyone is claiming that. No, it is not a panacea. No, it will not magically solve all that we need solved. But it is an important step in the correct direction. Other states have utilized the inherently more efficient procedures, processes, rules, incentives, organizational structures of the private sector to reduce cost, expedite provision of services, and thereby limit the growth of government.

"Mr. Speaker, before I close, let me just say that voting for this provision is not anti-union. I support all workers in this state. I simply believe that we'll need to wisely use every tax dollar that is collected in revenues. If the public sector can provide a given service more efficiently and cost-effectively, then so be it. We will continue with a public sector or civil service arrangement regarding that service. However, if the private sector can do a better job, and it is therefore in the interest of the tax payer to be open to that option, then so be it. We will let the private sector be delegated with that service or responsibility.

"Union members pay taxes too. They do not want inefficiencies. They do not want waste. They do not want to pay more in taxes than are absolutely necessary. We are all on the same wavelength, or at least we ought to be, when it comes to eliminating government waste. And having the option to privatize provides us as government officials with one additional tool with which to eliminate government waste.

"For all of the foregoing reasons, Mr. Speaker, I urge passage of Senate Bill 1472. I am supporting it and ask my colleague to do the same."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1472, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 42 ayes to 2 noes, with Representatives Takamine and Takumi voting no, and Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1713 and S.B. No. 1794, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1794, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," passed Third Reading by a vote of 44 ayes, with Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1714 and S.B. No. 1879, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1879, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Third Reading by a vote of 44 ayes, with Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1715 and S.B. No. 1285, SD 1, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1285, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES," passed Third Reading by a vote of 44 ayes, with Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1716 and S.B. No. 286, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 286, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"Hawaii enjoys a relatively low violent crime rate since it ranks 44th of 50 states and the District of Columbia, but the property crime rate in Hawaii makes us a national embarrassment. Hawaii suffers the fourth worst property crime rate in the United States. In the category of theft and larceny, Hawaii ranks as the worst state with only the District of Columbia suffering a more dismal rate.

"If truth-in-sentencing is applied only to violent offenses, it accomplishes little, if anything. Our laws are already tough on violent offenders, but the vast majority of the crimes that plague our citizens, our constituents in their neighborhoods, and our visitors are property offenses.

"Property crime has enormous impact on individuals, as well as the potential impact to our economy. While some courts, criminal defense attorneys, and some law enforcement types may downplay the importance of property crimes, one group that doesn't downplay their importance is the victims. For some people, the theft of a car, the theft of the tools for the worker -- those things that they use to make a living -- that can be the difference between economic survival and welfare.

"Hawaii's economy also is tourist-based. There have been a number of tabloid-type television programs in Japan, detailing the dangers in Hawaii that are present for Japanese tourists. Should the tourist business be impacted because of our property crimes, the ripple effect on our economy will adversely affect our schools, our ability to provide government services, and the private sector.

"I would like to give you an example of a property offender who turned violent. I mean there's a little bit of a mind-set that violent criminals are in a different category from those that commit property offenses.

"Samson Kahue began his juvenile criminal career as a small-time thief. His first adult conviction was for theft. His next encounter with the law started off as a theft from the trunk of a car. Kahue was inconvenienced by the return of the tourist, who rented the car, so he promptly attacked, terrorized and robbed them. After he was paroled from a twenty-year sentence, he burglarized a home near Waikiki, and beat a much loved elderly baby-sitter to death. Physically, Mr. Kahue is, I guess, as large and powerful as a football player, and the woman he killed weighed less than a hundred pounds and was 83 years old. Mr. Kahue was never caught by the system. The system let him off lightly because it was a property crime when he began his career.

"This bill, as amended, takes a much tougher stance, and I congratulate the Finance Committee for recognizing that we really need to move ahead in this area.

"Thank you."

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

"While I am mindful and appreciative of both the Judiciary and Finance Committee Chairs' efforts to make this bill more realistic and responsible by not eliminating the 85 percent requirement to violent felons by being effective July 1998, I have very grave reservations about the disturbing trend that this bill, and bills similar to this one, portends for our future, especially for our children.

"While attending an NCSL State's issues meeting over the weekend, Mr. Speaker, I learned from one of the speakers that in the United States our prison population has virtually exploded almost four-fold, from 329,132 in 1980 to 1.2 million in 1996. As a country, colleagues, we incarcerate at a rate of 520 per hundred thousand people and the next closest country is Poland at 160 per hundred thousand. It is mind-boggling and shameful that we, as a country, have more people in prisons than the population of whole nations in this world.

"I want to ask you, colleagues, how many of you have visited our prison facilities? If you did, you will notice and find out that those incarcerated are disproportionately of Hawaiian or Pacific Island ancestry, and with a great probability that they will be from poor families.

"With welfare reform reduction in youth programs and in education budgets, our prisons may well become the work-opportunity programs of the future for those who are

growing up poor. And if all that seems like bleeding heart rhetoric to you, then consider the cost of being forced to incarcerate prisoners for extended sentences at an average cost of \$40,000 per inmate per year, not to mention construction costs for new facilities that need to be built. We are talking about general funds and construction funds that will force us to divert from education, health and human services budgets, all into public safety.

"Finally, Mr. Speaker, the truth-in-sentencing bill is a panacea. While it may be politically correct and a popular stand to take, the truth is, we will never build enough prisons and prison beds to solve the crime problem. Other states have already learned that lesson. It is already attempting to reverse the trend.

"Under this bill, most prisoners will be released from prison, less able to cope with returning to their communities. I believe most of us realize that punishment according to a formula will neither rehabilitate a criminal nor will it deter crime. We, as a society, need to focus on correcting, and we need to focus on forgiveness if we are going to deal with reducing crime. If the heart and the soul are not willing, no amount of incarceration or punishment will change a person or his morals. Only our Creator knows what is in our hearts, and indeed he will be the final judge of all our lives.

"In the meantime, we need to count on our fellowmen and women, and even with their failings we need our judges and our professionals to represent us as a society, as to who should and who shouldn't be forgiven and allowed to become productive citizens in our society. We also need programs which are able to discern the best course of corrections and rehabilitation, especially for the younger men and women in prison. So let us not impose these artificial sanctions just for the sake of political expediency.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, first I want to commend the Chairman of the Finance Committee, as well as the Chairman of the Judiciary Committee, for their work on this amended version of the bill before us. I think it behooves all of us to commend them for their brave stance and their responsible stance, Mr. Speaker, because there are some in this Legislature who would think by doing the politically expedient thing, the politically correct thing, walking on people but not planning for their incarceration, I think is irresponsible. I think this amended bill does that when we speak towards planning for the construction of the 1500 bed facility on the Big Island.

"A point of clarification for members of this House. You have heard me stand up on this floor previously, speaking to my concerns with respect to a private prison, and I would like to say that those concerns were mainly on the private operation of a prison facility, where this bill instead speaks towards the design and construction of a private prison. And I think that's very worthy of our consideration, Mr. Speaker, when you think about the number of things that have happened since I last spoke on this floor with respect to a private prison. First is the federal consent decree which, as you know, Mr. Speaker, is going to be reviewed by the federal court in June, and I don't hold out very much optimism in that it is my feeling that it might be extended because of the overcrowding situation that continues to persist at OCCO and at the Women's Correctional Facility.

"There are other get-tough measures that we are considering this session as well, Mr. Speaker. That taken together with the other get-tough measures we have passed over the years have, led to our overcrowding problem in our prison system where, at any one time, we have committed (incarcerated) to the system about three thousand people everyday, and I am told by the Public Safety Department that the projection for the year 2000, we will see that population rise to well over five thousand.

"So even if the Legislature were to pass the request for seven hundred some odd beds this session, and we hope to change the minds of our colleagues in the Senate, and three hundred some odd beds are in the system that will take some eighteen months before we finally see that in place, we would still be woefully inadequate to take care of what is a growing population.

"We have also the projected shortfalls that this State is facing, and this bill would call for a private prison that would not be of any cost to the State or to the County of Hawaii. And this is an important consideration not just for your Public Safety Chairman, Mr. Speaker, but for this Legislature because it was projected back in 1994 that for a facility of the size that we are speaking of in this bill, would cost the State something in the order of \$160 million. Now, irrespective of infrastructure costs and site acquisition costs, I would assume that figure, since 1994, has grown closer to \$200 million, and I don't think that the people of Hawaii would want to consider having to pay a bill that is of that amount, but having to at least take a look at the private sector to see what they could do to help allay the cost.

"Now, I share many of the concerns raised by a previous speaker with respect to warehousing criminals, and whether or not incarcerating people is going to do any good for them because even with truth-in-sentencing, Mr. Speaker, eventually these people will be let out to our streets and what we do with them while they are serving time within our prison system is something that your Public Safety Committee is very much interested in and wanted to pursue because, Mr. Speaker, this is not just your Committee on Incarceration. This Committee is also concerned with having to deal with those who are in our system and those who will be in our system and what we do with them. I want to take a look at alternatives to incarceration as well. I want to see to it with funding that might be available, to see what we could do to help turn these people around who can be turned around.

"Mr. Speaker, many of the people in our system are in there because they're in there for drug abuse, and it was the position of this House, and continues to be our position, that we expand such programs as . . .

At this point, Representative Saiki rose and yielded his time to Representative Garcia.

Representative Garcia thanked the Chair and continued, saying:

"So we expect to do that. Your Committee will continue to pursue these alternatives and also, Mr. Speaker, just to let the other members know, your Public Safety Committee Chairman was criticized, not too much, but I heard some of it, with respect to trying to perhaps deal with other people's turf.

"Earlier in the session, when I held a hearing to learn about programs, policies that are not directly under the supervision of your Committee, and I did that, Mr. Speaker, only because I wanted to try to do the kinds of things that your Human Services Chairman has relayed to us in his remarks, and that I wanted to have this Public Safety Committee look at the kinds of preventative

programs, working with children, working with our youth, and so it will be with the consent of Leadership and this House the interest and concern of your Public Safety Committee look into these kinds of programs, that we don't have to deal with people who grow up without any recourse will turn to a life of crime.

"And so I would hope that this House and this Legislature will continue to bond with equal fervor the kinds of programs that your Human Services Committee has been advocating all these years, programs that deal with gang prevention, drug prevention and the like, or this Legislature will someday have to deal with the Public Safety Committee with jurisdiction over one of the larger budgets in this State. And if you don't think that is a reality, take a look at the jurisdictions on the mainland where the prison industry is growing, it's vibrant, because you will never run short of the commodity called inmates. If we don't deal with the problem in the beginning when these people are young enough to make decisions and understand that turning to a life of crime is wrong, then you will have a Public Safety Committee that has jurisdiction over one of the largest budgets in the State.

"And so, with this measure, Mr. Speaker, I commend again the Finance Committee, the Judiciary Committee, for moving up their positions somewhat, and for being responsible in calling for the construction of a private prison because back to talk a little of what the Senate has done, they have deleted all the funding for expansion that this House had passed previously -- the 700 some odd beds I mentioned earlier. That is not in the Senate budget, Mr. Speaker, and that is irresponsible, and I think the House is taking a responsible position with the call for a private prison in this bill.

"Thank you very much."

Representative Pendleton then rose in strong support of the bill, stating:

"I just have three brief points, Mr. Speaker. I had some reservations about an earlier House draft of this truth-in-sentencing measure but those concerns have been resolved because I notice that this reinstates a number of the non-violent felonies under the truth-in-sentencing rubric, and so I applaud the work of the Finance Committee for adding that in.

"But the second point, Mr. Speaker, is, I am delighted to see the provision in this bill regarding the looking into the private design and construction of prisons. While I don't believe that more and more prison space is the cure-all of all the problems of our society, I think it is an important step in the right direction and will solve some of the problems that we have with crime.

"A third point and my final point, Mr. Speaker, is in response to one of our earlier speakers. He spoke very eloquently and articulately about the importance of us to forgive, to be compassionate, to think seriously and long and hard about the kinds of policies we pass. I have a lot of aloha for the Chairman of the Human Services Committee and I enjoy working with him. Reasonable minds can differ on this issue, and I have a disagreement with him on this particular point.

"As a youth pastor, I spent many hours talking about forgiveness; as a legislator, it's my responsibility to ensure public safety. As a youth pastor, I've talked about compassion; as a legislator, I think perhaps the more compassionate thing to do with some of these criminals early on in their career is to show them that there are consequences for their unlawful behavior. As a parent, one might say that the compassionate thing to do is go ahead and let your kids do what they want to do. But

perhaps the more compassionate thing is to spank them on occasion so that they learn early on that there are consequences for their behaviors. And so perhaps, Mr. Speaker, the compassionate thing to do is to show that there are consequences for unlawful, harmful behavior early on, and perhaps some of these criminals will not continue a career in crime so that we will somehow, hopefully, forestall the increase in violent crimes by getting tough on the non-violent crimes. And for the foregoing reasons, Mr. Speaker, I support this measure."

Representative Yoshinaga then rose in support of the bill, saying:

"I'd like to ask that the Clerk submit my full comments in the Journal and I would just like to make two points," and the Chair "so ordered."

Representative Yoshinaga continued, saying:

"While this truth-in-sentencing measure primarily protects citizens, it recognizes at least two other benefits that I'd like to point out to the members and urge your support for this measure.

"One, is that it does result in the savings in money, and two, a reduction in the crime rate.

"Crime itself passes on a cost to our taxpayers. Homeowners and businesses pay for insurance policies. Victims of crime whose property and wages, and we often incur hospitalization cost, including my uncle's passing as a victim recently in which he died in a coma, so our families pay with a sorrow. People pay for crime when we are forced to alter our lifestyles in terms of what we can and cannot do and the times that we would prefer to do them, and we must buy personal protection in order to feel safe in our homes today, including getting a dog, like the one I got for my father. I have many friends who have spent thousands of dollars on alarms and devices to protect their assets. Ultimately, it is all of us as taxpayers who pay for our criminal justice system.

"A 1990 study by the National Institute of Justice cites the cost of imprisoning a criminal at approximately \$34,000 to \$38,000 a year. This study also estimated that if a criminal were not locked up, the average incarcerated felon would cost citizens and the public between \$170 to \$2 million a year, in terms of these types of costs I just mentioned. The U.S. Department of Justice cites that the total cost of crime offenses -- personal and property -- is well over \$140 billion, and it is probably higher now as this is a 1990 case for more incarceration published in 1992 which we researched. The Justice Department further stated that if it costs about \$15,000 in operating cost plus a few thousand dollars in construction cost to keep one rapist in prison for only one year, and we prevent him from committing only one rape, we have prevented a crime at bargain basement prices. Clearly, incarceration saves.

"Furthermore, a study by the American Legislative Exchange Council found that states, including Hawaii, that increase their incarceration rate also reduced their violent crime rates. Conversely, it found that crime went up in states such as Texas, Michigan and California where prison sentences were reduced on a broad scale. The U.S. Department of Justice, in the same report, stated that the increase in incarceration is accompanied by a decrease in the total crime estimates. The study referenced the FBI's uniform crime reports, and it reflected a general pattern of decline in crime rates, particularly with murders, rapes, robberies, and a period when the likelihood of an arrest resulting in a conviction and a prison sentence was high. The Department also cited that when Michigan launched a major prison

building effort in 1986, the state's violent crime rate fell by twelve percent, in contrast to the 25 percent increase it experienced in a previous period associated with early releases from prison.

"It is quite clear that the crime rate is inversely proportionate to imprisonment and incarceration. Swift and certain punishment deters crime. And as the previous speaker mentioned, this speaker is supportive of rehabilitation which I believe is also an important component with any incarceration for criminals, but it is for these reasons that I support this measure today.

"Thank you, Mr. Speaker."

Representative Yoshinaga's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of Senate Bill No. 286, SD2, HD2, Standing Committee Report No. 1716.

"I believe that the measure before us will help strengthen our criminal justice system and, if implemented, this bill will greatly aid us in our endeavor to effectively address and solve many of the problems and issues associated with crime in our communities. This bill represents a significant tool and marks an important step forward in the ongoing battle against crime in our State. In a day when heinous acts of crime are invading our streets, and our citizens' lives, we as lawmakers must do all that we can to ensure the protection of our citizens and to curb the crime rate in this State altogether. We must seize every opportunity to turn the tide of crime which over the years has surged against our communities. I believe this bill will help us to move in that direction, as it contains provisions which will immensely benefit all citizens in this State.

"When I first took office, crime was ranked as one of the major concerns in my district, and for good reason. Here in urban Honolulu, we bear one of the highest rates of property crimes in the nation. Highlights from the January 1997 issue of Crime Trend Series (as published by the Department of Attorney General, Crime and Prevention and Justice Assistance Division, State of Hawaii) indicated that motor vehicle thefts have surged steadily since 1991 in the City and County of Honolulu, and have more than doubled between 1992 and 1995. That same report disclosed that Hawaii's motor vehicle theft rate in 1995 exceeded the national rate.

"A September 1996 study on domestic violence performed by the Hawaii State Commission on the Status of Women revealed that between 1985 and 1994 nearly 30 percent of all homicides reported in Hawaii resulted from an act of domestic violence. The same study showed that firearms were the most common weapon used in these incidents of violence.

"The crime index on violent crimes for the City and County of Honolulu showed an increase in murders, forcible rapes, robberies, and aggravated assaults between 1985 to 1994, documenting 1,801 incidents to 2,528 incidents, per the Uniform Crime Reporting Program. The crime index for property crimes (i.e. burglary, larceny-theft, and motor vehicle theft) followed suit during the same period, documenting an increase from 40,247 incidents to 58,297 incidents.

"The above statistics are chilling. Many of my constituents are fearful for their own lives. Many fear for impending damage to or loss of their property. It is a fear that has gripped them, and has rendered them helpless. Mr. Speaker, we need to provide for the protection and safety for all of our citizens, and we ought

to do what we can to reduce crime across our State, for this is a very basic function of our government.

"Senate Bill No. 286, SD2, HD2, echoes the pains and sentiments of many citizens across this State who have paid dearly either with their lives, property, or both. This bill speaks on behalf of a generation of those who are weary and tired of falling prey or victim to the acts of crime at work in their neighborhoods; that they want something done quickly to stop crime; that they fear for their own lives; that they no longer want nor are willing to pay the price of crime.

"At best, S.B. No. 286, SD2, HD2, recognizes the need for tougher sentencing of convicted felons, and the need for more prison space. It seeks to establish a truth-in-sentencing law that requires violent and nonviolent felons to serve actual imprisonment time of no less than eighty-five percent (85%) of their sentence imposed by the court before becoming eligible for parole. It also seeks to increase the mandatory minimum imprisonment time without parole for those convicted of multiple violent felonies. Other provisions include increasing the imprisonment time for those convicted of firearm possession, and felonies committed against elders, the handicapped, and young children. Lastly, S.B. No. 286, SD2, HD2, requires the Department of Public Safety to look into the possibility of constructing a 1,500 bed medium security correctional facility on the Big Island using private funding.

"In concept, the call for an establishment of more incarceration for violent offenders serves as a deterring "get tough" policy on the front end of our criminal justice system. I submit to you, Mr. Speaker, that this is exactly what our present system needs. It sends the uncompromising message that swift and certain consequences in our criminal justice system deters acts of crime, and it affirms the long-held belief that if one does the crime, that person must do the time as well.

"Moreover, incarcerating criminals for greater length of their sentences prevents such individuals from committing new additional crimes while out on furlough or pretrial release. Implementation of a policy requiring more incarceration certainly calls for more prison space, but the combination of these two elements could, in effect, lead to the reduction of crime activities. Curbing the crime rate, in turn, makes for safer streets, neighborhoods, and communities. In short, incarceration makes it virtually impossible for criminals to victimize the public with new crimes. James Wootton of the Heritage Foundation in Washington, D.C. once wrote, "Keeping violent criminals incarcerated for at least 85 percent of their sentences would be the quickest, surest route to safer streets, schools, and home."

"In its publication titled 'The Case for More Incarceration,' the U.S. Department of Justice states that the increase in incarceration is accompanied by a decrease in total crime estimates. Referencing the FBI's Uniform Crime Reports, the Department reflected a general pattern of decline in crime rates -- particularly with murders, rapes, and robbery -- in a period when the likelihood of an arrest resulting in a conviction and a prison sentence was high. Other findings by the Department cited that when Michigan launched a major prison-building effort in 1986, the state's violent crime rate fell by 12 percent in contrast to the 25 percent increase it experienced in a previous period associated with early releases from prison. It is quite convincing, the crime rate is inversely proportional to imprisonment and incarceration.

"In closing, our effort to implement a policy of tougher sentencing and more incarceration of violent offenders,

coupled with our effort to expand our prison facilities, is an investment in the safety and well-being of our generation and the next. If we step up imprisonment measures, we then deter crime. This means we will be protecting our families. In the process, we will be promoting safer playgrounds for our children, safer streets, and safer neighborhoods. In the long run, we will produce safe and wholesome communities for all citizens of this State.

"What I see embodied in S.B. No. 286 SD2 HD2 is the vital opportunity to restore hope for all of Hawaii's citizens. A vote cast in support of this bill means our government stands fast in responding to the needs of the people, and is committed to safeguarding their livelihood.

"Respectfully, I urge all of my colleagues in the House to join me in supporting a measure that truly has the public's best interest at heart.

"Thank you, Mr. Speaker, for allowing me to speak on behalf of this measure."

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

"As stated by a previous speaker, we should search out, where possible, and remedy any of the social issues which may have helped influence these criminals to break the law. But I remind my colleagues, these are in fact convicted felons. We ask only that they serve 85 percent of their sentence -- not one hundred percent -- only 85 percent. I believe that they have gone through the system, they have been found guilty, they earned their beds, and we should do no less than provide it to them.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose in support of the bill, stating:

"I would first like to note that I agree wholeheartedly with the Chair of the Public Safety and Military Affairs Committee. I think he aptly explained the position, the responsible position the House is taking, and I am encouraged by his efforts to continue in that manner.

"I would also like to request that the majority of my remarks be entered into the Journal to save time. However, I would like to make two points here.

"In noting that House Draft 2 has two important components which I feel are crucial to the success of this effort to stem crime, one is that certain non-violent felons are also subject to the 85 percent requirement. And I would like to emphasize that, because Peter Carlisle, the Honolulu Prosecutor, is adamant that we must go after non-violent criminals and put a stop to their antics in order to slow down criminal activity in general, he feels that effectively deterring the non-violent criminals will have a rippling effect on the violent criminals and lower the crime rate in that area as well. We must, as this bill proceeds, keep this provision.

"The second component which is important is the privatization of the medium security facility. It does, as the Chair of Public Safety has already noted, no good to have strict laws on the books without the ability to carry through with these laws. As we face a tight fiscal budget, we must also look to the private sector in order to help reduce the cost in providing this prison space.

"For these reasons, I am strongly in favor of this bill and hope the two components I have just mentioned -- truth-in-sentencing for non-violent criminals and

privatization of the prison and construction, hopefully the operation, remain in this bill.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 286, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS," passed Third Reading by a vote of 43 ayes to 1 no, with Representative Arakaki voting no, and Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

Stand. Com. Rep. No. 1717 and S.B. No. 375, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 375, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Third Reading by a vote of 43 ayes to 1 no, with Representative McDermott voting no, and Representatives Chang, Jones, Kahikina, Morihara, Say, Souki and Yamane being excused.

The Chair directed the Clerk to note that S.B. Nos. 1266, 1472, 1794, 1879, 1285, 286 and 375 had passed Third Reading at 2:20 o'clock p.m.

Stand. Com. Rep. No. 1718 and S.B. No. 871, SD 2, HD 3:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 871, SD 2, HD 3, pass Third Reading, seconded by Representative M. Oshiro.

Representative Fox rose to speak in support with reservations on the bill, stating:

"The idea of keeping the people mover system alive by placing it in the bill is probably applaudable; however, I'm a freshman, this is my first term, I don't understand why the permit process task force is a very good idea that was moving had to be removed from bill in order to put the people mover bill in. We could have kept both in the bill.

"I think that a lot of work has been done on the permit process task force and it's unfortunate that that's been removed from the bill. I hope that in conference that goes back in."

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

"It's still in there."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 871, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1719 and S.B. No. 1632, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1632, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"This is the housing consolidation bill, and this is actually the third year that we attempted to pass a consolidation bill, and it looks like we may finally have a product that at least will go to conference.

"I did want to thank my Vice Chair, Representative Saiki, for his work in shepherding and crafting this legislation that we have before us. And I would like to ask the members for their support, and look at the House position where we, as the Legislature, recognized the need to serve and give priority to those most in need of assistance in obtaining housing, and that's one of the reasons that we have attached this agency to the Department of Human Services.

"But I would like to ask the members for their input into this measure, if you have any comments on it, as we take it to conference.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1632, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1720 and S.B. No. 1951, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1951, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

"Similar to the bill that I had just referred to, this bill had new elements put in in the Finance Committee, applaudable, an effort by the House to support having an aircraft service and maintenance facility put in at Honolulu International Airport with tax credits given for that coming year.

"At the same time, the bill dropped a tax credit for a stock exchange type facility. The original purpose of the bill was to extend a stock exchange opportunity past the year 2000. If we fail to keep this opportunity alive, we essentially write off the possibility of any such facility ever coming to Hawaii, because nowhere else in the world are fees charged, like the general excise tax or any similar tax, for operations that take place on the floor of the stock exchange.

"Again, I don't really understand why the elements can't be added to a bill preserving the original element of the bill. I don't understand why that first element has to be dropped when new material is added, and I think that that should be brought back as well, Mr. Speaker.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1951, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1721 and S.B. No. 831, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 831, SD 2, HD 2,

pass Third Reading, seconded by Representative M. Oshiro.

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

"Mr. Speaker, as you know, the House and I personally, have come under a great deal of criticism because we have adopted a measure which requires campaign loans to be repaid. The critics believe that campaign loans should be treated as if they were campaign contributions.

"I want to briefly explain why I support the repayment and not the elimination of campaign loans.

"The preface to the bill states that the Legislature believes that clarifying campaign spending laws will, among other things, equalize the resources of candidates. Yet if we were to effectively eliminate campaign loans as a source of funding for new candidates, as the Senate had proposed, the difference in resources between candidates will only widen. The Senate version of this bill will be bad for the political process and will discourage new people from running for office.

"As originally proposed by the Campaign Spending Commission, the measure provided that if a candidate does not pay back a loan by the final day of the election period, the loan shall be deemed a campaign contribution -- simple as that. The Senate then provided for one exception to allow unlimited secured loans from commercial lenders. But to obtain a secured commercial loan, you will need to prove that you are wealthy enough to need it.

"The effect of the Senate provision which makes a loan a campaign contribution is to make both the candidate and the person that made the loan a criminal if the candidate is financially unable to pay back a loan of more than two thousand dollars immediately on the day of the election.

"Section 11-229 of the campaign spending law provides for a prison term of up to one year in jail for violating campaign contribution limits. Again, I repeat -- two thousand dollars for House members.

"The first problem that arises from this approach is that the Constitution of the State of Hawaii specifically prohibits the Legislature from making a law which gives jail time for failure to repay a debt. Article I, Section 15 of the Hawaii Constitution reads: 'There shall be no imprisonment for debt.'

"In addition, what candidate in their right mind would be willing to take out a loan if the failure to pay it back on election day meant that both they and the lender will go to jail?

"The provision the Senate and the newspapers want effectively eliminates loans as a method of campaign financing, except for loans from financial institutions. In that regard, Mr. Speaker, I fail to see how getting a loan from a financial institution, which are frequent special interest lobbyists before the Legislature, is somehow less of a threat to the independence of a candidate than a loan from an ordinary citizen or a family member. Since financial institutions only give loans to those who can prove they don't need it, this exception only helps those who are wealthy or those who have assets. So much for the Senate's version of equalizing the resources of candidates.

"This brings us to the second problem with the Senate loan provision: It gives a tremendous boost to wealthy

candidates and to incumbents. For example, Mr. Speaker, in my last race, my opponent began as a relative unknown and obtained a private loan of about ten thousand dollars to finance her campaign. I seriously doubt that any new candidate would be willing to take out a private loan if it meant that both she and the lender would go to jail if she could not pay it back. I also wonder whether such candidates who don't have an extra five or ten thousand dollars lying around would run at all if they could not get a private loan to get started and finance a fundraiser, put out an ad and make themselves known to the public.

"I have been in office for many years. . . some critics say maybe too long. But supporters give money to my campaign because my positions on issues are known to them, and they want to see me elected. I've not had to get a campaign loan since after my first election.

"But my opponents are almost always unknowns, just as I was in my first election, Mr. Speaker, and you and all of us here. The only way they can run an effective campaign is to obtain and spend money on advertisements and mailers. My concern has been and remains. . .

At this point, Representative Halford rose and said: "Time, please," whereupon Representative Okamura rose and yielded his time to Representative Tom.

Representative Tom thanked the Chair and continued his remarks, saying:

"My concern has been, Mr. Speaker, and remains, that adopting the loan language that the Senate wants will benefit me personally, but cripple any potential opposition against me in my next election. I fear the same result will be seen in most elections statewide.

"It is apparent, however, that others do not share my fears. The newspapers, in particular, have mounted a campaign whose end result, I believe, will be to drastically increase their influence in the election process. And I wonder how many people have really given serious thoughts to what would happen if campaign loans were effectively eliminated. Sometimes people can't seem to get beyond the word 'loophole' and really analyze the proposed solution.

"The bill before us, as adopted by the House Judiciary and Finance Committees, effectively closes the loophole that currently exists in the law. In the past, some candidates have obtained loans and not repaid them, or they would obtain loans and the lender would forgive the debt. The measure before you today closes this loophole because it requires that the debt be repaid. No further funds can be spent on campaigning unless the debt is paid back in a reasonable amount of time in full.

"It allows those who are just starting out in politics, or those who wish to challenge an incumbent, the opportunity to mount a campaign. Newcomers, in particular, need to fund start-up costs, cover unexpected advertising expenses, and make up for fundraising shortfalls.

"I believe that the approach adopted by the House effectively and fairly closes the existing loophole in the campaign spending law, and it does so without destroying the chances of those who would challenge us in our next election.

"I will be frank with my colleagues. When you vote for this bill, you will be voting against your own personal interests, because you will be voting to make it easier for others to challenge you in your next election.

"But I think that this is the right and fair thing to do.

"Mr. Speaker, in closing, you know when I took this position, which I felt was responsible, and supported by the House Judiciary Committee, after all was said and done, I have so much criticism. I really frankly thought maybe I'm wrong, maybe I made a mistake, maybe it's not worth all the fighting and fairness, maybe I didn't clear it up after all. Then I went in front of the House Finance Committee and I was ready to make the change, and I said: 'Calvin, you do what you've got to do, I'm not going to let my colleagues get criticized for this.' And I don't think I was ever so moved as that day Calvin Say, in the House Finance Committee, said: 'Terry, we don't think you're wrong. We don't think it's fair that newcomers be stopped from running. We don't think it's fair that people have to pay their debts back or loans back on election day. It's not fair. This is not good for the political system. You're not so wrong after all. . .

Representative Thielen then rose and stated:

"Mr. Speaker, we seem to have a dual standard here where, when I made a statement about what the Finance Chairman said in relation to a bill taking away rights from native Hawaiians, I was called out of order, and I was told that that's not permissible to do on the House floor. We seem to have a different standard for the Democrats in this body, and they are allowed to do this. So maybe you could clarify that for me."

At 2:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 2:30 o'clock p.m., the Chair asked Representative Tom "to get back to the merits or demerits of the bill, please."

Representative Tom continued, saying:

"Mr. Speaker, I ask for the body's strong support of this bill.

"Thank you."

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

"Mr. Speaker, this bill does not pass the 'smell' test, and that's for two reasons: One is the amount of loans being not counted as contributions; and secondly, the thirty-day reporting limit.

"Firstly, regarding contributions. Loans perpetuate the impression that candidates challenging incumbents do not have the benefit of a level playing field. The provision which calls for a loan to be repaid within five years fails to close the candidate's ability to circumvent the contribution limit. I agree with the Campaign Spending Commission's Chair, Robert Watada, and by the way, Mr. Speaker, also Marilyn Bornhorst. They recommend that loans should be considered as contributions.

"The potential for abuse under the current law in this bill is inherent in the law. And when I say loans should be considered as contributions, I'm not thinking of the manini races that we run: fifteen, twenty, thirty thousand. But when we get into the mayoral and gubernatorial races, we're talking about big bucks of which campaign contributions are limits in very serious dollar amounts, of which when the mudpack and others going through a loan, or friends masquerade as a loan, that gives an undue advantage.

"Point number two is that the thirty-day deadline in which an investigation (1) is to take place and (2) is to

be completed, basically says, if you're an incumbent you can, by a technicality, escape strict scrutiny under this particular reporting period. So that period, according to Mr. Watada, should be lengthened to be realistic to an effect to be able to investigate and, in effect, finish the job properly.

"For those two reasons, Mr. Speaker, I think we need to do a little bit of conferencing on this bill, a little bit way of taking away the aroma in a more pleasant direction.

"Thank you."

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

"Mr. Speaker, in spite of the words of the Judiciary Chair, this is not campaign reform. What this is is campaign open loophole.

"The Judiciary Chair, when he recommended for passage and when the bill passed out of his Committee, he received the first dissenting report of this legislative session because the campaign spending bill is so flawed.

"There are three flaws -- serious flaws -- that cause it to be really a nonentity. It is not campaign reform, it's laughable. The flaws are: the thirty day requirement for the Campaign Spending Commission to issue an opinion on whether or not a campaign tactic is legal or not. The Campaign Spending Commission meets every thirty days, a candidate puts in the request to say: can I do x, y and z, on the afternoon of the day they've met, knowing very well they won't meet for another thirty days, and so that decision won't be rendered, that campaign tactic will be deemed to be legal. That's a real bad provision to have.

"The other one is, no more will there be a restriction on the number of over \$25 fundraisers that you can hold. You can hold unlimited number of fundraisers and ask for more than \$25. When those contributions come in at a hundred dollars a pop or less, those names are never reported -- never reported -- so the public never gets the information on where all of a sudden this influx of money is coming into this candidates coffers. From where is that coming?

"But the worst one is the loan provision, and the Chairman of Judiciary went on at great length, having to use another five minutes to say: wait a minute, this is just for new candidates. Get real, folks! What new candidate, fresh out of school or fresh out of a neighborhood, is going to be able to go out to someone and say: lend me ten thousand dollars, lend me fifteen thousand dollars, so I can run for office. That's hogwash.

"An unsecured loan from a non-family member -- I don't think they're lining up in droves to lend candidates that kind of money. There may be the unusual case where someone is able to convince a friend to fund that amount of money. But if we do not have a restriction, if we do not say that has to be repaid within the campaign year, then what we have is no campaign limit, no contribution limit whatsoever. It means that people can give ten thousand, fifteen thousand, twenty thousand and call it a loan. There's no limit, no limit anymore.

"A special interest group, and those special interest groups are going to support those committee chairs and those committee members that are promoting those special interests. They may come forward with the big loans. Fine, then we do not have campaign contribution limits anymore. We've seen enough of the special interest groups around this Legislature this session. We know

that the money is out there. This is a loophole to let that money come in, call it a 'loan', and let the candidate get away with it. And it's going to be an incumbent candidate that's going to be doing that. You're not going to find the young kid out of school, where if she decides to run for office and says, please believe in me and now you will lend an unsecured loan for ten thousand dollars so I can do some mailings. This is hogwash.

"And if anyone is trying to promote this as campaign spending reform, that is a farce. This is not campaign spending reform.

"Thank you, Mr. Speaker."

Representative Goodenow then rose in strong support of the bill, stating:

"Just in response to the previous speaker, I think my own case serves as a very good example of when someone who doesn't have any background, no lobbyists to turn to, can make a difference with family and friends giving them a loan.

"I went door to door. I sign-held on the street all the time, but I needed money for a campaign brochure and money to start my first fundraiser. That's a lot of money. It cost five thousand dollars to do a mail-out. I would not be here today if I did not receive loans, and I certainly would not have been able to pay them back by General Election Day. I think there's a difference here that something we're not fully realizing. There is a big difference between a contribution and a loan. My father, for instance, certainly expects to be paid back the full amount that I asked him to borrow for my campaign.

"I just would like to thank the Chair of the Judiciary Committee for looking out for the little guy, because that is really, I think, who would be affected by having to pay back a loan immediately, or restrictions on loans.

"Now I can have a fundraiser. Now I don't need loans, but back then I didn't have anyone to turn to. Talking about not being able to find someone to loan you money, how about getting people to donate. That's hard as well. So I firmly stand by the Chair of the Judiciary Committee and urge passage of this measure.

"Thank you."

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

"For the reasons already stated by my colleagues who have risen in opposition, I am opposed to this. I will add that I find it very, very unbelievable that the Campaign Spending Commission, with all of its workload during the campaign, can render opinions within thirty days, unless they come to us or to somebody else and say: give us more money because we need more staff.

"I will read to you from the bill, page 9, line 16: 'If no advisory opinion is rendered within thirty days after the request is filed with the commission, it shall be deemed that an advisory opinion was rendered and that the facts and circumstances of that particular case do not constitute a violation of the campaign spending laws.'

"In other words, if they don't render the opinion within thirty days, you are found innocent. Not just that they didn't find but that you are found innocent. I don't think that they can comply with that provision.

"I also don't see in here or anywhere in this bill to talk to the merits that the previous speaker mentioned. I don't see any limitations as to loans from family

members. I don't think that that's limited in this bill in any way, nor should it be. This is talking about, as the previous speaker mentioned, unsecured loans from non-family members which, instead of being loans, are in fact contributions. So I am opposed to this bill, Mr. Speaker.

"Thank you."

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

"The family loans is addressed somewhere else and this bill states 'any and all loans.' That's number one.

"Number two, some previous speakers have mentioned special interest of all of us here are special interest. The concern about the loan factor. Representative Goodenow was kind enough to inform us that there is a difference between contribution and a loan. Mr. Watada's opinion was that the loan should have to be paid back by the day of the election.

"The idea behind getting a loan to run for election is to get elected. And if you're getting a loan, that means you don't need the money. You have the money in your pocket to run for election. The purpose is to go out and get a loan and you want them to pay back by the time you decide to have the election? That is utterly ridiculous.

"Now, as the previous speaker has stated, let's get real. Maybe the five years is too long a time; maybe it should be less. But to repay a loan by the day of the election, the reason you're getting the loan is, get real -- ridiculous! That's a farce.

"The concern, as far as advisory opinions, people have mentioned here that they meet once every thirty days. Well, why don't they meet more? We're asking people in the public to respond to complaints from public agencies in fifteen days or less.

Thank you, Mr. Speaker."

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

"Mr. Speaker, I am supporting this bill because I am committed to campaign reform and S.B. 831 is the only vehicle to address such important issues. However, there are problems with this measure.

"With respect to loans, this bill has resulted in hundreds of thousands of dollars in contributions to candidates under the guise of loans. According to testimony from the League of Women Voters, recent history has shown that these so-called 'loans' are not being repaid. As the Campaign Spending Commission Director Bob Watada has testified, 'contribution limits are contribution limits. It is misleading the electorate to say there are contribution limits, when in fact the limits can be circumvented by calling the contribution a loan. I personally believe that we should follow federal election law by calling loans contributions.'

"Because rich candidates and their families can finance their own campaigns, I believe that loans are necessary to mount effective campaigns. But it is critical to demonstrate that a good faith effort to repay these loans should be made. It is important to insure that loans are repaid and not forgiven. There is better assurance of repayment if the loan is acquired from a traditional financial institution in an arms length transaction. Although there is room for potential abuse if a co-signer or co-signers repay the loan, at least the campaign spending reports would show repayment efforts.

"Unpaid loans over two thousand dollars after a reasonable period, perhaps five years, should become over-the-limit contributions and the overage should revert or be owed to the Election Fund. This is a better penalty than the Senate's 'debtor prison.'

"A repayment schedule should be provided by the candidate to the Commission or the forgiveness of a debt should also be reported and the outstanding balance should be treated like a contribution.

"On the issue of matching funds, the difficulties of candidates, particularly first-time candidates, in obtaining matching funds during the last election, demonstrates the need for reform. Although the matching fund period has been clarified, the requirement that a candidate must have at least one other qualified candidate as an opponent in an election in order to receive these public funds, is inadequate and merely perpetuates the inequity between incumbents and challengers.

"I also object to the requirement that the Commission issue advisory opinions within thirty days or face having the facts and circumstances of the case deemed in compliance with the law. I think this requirement is particularly egregious.

"Finally, in order to maintain the Commission's independence and impartiality, the Commission should be allowed to hire its own attorney.

"Mr. Speaker, for our electoral system of democracy to have moral legitimacy, the public must be able to believe that no person or elite group will have undue influence over elected representatives or officials. As Thomas Jefferson once said: 'Of all mischiefs, none is so afflicting and fatal to every honest hope as the corruption of the legislature.' Of course, he was referring to the Virginia Legislature.

"Thank you, Mr. Speaker."

Representative Case then rose in support of the bill with some reservations, stating:

"I reference the remarks of the previous speaker with respect to the loan aspects of this bill.

"Thank you."

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

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill 831. I support the bill which attempts to reform campaign finance but have reservations with specific provisions.

"Mr. Speaker, Senate Bill 831 has serious flaws. First, we have the rule that certain practices will be deemed acceptable and legitimate and appropriate if within 30 days there is no decision by Watada's staff to the contrary. The testimony at the hearing indicated that there was insufficient legislative appropriations or budget allocations to the Campaign Spending Commission to enable them to respond in such an immediate manner.

"Mr. Speaker, when I heard the testimony, I was somewhat surprised. As a private attorney, we often have to respond to client's requests for legal opinions within hours. I thought: Can't the State respond within 30 days? After hearing the full rationale for Watada's people

not being able to comply with the deadline in time, I see their point. I suppose I would prefer hurrying them up. But if they say that the time-frame is unrealistic and that many actions will be thereby deemed appropriate, I think there is reason to rethink what we are asking.

"Now I do not favor accusations hanging over the heads of candidates for months and months, but perhaps we need to genuinely listen to Watada on this. Is there some other time-frame with which they can assure us that compliance is possible?

"Second, I would wish that we would look at the federal system. They have devised a system whereby one can choose either to take contributions or loans from a given contributor. This might go a long ways toward correcting or at least curbing the excesses we witness in some of the more costly races.

"Third, I read a document from a resident of Hawaii which caused me to have fairly serious reservations with this bill. Permit me to quote at length the letter I found very helpful on this issue. The letter is dated March 31, 1997 and concerns S.B. 831. The letter reads, in pertinent part:

'This bill does not close the loophole which allows large loans to candidates. It gives recognition in the law to something that was just a loophole before. Whether true or not, it gives the appearance of big bucks controlling the election process.

'Cynthia Thielen's dissent on this bill is devastating. When a Republican becomes the best spokesman for a good government issue it makes it very hard when I try to gain respect and loyalty to the the Party from potential members and from long time Democrats.

'There is going to be more and more indignation about this bill in the next few weeks. I have been asked to participate in a public criticism of this bill. I have kept silent because of my desire to work quietly with elected Democrats. However, I don't want the Party in the position of being the only "good government" entity that stays quiet on this bill. The request for a press conference will come again. What if the Republicans and the Greens participate and the Democratic Party does not. I need your help on how to respond.

'Campaign finance reform could be the banner the Democratic Legislature and the Democratic Party carry into next year's elections.'

"Mr. Speaker, the letter is signed: 'Sincerely, Marilyn Bornhorst, State Chair.'

"Mr. Speaker, I find that this letter underscores the point that my concerns are not unique to Republicans, but are shared across the political spectrum. They are not the peculiar reservations of a free market enthusiast, as myself. They are not the sole worry of one who believes in smaller, leaner, more efficient government and less bureaucratic red tape. They are also the reservations of a Democrat -- a Chair of the Democratic Party.

"Mr. Speaker, let us set party aside and fix this bill in conference committee. It is in need of repair. I vote aye with reservations in order to keep it alive. It is the only vehicle. Let us make sure it is not a vehicle headed into a dead end but a vehicle headed in the direction of more open, more honest, more competitive elections. We all have a vested interest in seeing that money does not control our elections. Accordingly, I vote with reservations on Senate Bill 831.

"Thank you, Mr. Speaker."

Representative Lee 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 Lee's remarks are as follows:

"Mr. Speaker, this bill has many good features, and we should retain those. However, there is a large loophole related to loans to candidates that must be closed.

"Under present law, a candidate may receive unlimited loans. This enables donors to ignore contribution limits by calling a contribution a loan. We should close this loophole as the Campaign Spending Commission suggests.

"In order to enable first-time candidates to get started, personal loans could be allowed -- these can be paid back when the candidate is established, perhaps on a graduated basis.

"We should make every effort to do the right thing on this bill -- the public demands it and deserves it."

Representative Morita then rose and requested an aye with reservations, and the Chair "so ordered."

Representative Stegmaier then rose and requested an aye with reservations, and the Chair "so ordered."

Representative Takumi then rose and requested an aye with reservations, and the Chair "so ordered."

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

"There is no way that I can refer to this bill as campaign reform. This is simply some amendments to the campaign spending laws and not to the betterment of it. Some of the things that have been inserted here have really added all kinds of problems that we didn't have before.

"I am not going into many of the other segments of the bill that have been covered very well here today, but I cannot support this bill.

"Thank you, Mr. Speaker."

Representative M. Oshiro then rose to speak in favor of the bill, stating:

"Much criticism has been made about the advisory opinion, so I will make some brief comments about the advisory opinion.

"At first glance, it seems offensive, Mr. Speaker, but if you look at the Standing Committee Report that was submitted by the Judiciary Committee, in particular this SCR 1305, it states that the intent is patterned after language and the practice of the State Ethics Commission. If you read closely, you will see that the provision before you is based upon the same statutory language as in HRS 84-31 relating to the Ethics Commission's advisory opinions.

"I have heard many people argue this afternoon, Mr. Speaker, that thirty days is simply not enough time for the Commission to meet and render a decision, and that a wily candidate would ask for an opinion perhaps one day after the Commission had met.

"Mr. Speaker, I need to note that if the Campaign Spending Commission uses a similar implementation like the Ethics Commission, then the Campaign Spending Commission could also issue staff response letters. These staff response letters, Mr. Speaker, are based upon precedents set by previously issued advisory opinions. The Campaign Spending Commission has those previously issued advisory opinions at hand and the staff, in a timely manner, can respond to a question raised by a candidate.

"In this instance, Mr. Speaker, a request for an opinion on a particular practice could be responded to very quickly without the need for the full Commission to meet and make a formal decision. Mr. Speaker, if there is a change in circumstances that renders the opinion to be modified or redacted, the Commission then can meet subsequently and make the change.

"Mr. Speaker, we criticize the particular provision before us that is the same as the Ethics Commission's provision. Then we might as well look back at amending the Ethics Commission's provision in statute which has existed since 1967.

"Just a couple of notes on the loans loophole, Mr. Speaker. I, too, share a lot of the reservations of my colleagues on this floor. I had concerns but it was fully articulated by the Chair of the Judiciary Committee, especially in regards to the new candidates, Mr. Speaker, and the opportunity to open up this political process to all comers and not those only who have the wherewithal financially, or socially, or economically, or politically, to seek office. I would just like to make a few comments on this.

"It closes the loophole in the sense that you must pay off the loan within five years before receiving further loans. But to pay off the loan by the General Election, by November 8th of an election year, seems like an imposition upon any candidate and I think it would not be fair to most new candidates. So the question arises: How quickly, or how soon should a candidate have to repay a loan? Let's say, you take out a loan for two thousand dollars in September of that year to wage your campaign. Should you have to pay your loan back by November 8th -- within two months? What about a five thousand dollar loan, or what about a six thousand dollar loan. There may be some questions about a five year loan limitation period but I think, at this point in time, it does set some finality to when a loan must be repaid.

"Mr. Speaker, I urge our colleagues to support this measure and let it go into conference committee where some fine tuning can be done, and take into consideration the concerns raised on this floor.

"Thank you."

Representative Thielen then rose and stated:

"I would just remind my colleagues across the aisle that the Chair of the Democratic Party has urged you not to support this bill.

"The section that was referred to by the Majority Floor Leader on the thirty day opinion: the law states that it is the Commission's duty to issue that advisory opinion, and the law states that the Commission is bound by that decision or nonaction. That doesn't mean the staff of the Commission, so that is a loophole. I think we'll see headlines on that once it's used and an opinion is not rendered in time, and the campaign tactic is deemed to be legal. And I think, at that point, we're going to be very sorry that this bill went through.

"The campaign loan provision is nothing except a loophole. It's a blatant way to avoid the limit on contributions. If a new candidate needs a loan, that candidate is certainly able to get loans if they can qualify for one from a friend with no security and limit that amount to two thousand dollars.

"The way the bill is now, it can be a limitless amount. It could be from a special interest group -- a \$50,000 loan -- and the Chair of the Committee wouldn't have to repay it for five years. That's not campaign spending reform. I mean you're kidding yourselves if you believe it is.

"This is a bad bill."

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

"Mr. Speaker, this indeed is campaign reform. This bill initially started because of excesses of campaign loans to various campaigns in the past where these loans in amounts of \$50,000 and more were not paid back and, therefore, you can consider them as contributions.

"The current bill states that if any loan in excess of one hundred dollars is not repaid within five years, the candidate or candidate's committee shall be prohibited from accepting any other loans and all subsequent contributions received and any surplus retained shall only be expended toward the repayment of the outstanding loan until the loan is repaid in full. So it is not a contribution. The change is that it is definitely making this into a loan that has to be repaid.

"Also, in rebuttal to the Minority Floor Leader's comments on the point about expanding the law to allow candidates to have more than one fundraiser over \$25, saying that it will probably be abused and that anything under one hundred dollars is not reportable -- any cumulative amount of contributions that a person makes, so if you went to a candidate's fundraiser and you made contributions to two or three fundraisers, and if at any time, it goes into excess of one hundred dollars, it's all reportable. So I don't see this provision as being abused at all.

"Thank you."

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

"Mr. Speaker, in 1998 when I was a Republican State Senator running to hold that seat, the Democratic Party filed a series of alleged campaign violations against me. The Campaign Spending Commission, at that time, had no obligation to respond, and they didn't. And so those charges hung over me for the entire length of the campaign -- some eight or nine months. I would have loved to have had those resolved within the thirty day period.

"I think the Minority of all should be supporting this bill.

"Thank you."

Representative Ward, in rebuttal, stated:

"If we're serious, and I agree that a thirty day is too quick, Mr. Speaker, as I look at you eyeball to eyeball, as the campaign should be looking straight at this camp and saying: if you made a mistake, they should let you know as soon as possible. But if they don't wait for the thirty-day deadline and we're really serious about campaign spending, don't throw the offense out, let that thing go on for the next thirty days, or put it at thirty-five days or

forty days. But the point is, this is where you go scot-free if you go up to thirty days, and that's awful. If we're really serious about reform, I'm saying: don't throw this out.

"Secondly, if we're serious about loans, you ought to be lucky if you get a five-year loan from a bank nowadays under this economy. So this is very, very liberal. You get a line of credit -- two to three years is the maximum.

"So what I am proposing, Mr. Speaker, is conciliatory language if we're serious and we're not blowing hot air back and forth, but if we really want to do campaign reform, cut down the number of years for the loan, and make sure you don't throw the complaint out so it goes back after thirty days.

"Thank you."

Representative Yamane then rose and stated:

"Mr. Speaker, contrary to some speakers' special interest and laughable for us to get real statements. . .

Representative Thielen then rose and stated:

"Mr. Speaker, I'm sorry, may I ask if that remark is appropriate. Should he not be speaking to the bill?"

The Chair responded:

"Please confine your remarks to the merits or demerits of the bill."

Representative Yamane thanked the Chair and continued, saying:

"As far as an opinion, there has been talk in the public and the papers about making government more efficient and downsizing the government. Well, requesting or demanding a response within thirty days, to me, is making a public agency quite efficient and accountable.

"As far as the five-year deadline, as far as the loans were mentioned earlier, Mr. Speaker, it's been mentioned by many people that the five years can be two years, three years -- the idea is that we pay the loan on the day of the election -- the General Election -- is laughable.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose and stated:

"I rise in support with some reservations with regard to the potential loophole in allowing loans to be extended for five years. Perhaps there's a better date, and I hope in conference we can further discuss that matter.

"Thank you."

Representative Goodenow then rose and stated:

"I would just like to comment that this isn't extending the period of a loan, we're looking at the current law and putting a cap at five years. This is a good step forward.

"Thank you."

Representative Ahu Isa then rose and stated:

"Mr. Speaker, I just wanted to add one more thing, in support of the bill and to rebut my colleague across the aisle when she talked about having \$25 fundraisers in unlimited amounts.

"When I ran for the City Council, I collected over \$20,000 which came from eight hundred different people and if were going to report everyone of that, I don't know where they would file it in the campaign spending report and I'm not straight out of school -- I'm 53 years old.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 831, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 40 ayes to 5 noes, with Representatives Fox, Halford, Meyer, Moses and Thielen voting no, and Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1722 and S.B. No. 1032, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1032, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Pendleton rose and stated:

"Mr. Speaker, I rise in support. I do not have reservations, but I do have a concern.

"The purpose of this bill is to set standards of basic competency for marriage and family therapists by establishing a marriage and family therapist licensing program within the Department of Commerce and Consumer Affairs.

"That is good; that is needed. Marriage and family therapists, Mr. Speaker, provide an important service to the community and we've got to do everything to support them, especially considering that they might be able to practice with the Felix v. Waihee consent decree in compliance with that consent decree.

"Mr. Speaker, my concern again doesn't rise to the level of voting with reservations, but it is a concern. It has to do with page 8, lines 5 through 9. It says: **'Prohibited acts.** Except as specifically provided elsewhere in this chapter, no person shall use the title 'marriage and family therapist...'

"The concern here is that we are setting up a system which would protect consumers from quacks or charlatans who just set up a practice and start giving advice with no qualifications. And it's good we have a system. However, people can easily get around this by calling themselves perhaps marriage counselors, family counselors and just dropping some of the other parts of the name and they could still wreak havoc on society, cause confusion, and people might not be able to discern that it's only a marriage and family therapist who's licensed and someone else who is perhaps a counselor or drops some of the other words, might not be regulated at all, and so that's one of the concerns that I think we ought to be aware of, Mr. Speaker.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1032, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1723 and S.B. No. 1082, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1082, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the bill, stating:

"I wanted to explain, Mr. Speaker, why I am voting against this measure.

"When you take a look at the analysis provided by the Tax Foundation of Hawaii, you will see that the environmental response bill, as it presently is worded, is faulty. It utilizes revenue generated from petroleum products to address non-oil response activities. This means that the bill violates the original intent and, therefore, the integrity of the Environmental Response Fund.

"The action represents poor public finance policy, and it's endemic of the practices which brought the state into its current financial crisis. Actually, this is stealing from a fund that was established for a specific activity, and paid into by those who were to have benefited.

"The concept of the Environmental Response Fund, as we all know from prior hearings on this matter, was to build up a 'rainy day' fund and set it aside in case there is an oil spill on our waters surrounding the state. Once the fund was fully funded at \$7 million, then the barrel tax would cease. This means that the consumer no longer would be having to pay into that fund.

"Stealing from the fund obviously violates the integrity of the fund, and it's the Department's way, or the Legislature's way, of ignoring the way that the funding should come forth for the program that is taking the money from the fund. It's a back door type of financing for a program that is supposed to benefit the community at large. And then to the general public, it would appear that the government's doing a good job in cleaning up the environment while keeping the taxes at the same level. This just isn't true.

"Taxpayers who were heavily reliant on petroleum products, such as our neighbor islanders, will be hurt the most as nearly all of their energy needs are petroleum based. Even the sugar industry, which burns bagasse to generate alternative energy, depends upon the expensive diesel oil to fire the burners which burn the bagasse. We're hiding this cost in the front-end petroleum product, and that's less than accountable and honest.

"And the Tax Foundation concludes with a rather harsh paragraph, and I'll quote: 'To permit the proliferation of such self-finance programs with which there is no direct relationship between the use of such products and the program's goals is irresponsible, and shows lack of leadership and understanding of good public finance. If the Legislature continues to turn over ear-marked funds for specific programs, it will ride its usefulness out of existence as program managers, and will rule an autonomous kingdom of self-financing programs.'

"I oppose the bill, Mr. Speaker."

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

"In brief support of the bill, the purpose of this Environmental Response Fund is for environmental protection programs related to oil response planning and

other activities. However, due to certain unexpected events which have occurred over the past year, that being . . . I think it was in the paper in the last month of illegal dumping activity of toxic or hazardous waste in Waianae. The Department of Health has been forced to then respond to such emergency response measures although not related specifically to oil-related planning activities which the statute provides.

"The Finance Committee, with the concurrence of this Chair, your Chair of the Energy and Environmental Protection Committee, amended the bill to deal with a one-time funding from the ERRF to deal with this expenditure to permit flexibility to the Department of Health to address its immediate funding to replenish its funds and to safeguard the programs in planning for this purpose of both the oil-related and non-oil related activities. However, there are other measures not related to this one that will provide for planning in terms of not having to steal from Peter to pay Paul, and we will have a comprehensive vision in terms of how to fund adequately for environmental protection programs.

"Thank you, Mr. Speaker."

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

"Senate Bill 1082 would require all major industrial sources in Campbell Industrial Park and Kahe Power Plant to reduce air emissions, the air equivalent to the emission rate allowable under the reasonably available control technology, referred to as RACT.

"RACT is a federal requirement that applies only to existing sources in non-attainment areas -- areas which fail to meet federal ambient air quality standards. The sole purpose of RACT is to enable these areas to reach attainment status. As such, RACT makes no sense in Hawaii, which is one of the few states in attainment for all criteria that is under federal and state ambient air quality standards. This is why BHP, HECO and Chevron testified against this bill because they are in attainment. We do not have a problem, and we are setting this up in anticipation of a problem. We have to be concerned about the economic impacts of additional regulations.

"History shows that regulators consistently push the envelope in making RACT determinations. The emission reduction required, Mr. Speaker, under the 1997 RACT standards, for the Kahe Power Plant alone could cost local electric customers annually up to \$33 million. This is a tremendous cost that will be an enormous burden on the citizens of our state. So I would ask that we look at this very cautiously before we enact this bill.

"Thank you, Mr. Speaker."

Representative Goodenow then rose and stated:

"I would like to speak in favor of Senate Bill 1082 and I would like to break my comments down into two parts.

"The first part deals again with the use of the non-oil funds. If I may quote from the Department of Health's testimony: 'In the current fiscal year, there will be \$5.3 million in oil tax funds while only \$6,250 in non-oil funds. We have a serious problem that needs to be addressed immediately. And some of the members may not realize some of uses for this environmental clean-up. Ice houses. There is a great deal of danger. We have an immediate need that needs to be addressed. And, in fact, some members of the industry like Hawaiian Electric Company testified that they have no objection which would allow revenues generated by the environmental response tax to be used for responses to releases of all

hazardous substances. I think industry realizes there are problems.

"The second part of my comments would deal with the RACT standard. There's been some confusion here. What this bill call for on page 6, it says: 'The director may adopt rules under chapter 91 based on RACT standards or other appropriate standards for the control of criteria air pollutants from existing, new, or modified sources, or adopt the RACT standards as established by the administrator.'

"What this bill is trying to do is look forward over the next twenty years to what we are going to do at Campbell Industrial Park. Just simply hiding our head and saying, we don't have a problem is not realistic. At some point, if we have to have another electrical power facility, we have to put it somewhere.

"This is a vehicle for us to move forward so that all participants -- industry and the Department of Health -- can consider what would be reasonable and it will help set these standards and look to a realistic plan towards air quality at Campbell Industrial Park. Just turning our heads and ignoring the problem is not wise to do and I commend the Chair of the Energy and Environmental Protection Committee for having the vision to move forward on this.

"Thank you."

Representative Kahikina then rose in support of the bill with some reservations, stating:

"I also want to commend the Chair of the Energy and Environmental Protection Committee for hearing this bill.

"My reservation is only in regards to the retrofitting equipment cost that we've been told by the energy industry that may cause a six percent increase in utility cost, and I am hoping, during conference, we could address these issues.

"Thank you."

Representative Moses then rose in support of the bill with reservations, stating:

"Being in the district adjacent to Campbell Industrial Park, I can speak firsthand of the emission problems emanating from the Park. However, what people must realize is that the older plants and the newer plants both must comply with existing law and each time we put in something new in Campbell Industrial Park, we affect the overall air quality of the region. Now, that might sound like you need to then limit what goes into Campbell Industrial Park. As soon as you do that, of course, then somebody needs power generation like my colleague here from the Windward side. And, of course, his reasons why they don't believe they can put a power plant there. But when we do put power plants or any other emission emitting plant in Campbell, we must look at the overall effects of the plant.

"One of the things I found, through years of working in the region, was that some of the factories like refineries for instance, they produced documents which show us the amount of emissions. In some of these plants are refineries only and others are refineries that generate their own power and when you add together the power of generation emissions or the emissions that come from the power of generation with the emissions that come from the refinery, you will find that maybe some of these are actually cleaner than other factories next door which appear to be emitting less amounts. So it is not as easy as it sounds. And I agree that they should go to

conference, but it needs to be looked at very carefully and look at all of the pollutants that go into the generation of the product, not just those that are on site, because the Kahe Plant is not in Campbell Industrial Park but it's next to it. There are other moves to put power plants at Barbers' Point. They're not in Campbell Industrial Park, they're next to it. When you look at a regional objective and you look at Kona winds, you can find that you can have influences other than on that particular site. So I just urge my colleagues to look at this very carefully and to except that with a jaundiced eye and investigate what they're getting presented to them.

"Thank you, Mr. Speaker.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1082, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives McDermott, Meyer and Thielen voting no, and Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1724 and S.B. No. 1683, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1683, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

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

Representative Lee's remarks are as follows:

"Mr. Speaker, many people contributed to the development of this bill, including Senator Inouye, the Governor, OHA Trustee Clayton Hee, UH President Mortimer and legislators in the House and Senate, particularly the Chairs of Higher Education and Finance. However, it was the drive and the enthusiasm of the grass roots -- that is, the staff of the Department of Hawaiian Studies at the University of Hawaii at Hilo which made it possible.

"U.H. Hilo has demonstrated how Hawaiians can work together with different organizations, and on the federal, state, and university level. It has developed curricula for its own Hawaiian immersion school, established with generous OHA funding by a private Hawaiian non-profit corporation. It has attracted students from all over the islands, and even the mainland and Japan. It has established the first graduate program in Hawaiian Studies, a master's program with funding from the UH's own budget and OHA resources.

"When it becomes a reality, the Hawaiian Language college will become the latest addition to the tribal colleges of native Americans spurred on and funded by the Federal government. This bill will open the door for the Hawaiian Language College to receive federal funding.

"Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1683, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

Stand. Com. Rep. No. 1725 and S.B. No. 1874, SD 2, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1874, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," passed Third Reading by a vote of 46 ayes, with Representatives Cachola, Chang, Jones, Morihara and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 871, 1632, 1951, 831, 1032, 1082, 1683 and 1874 had passed Third Reading at 3:21 o'clock p.m.

Stand. Com. Rep. No. 1726 and S.B. No. 1089, SD 2, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 1089, SD 2, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Yoshinaga rose in support of the bill and asked that her comments be entered into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Yoshinaga's comments are as follows:

"Mr. Speaker, for the last 20 years, Hawaii has had one of the most restrictive and protective environmental protection laws ever in the nation. Despite this, our unique Hawaiian species have continued to become endangered at an alarming rate. Nearly 75 percent of the extinctions that occur in the United States occur in Hawaii, and nearly 40 percent of the endangered plants and birds in the U.S. are Hawaiian species. Moreover, between 1991 through 1995, the federal government added over 180 more species to Hawaii's endangered species list. In addition, we are finding that many private landowners in Hawaii want to help the plight of Hawaii's rare plants and animals, but are afraid to because of costly or severe legal and economic ramifications.

"The growing list of species, combined with the number of Hawaii's endangered species already declared extinct, and our inability to enter private property, proves to all of us that there is a very real crisis in the threatened survival of Hawaii's unique plants and animals. These plants and animals cannot speak up for themselves.

"In handling this bill, your Committee on Energy and Environmental Protection earnestly sought a workable balance that would provide incentives to private landowners to voluntarily cooperate with the State to help preserve and protect Hawaii's endangered species. In doing so, we have listened to many hours of technical and emotional testimony. We have worked many hours in bringing together the major concerns of all parties and to craft a solution that balances and addresses the needs of most concerned parties. Above all, our focus was to promote, protect and preserve our endangered species.

"Mr. Speaker, I submit to you that S.B. 1089, SD2, HD2, is a strong measure that will provide protection both to endangered species and private landowners -- an extremely important area that is not presently covered by Hawaii's endangered species laws.

"Furthermore, S.B. 1089, SD2, HD2, provides endangered species access to habitat on private lands, to which they would not otherwise have access. The bill offers protection to private landowners for having these

rare plants and animals on their lands, and includes incentives for creating or enlarging the scope of endangered species habitats on private lands.

"This is a landmark measure because it is designed to save Hawaii's endangered species. It will also strengthen Hawaii's endangered species act, and will open the discussion for private landowners to voluntarily recover and protect endangered species on their properties. We are creating new opportunities through this measure, while making possible and effective the survival of many endangered species that would not otherwise be protected.

"Among other things, S.B. No. 1089, SD2, HD2, also provides for the following:

1) Establishes that all actions resulting from habitat conservation plans, agreements, and licenses issued under this bill will result in an overall net gain in the recovery of threatened and endangered species;

2) Develops a policy that State agencies shall cooperate with federal, county and private agencies, and private landowners to promote the conservation and recovery of endangered species and their habitat in concert with economic development and cultural issues;

3) Reaffirms the jurisdiction and powers of the State with respect to management and conservation of fish and wildlife within its borders;

4) Amends Hawaii's Endangered Species Act to more closely parallel the federal law and policies, and creates incentives for private landowners to recover and protect endangered species on their lands;

5) Breaks a legislative impasse of the past 4 years on this issue. One consequence of the impasse has been the perpetuation of a status quo that serves no one -- especially the endangered species; and

6) Creates a framework, process and procedures with public input for habitat-based planning to maintain, protect, restore and enhance ecosystems and 'natural communities' that support endangered species.

"By providing balanced incentives, property owners, environmentalists, government agencies in charge of endangered species enforcement, are successfully linked together in an important cause: the protection of Hawaii's unique flora and fauna. This collaborative effort fosters our ideal of working together.

"Mr. Speaker, I hope that passage of S.B. 1089, SD2, HD2, will be the first of many steps forward to help preserve for future generations that which is uniquely Hawaii. We must all pull together, and work hard to preserve and protect what is unique to Hawaii. For if we do not act decisively today, our children and succeeding generations will one day learn about these endangered Hawaiian plants and animals only through pictures or articles in scientific journals long after they have perished. Such will be the result if we do not take this cooperative forward step today. I would therefore urge all of my colleagues in the House to support this measure.

"U.S. Senator Daniel K. Inouye once said, 'Let us all work together toward the day when the song of the I'iwi birds (will) once again ring through the forest.' Mr. Speaker, that day to which Senator Inouye makes reference has already come upon us; it awaits at the threshold of our doors. With the successful passage of S.B. No. 1089, SD2, HD2, the music of the I'iwi birds can once again take its place among our lush forests. Passage of S.B. No. 1089, SD2, HD2, marks not only the dawning of a dream that can be realized for this present

generation, but it ushers in the promise that the songs of the I'iwi birds will be a reality for the next generation as well.

Thank you, Mr. Speaker, for allowing me the opportunity to speak favorably on this measure."

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

"I may be the sole 'no' vote on this measure. What I am concerned about is that the action we take today may turn out in causing serious harm to our endangered and threatened species in the islands. I don't think this is a pro-environment bill. There probably are going to be a number of you that will stand up and disagree with me on this, but I don't feel it's a pro-environment bill.

"There is no provision under the safe harbor section that states that there must be a net habitat gain when we allow an endangered species to be taken. 'Taken' is the legal definition for killed. We're allowing the destruction of endangered species, and under the safe harbors, we're not saying that then we must have a net habitat gain if you're allowed to kill or remove some of our endangered species.

"There's no citizen suit provision, and I find this very troubling. If you take a look at the case law across the nation, citizen suits are the ways in which endangered species have been protected. The federal government hasn't had the person power to be able to enforce the endangered species law as much as it should. So we've relied upon the Sierra Club Legal Defense Fund, we've relied upon the Sierra Club, we've relied upon a number of different private citizen groups to bring lawsuits to protect and preserve our endangered species. This bill doesn't have that kind of a provision.

"I am a little bit concerned about how it ties in with the other law that we passed last year about the right to harvest trees. We're setting up tree farming operations where species then will migrate, but we're going to allow those trees to be farmed, mined, or whatever you call it.

"I think, when we take a look, or whoever is sitting here in these seats twenty years from now, and we take a look at this bill and the impact that it has had upon the state, I don't think it will have improved the viability of our endangered species in this state.

"Thank you, Mr. Speaker."

Representative Yoshinaga, in rebuttal, stated:

"Just briefly, in response to the previous speaker's concerns, I would like to state for the record that your Committee on Energy and Environmental Protection, I do believe, has provided adequate safeguards in this bill. And it is a net gain bill, and I would point the members to page 12 of the bill, that language was drafted by the Sierra Club Legal Defense Fund in terms of creating a higher standard for safe harbor agreements under this measure than currently existing under the federal endangered species act. And the language provides that this agreement, i.e. the safe harbor agreement, proposes to create, restore, maintain, or improve significant amounts of habitat for a minimum of five years.

"This was a significant, I think, measure in terms of providing a balance because what we must remember is that we need the cooperation and support of private landowners. Our endangered species are dying at an alarming rate according to the Department of Land and Natural Resources. We, as a state, with our current fiscal situation, cannot do it alone.

"And with regard to providing incentives for landowners, the federal government has been negotiating these types of safe harbor agreements with a lesser standard than this provides because what the federal government has realized is that to just provide for citizen suits for enforcement is not an incentive to guarantee voluntary cooperation which we so desperately need, both as a nation and as a state, in preserving a legacy for our future generations.

"And I just would like to respond to the idea that there are no provisions for citizen suits. This bill does not change the federal law which does provide for federal enforcement as well as remedies, including citizen suits, which is preempted by federal law, so that is already a safeguard baseline under this bill. And the Committee has done nothing to either intervene or undermine and cannot legally.

"Thank you, Mr. Speaker."

Representative Morita then rose and requested an aye with reservations on this bill, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1089, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Takamine and Thielen voting no, and Representatives Abinsay, Chang and Jones being excused.

THIRD READING

S.B. No. 1522, SD 1, HD 1:

Representative Okamura moved that S.B. No. 1522, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Meyer rose to speak against the bill, stating:

"I was really surprised to see this bill come this far. This bill would eliminate the Board of Dispensing Opticians. It almost eliminates most of the requirements for an optician. I read the testimony because last year I was in Consumer Protection Committee and there were a number of bills dealing with optometrists and opticians. This year I'm not on that committee so this only came to my attention yesterday.

"It seems that there is a concerted effort to strip opticians of every kind of appearance of being a profession, a very honorable profession.

"I read some testimony here that I would like to read on the floor from Dr. Jon Portis. He is with the Hawaii Ophthalmological Society. He said: 'As you are well aware, dispensing opticians play an important role in the delivery of eye care when they fit glasses and contact lenses from an ophthalmologist or optometrist's prescription. While and measurement and fitting of glasses is innocuous, the fitting of contact lenses traces directly on the human eye which has greater risks and responsibilities. Improperly fitted contact lenses have the potential to cause permanent damage to the cornea, resulting in scarring and visual loss. Because of this risk to the public, we have been supportive of the concept of a Board of Dispensing Opticians.'

"I also read some testimony from Abel Tom Brown who was an optician and has been for a long time in Hawaii, and he is very disturbed that the bill would eliminate the

Board of Dispensing Opticians. The Board offers the people involved in the profession and the public to have an active say in the rules and regulations that affect the industry. The Board was established with a sunset date, and the opticians have come in, year after year, when the sunset date arrived or just the year before to plead their case to keep the Board, and they were successful in doing that. In fact, there was no longer a sunset date.

"And now this bill comes along and with a stroke of a pen, we get rid of the Optician's Board. The DCCA also testified, and some of the criteria they said that must be met for boards is that a board should have more regulations. That seems a little bit questionable. The board should assume administration functions of licensing and licensing renewals. The board should handle investigation of complaints; the board should be responsible for adjudicatory matters -- this is, I guess, true for all boards. Under these justifications, most of the boards under the DCCA would be repealed.

"In 1994, in a report of complaints by board listings from RICO, there were 22 boards and commissions with fewer complaints than the Board of Opticians. The Board of Opticians had nine; the Board of Optometry only had two. So we ask the question: Will this justify the repeal of the Board of Optometry?

"I am worried that we are somehow going to take this group of honorable professionals and make them look less professional. They have been a very important segment of our community, and I think this bill does an injustice to a large group of professionals that deserve our respect.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1522, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives McDermott, Meyer and Ward voting no, and Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1523, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1523, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1487, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1487, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1118, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1118, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Marumoto voting no, and Representatives Abinsay, Chang and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 1089, 1522, 1523, 1487 and 1118 had passed Third Reading at 3:31 o'clock p.m.

S.B. No. 1715, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1715, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1516, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1516, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1515, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1515, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1524, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1524, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1521, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1521, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1519, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 1715, 1516, 1515, 1524, 1521 and 1519 had passed Third Reading at 3:32 o'clock p.m.

S.B. No. 818, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 818, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," passed Third Reading by a vote of 47 ayes, with Representatives Abinsay, Chang, Jones and Hiraki being excused.

S.B. No. 1495, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1495, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," passed

Third Reading by a vote of 47 ayes, with Representatives Abinsay, Chang, Jones and Hiraki being excused.

S.B. No. 1115, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1115, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," passed Third Reading by a vote of 47 ayes, with Representatives Abinsay, Chang, Jones and Hiraki being excused.

S.B. No. 1116, SD 1, HD 1:

Representative Okamura moved that S.B. No. 1116, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Kawanakoa rose in support of the bill with reservations, stating:

"I just want to emote again. I had mentioned, on Second Reading, that I had difficulty with the requirement that we provide notice to drafters of checks that if their check bounces, that a merchant is thereby entitled to charge twenty dollars as a service fee, or a holder in due course of that particular check.

"Again, I would hope that in conference, we could just simply delete lines 8 through 10 where you reach the period, thereby we would limit the amount that a business or a merchant can charge on a bounced check to twenty dollars. They could charge fifteen dollars, ten dollars, whatever they saw fit, and that was in accord with their business practices and, I guess, fair in their estimation.

"I believe it is appropriate for us as a legislative body to otherwise protect consumers and to keep them from being gouged by unscrupulous business people or practices, or merchants. But in this instance, we are requiring the merchant to tell the customer, before they accept the check, that: Mr. Customer, if this check bounces, I get to charge you twenty dollars.

"There is a notice provision in here that I find to be a little overbearing on the ordinary business practices, that we should try to avoid in our communities.

"I hope again, in conference we place blame, or blame should be on the drafter of the check who does not have the funds to fulfill that promise to the merchant, and otherwise put the burden on the party that is taking improper action.

"Thank you, Mr. Speaker."

Representative Pendleton then rose and stated:

"I share the same concerns with the previous speaker. My concerns have to do also with the notice.

"I would be the last person who wants to limit the rights of consumers, or to make it tough for consumers. I want to protect them, but this just seems unnecessary. By analogy, we might as well start putting notices above our speed limit signs, saying that if you break the speed limit, there are going to be adverse consequences; notices about crosswalk signs, saying if you don't use the crosswalk, there are adverse consequences. Those kinds of warnings are already implicit. I think that when people cut checks, they already know there are adverse consequences if those checks bounce.

"This kind of notice system doesn't seem to provide any information that the consumer doesn't already possess.

"Thank you, Mr. Speaker."

Representative Moses then rose and stated:

"I also rise with the same reservations as the previous two speakers."

The motion was put to vote by the Chair and carried, and S.B. No. 1116, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed Third Reading by a vote of 46 ayes to 1 no, with Representative McDermott voting no, and Representatives Abinsay, Chang, Jones and Hiraki being excused.

S.B. No. 35, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 35, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS," passed Third Reading by a vote of 47 ayes, with Representatives Abinsay, Chang, Jones and Hiraki being excused.

S.B. No. 718, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 718, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT," passed Third Reading by a vote of 47 ayes, with Representatives Abinsay, Chang, Jones and Hiraki being excused.

The Chair directed the Clerk to note that S.B. Nos. 818, 1495, 1115, 1116, 35 and 718 had passed Third Reading at 3:35 o'clock p.m.

S.B. No. 1277, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1277, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1286, HD 1:

Representative Okamura moved that S.B. No. 1286, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

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

"This bill allows minors to participate in authorized studies of law enforcement activities relating to the sale of tobacco products. I think we would be remiss if we don't include things like crystal meth, heroine, alcohol, and even hemp.

"I also have some concerns as to how we will know that the parents have actually given their consent. Will the little children be sent to the police wearing brown shirts?"

"Thank you, Mr. Speaker."

Representative Tarnas then rose and stated:

"Mr. Speaker, just to clarify to the previous speaker that the purchase of hemp is legal; however, the purchase of its cousin, marijuana, is illegal.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1286, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1619, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1619, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING STALLS FOR DISABLED PERSONS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative McDermott voting no, and Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1464, SD 1, HD 1:

Representative Okamura moved that S.B. No. 1464, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Kawanakoa rose in opposition to the bill, stating:

"This bill is with regards to allowing people who have otherwise obtained a lower than market price home under HFDC, and it basically waives the requirement of having to live in it, or otherwise retain possession or ownership of that property for ten years, and it reduces it to three years.

"I believe when I was on the Housing Committee last year, we entertained this notion and thought that it was inappropriate. This time, I guess my concern is that we would otherwise allow speculation into this process.

"Basically, when we approved the housing program, it was designed for homeowners -- individuals -- who wanted to make a new community. We put in safeguards to make speculation less likely. Now, we want to remove those safeguards. If we're going to line the pockets of speculators, I would say that we don't use taxpayers' money to do this.

"Basically, those safeguards of ten years are appropriate. Otherwise what will occur is, if someone owns their property for three years and the property has risen in price, they can thereby turn around and sell it on the open market, recoup all of the . . . or much of the profits, and otherwise walk away from the system, and we basically subsidized that.

"And now that still leaves another party or a troubled family looking for housing, leaves them without a home, because we no longer have the resources to continue the growth and building of these HFDC affordable homes and apartments.

"Thank you, Mr. Speaker."

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

"I would agree that there is a sense of unfairness in temporarily removing the provisions and the requirements for owner-occupants and, in fact, these concerns were raised in committee. However, we, as policymakers, are also victims, or we need to be sensitive to the market conditions, especially the housing market.

"Unfortunately, because of the depressed market in housing, it has placed significant hardships on those who did buy back when the requirements were in place and it sort of put them into a trap where, because of the requirements, they are unable to escape either to buy downwards or even to buy upwards.

"In essence, these restrictions also place an onerous condition on these properties, and the conditions were placed to discourage speculation. But given the market conditions now, there really is no advantage to speculate in these homes. In fact, the prices between the market homes and these discounted or affordable units have really narrowed and, in fact, the sale of the market homes can no longer make up for the losses that are occurring because of the sales of the affordable units.

"Because of those conditions, we, as policymakers, need to revisit and relook at some of the policies that we have put in place, and if these conditions no longer exist, we need to be flexible and make some of those changes.

"For that reason, we did leave a window and, hopefully, when market conditions do improve, we can again impose some of these restrictions. But for now, I think we need to give the current homeowners an out.

"Thank you, Mr. Speaker."

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

"As previous speakers have said, these units bought with Hula Mae financing were to encourage first-time homeowners, not home speculators or home investors, but homeowners, and the law stated that they must hold those units for ten years before they could sell them. Most of us in this room know that we are in a down real estate market.

"Now, if I gave some money to one of my adult children and they bought a place in Kaneohe and the market went down, number one, they didn't get Hula Mae financing, or they might have. They certainly could qualify. But when the market went down, they could not come back to the State or to the HFDC and say: I've got to move to the mainland to make a living, so I'm selling you back my unit, which is what the buyers of these units have the right to do under the existing law. So, not only do they have that option to sell it back for what they've got in it, which many people who have to get out now are losing money, these buyers don't have to lose money. The State is required to buy back their unit. It gives them the option to sell in the open market, which they couldn't do without this waiver, perhaps provide very imaginative financing which could tide them through. People might buy a bargain unit for a higher than market price for very favorable financing.

"So I can't see any redeeming qualities to this bill, unless there is a situation that I'm not aware of, that the State is simply unable to buy back these units. In fact, it was the understanding when people bought units under this type of financing, so for those reasons, I am going to have to vote no.

"Thank you, Mr. Speaker."

Representative White then rose and stated:

"Mr. Speaker, I rise in opposition to this bill for many of the same reasons that Representative Meyer has just outlined.

"If we are in a down market, this is exactly the time when speculators will come in and purchase units, and if we give them a three year period within which to roll the dice, and hopefully make their money back, I think that's giving away the store when the whole purpose of our housing projects and our taxpayers money going into them is to provide people with a discounted home purchase, as long as they are willing to hang on to it for ten years, and

we are also giving them the option to sell it back to the State as far as I know.

"So, Mr. Speaker, I have some concerns about going down this road during these times, and I simply cannot support this.

"Thank you."

Representative Pendleton then rose in opposition to the bill, stating:

"Mr. Speaker, I see the difficult challenge that we were wrestling with in the Committee on Human Services and Housing, and at that time, along with three other Representatives, I voted 'with reservations.' I would also note that there was a no, and that there were actually two ayes.

"The concern I have here has to do with those who have faithfully abided by the previous rule; that is, they have been waiting out the ten year period. There is a certain injustice and unfairness, or at least a perceived unfairness, that the people have been waiting that entire ten year period. They have been waiting and now, apparently once this bill is passed, people can relinquish having to reside there after just three years, and the disparate treatment between the two groups.

"I would have much preferred perhaps some sort of a sliding scale approach to this whole issue. I know a Democratic member of that same committee had proposed that in previous years, and I wish that we had looked at that proposal. I know that the time was short so this was the measure we had to go with.

"But I stand in opposition because of the perceived unfairness that those who have been living by the old rule might feel, now that we've changed the rule sort of midstream.

"Thank you, Mr. Speaker."

Representative Yoshinaga then rose and asked the Clerk to register an aye with reservations on this bill, and the Chair "so ordered."

Representative Takai then rose and asked for a ruling on a potential conflict, saying:

"I currently believe that I may fall into this bill if it is approved. I participate in the Hula Mae program currently."

The Chair ruled, "no conflict."

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

"I have two reasons to vote against this bill.

"Probably the best thing about the bill is that it sunsets in the year 2000. But the fact that HFDC, the Hawaii Housing Authority, that whole agency collapsed, or integration in a more positive sense, is making its way through this House and the Senate with another bill. We may have this organization subsetting into a different organization shortly, and that's when I would say this bill, or something that says when there is a downturn in the economy and we've got to help somebody out, let them do it.

"But right now, the only thing that's any good about it is that it sunsets in the year 2000. Otherwise, we're setting up a real estate benefit for a small group of people.

"Thank you."

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

"Mr. Speaker, during the committee hearing, I heard a lot of good things about the provisions that allow the waiver of the owner-occupant's provision for those under hardship. It was discussed that due to the nature of today's economy, people needed to leave and what not, that it was necessary for this waiver, and so I think many of us went along for that purpose.

"I don't know what happened, but when I see here waiving the ownership or the buy-back requirement down to three years, I don't understand it because it cuts against the whole principle of affordable housing when we mandated the developers to build these houses and we had the other home buyers subsidize the building of these homes. And now we're saying, since you can't afford it, we're going to allow you to sell it in the open market. So, in other words, we're giving them the benefit. Instead of keeping these affordable housing in the pool for other people to buy, we're letting them sell at market value and keep the money. I don't understand that.

"And I would hope that if this bill does go to conference committee, that the conference committee would just eliminate that portion and I think there will be absolutely no opposition to that point, just to the waiver of the owner-occupant.

"Thank you."

Representative Kahikina then rose and asked the Clerk to register an aye with reservations for him, and the Chair "so ordered."

Representative Tarnas then rose and asked the Clerk to cast an aye with reservations for him, and the Chair "so ordered."

Representative Kawakami then rose and stated:

"I continue to vote with reservations on this measure," and the Chair "so ordered."

Representative Morita then rose and asked the Clerk to register an aye with reservations for her, and the Chair "so ordered."

Representative Takumi then rose and asked the Clerk to register an aye with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 1464, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Third Reading by a vote of 37 ayes to 11 noes, with Representatives Aiona, Kawanakoa, Marumoto, McDermott, Meyer, Pendleton, Stegmaier, Thielen, Ward, Whalen and White voting no, and Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1948, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1948, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 1277, 1286, 1619, 1464 and 1948 had passed Third Reading at 3:50 o'clock p.m.

S.B. No. 1901, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1901, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1778, SD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1778, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1714, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1714, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 1814, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1814, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

S.B. No. 680, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 680, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Abinsay, Chang and Jones being excused.

The Chair directed the Clerk to note that S.B. Nos. 1901, 1778, 1714, 1814 and 680 had passed Third Reading at 3:51 o'clock p.m.

S.B. No. 681, SD 2, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 681, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 152, SD 2, HD 1:

Representative Okamura moved that S.B. No. 152, SD 2, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

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

"Here we go again, micro-managing. We have so much trouble with our economy and when we have investors come in who want to help. . . let me just quote part of the bill to you: 'Identification badges shall be at

least three and one-half by two and one-fourth inches and include the following: The words "TIME SHARE AGENT" printed in capital letters of twenty-four point Times bold type across the top of the badge.' I mean, if that isn't really micro-managing, I don't know what is.

"And I think before we pass something like this, we should look at . . . I notice on here, the people that testified in support -- Activity Owners Association of Hawaii. I can say that they are the very ones that are in violation of DCCA rules, with the brochures that they put forth in the In-Flight magazines and our Island magazines. They do not specify on there, they do not disclose that they do time share presentations.

"I think we should quit picking on the time share developers and investors and look at others.

"Thank you, Mr. Speaker."

Representative Pendleton then rose and stated:

"Mr. Speaker, I have the same reservations as my colleague across the aisle and ask that the Journal reflect my concurrence with Representative Lei Ahu Isa's critique of this matter," and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 152, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 1484, SD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1484, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 623, SD 2, HD 1:

Representative Okamura moved that S.B. No. 623, SD 2, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Moses rose to speak against the bill, stating:

"I rise in opposition because I believe very strongly that the State Highway Fund should continue to be used to operate, maintain and repair the state highway system as it was intended to do.

"Further, I believe that the Homes Revolving Fund must also be left intact to do the job it was intended to do.

"I am firmly convinced that if we waive the State Highway Fund and the Homes Revolving Fund, then we are continuing a level of financial foraging which seems to have no reasonable end in sight. This body has already raided such funds as health care, the arts, and even the Employees' Retirement System. Mr. Speaker, what have those foraging escapades gotten us?

"Also, I believe that they have put us right back in the raiding business again here on this floor right now. If we continue this process, then what will there be to forage next time? What fund will we raid when the highway fund runs out of money, and that will be sooner than many may think in this chamber? Then, we will be forced to raise gasoline taxes in order to pay for the

operation, maintenance and repair of our state highway system. I think we will.

"Thank you, Mr. Speaker."

Representative Ward then rose and stated:

"Mr. Speaker, I rise in opposition to this measure for four reasons that the previous speaker has mentioned, and those of which came in yesterday's Star-Bulletin that said: Hawaii ranks near the bottom in how it spends highway funds. Mr. Speaker, I quote that: 'Hawaii ranked among the worst five in the nation of overall performance for several years and was 47th in 1995,' and in the latest year of the study, and the ranking was an improvement from 1993 when we were 50th. The study examines such things as growth, pavement, congestion, fatalities, et cetera.

"Mr. Speaker, what we've got here is about a \$70 million takeout, if you will, of money that otherwise would be fixing our roads and our potholes. I'm afraid when push comes to shove by calling a spade a spade, this is basically a gas tax increase in disguise because in a number of years, inevitably, we've got to make up for this \$70 million, and if we are number 47th in the nation, we certainly shouldn't be taking money from these funds as we have, as my colleague said, from the Employees' Retirement System, the health fund, the home fund, the highway fund -- what's next?

"My fear is 1998 when we run out of these gimmicks. Where are we going to find the money, if what we've done is borrow from Peter to pay Paul by taking it out of one fund and putting it in another one? This is not good policymaking, Mr. Speaker.

"Thank you."

Representative Meyer then rose and asked the Clerk to register an aye with reservations on this measure, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 623, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Third Reading by a vote of 42 ayes to 2 noes, with Representatives McDermott and Moses voting no, and Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 147, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 147, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 681, 152, 1484, 623 and 147 had passed Third Reading at 3:56 o'clock p.m.

S.B. No. 1316, SD 2, HD 1:

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

S.B. No. 1618, HD 2:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1618, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of

44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 1699, SD 1, HD 1:

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

S.B. No. 952, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 952, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 1153, SD 2, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1153, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

S.B. No. 226, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 226, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," passed Third Reading by a vote of 44 ayes, with Representatives Abinsay, Arakaki, Chang, Jones, Santiago, Stegmaier and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 1618, 952, 1153 and 226 had passed Third Reading at 3:57 o'clock p.m.

S.B. No. 141, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 141, SD 1, HD 1, entitled: "A BILL FOR AN ACT," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Whalen voting no, and Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1114, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1114, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 228, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 228, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1533, HD 1:

Representative Okamura moved that S.B. No. 1533, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Yamane rose and requested the Clerk to register an aye with reservations on this bill, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 1533, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Third Reading by a vote of 44 ayes to 1 no, with Representative McDermott voting no, and Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1191, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1191, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1499, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1499, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1565, SD 1, HD 1:

Representative Okamura moved that S.B. No. 1565, SD 1, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

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

"During our hearing, we had some interesting testimony with regard to the use of genetic information to otherwise define risk pools and otherwise assign possible risks to various health concerns.

"This bill currently excludes the use of genetic information with regard to health insurance. However, it still allows for the use of genetic information in issuing life insurance, I believe disability insurance, and long-term health care.

"One of the concerns I have, being a member of the Advisory Committee on Civil Rights, is the possibility of using a genetic indicator to determine race and then otherwise, I guess, classify risk pools by race. If this were to occur, I think it may be in violation of our civil rights as an invidious use of race, to otherwise exclude life insurance or disability insurance or long-term health care based on race.

"So with that reservation, I hope we can keep that in mind and hope to continue to safeguard and otherwise protect against some invidious use of what would otherwise be an appropriate measure.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1565, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Herkes voting no, and Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1113, SD 1, HD 1:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1113, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Thielen voting no, and Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

S.B. No. 1159:

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, S.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Chang, Jones, Stegmaier, Suzuki and Ward being excused.

The Chair directed the Clerk to note that S.B. Nos. 141, 1114, 228, 1533, 1191, 1499, 1565, 1113 and 1159 had passed Third Reading at 4:00 o'clock p.m.

At 4:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:07 o'clock p.m., the Speaker resumed the rostrum.

**MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR**

Stand. Com. Rep. No. 1710 and S.B. No. 252, SD 1, HD 2:

Representative Okamura moved that the report of the Committee be adopted and S.B. No. 252, SD 1, HD 2, pass Third Reading, seconded by Representative M. Oshiro.

Representative Thielen offered the following amendment:

"SECTION 1. Senate Bill No. 252, S.D. 1, H.D. 2 is amended by inserting the following language on line 6, page 4:

'The legislature thereby appropriates \$8 million for each year of the fiscal biennium 1997-99, provided that the funding is to be achieved by reducing by an equal amount, existing programs financed by general funds.'

SECTION 2. Senate Bill No. 252, S.D. 1, H.D. 2 is amended by inserting two new sections on page 8 to read as follows:

'SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$8 million or so much thereof as may be necessary for fiscal year 1997-98 and the sum of \$8 million or so much thereof as may be necessary for fiscal year 1998-99 for the purposes of this Act.

'SECTION 5. The sums appropriated shall be expended by the department of human services for the purposes of this Act.'

SECTION 3. Senate Bill No. 252, S.D. 1, H.D. 2 is amended by renumbering the last two sections. (Technical, nonsubstantive).

SECTION 4. Proposed H.D. 3 reflecting the above changes is attached."

Representative Thielen moved that the amendment be adopted, seconded by Representative Ward.

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

"The proposed amendment before the members is to restore \$8 million into the General Assistance Fund. This fund, as we all know, is there to take care of the most serious in need of this assistance -- the disabled.

"Mr. Speaker, I strongly support this amendment, and I would ask the members to not only give this serious consideration, but to actually vote in favor of the amendment to restore this funding for the most vulnerable of our population. I know that someone will be standing up to say: Where are you going to get the money? Where are you going to get the \$8 million to put this funding back into the budget? I can come up with \$3 million right off the bat, and I'll lay this on the table and then hope that my colleagues will join me in finding the balance of the \$8 million.

"If we eliminate the public relations positions for certain departments within the state, we can come up with \$3 million. If a department, such as the Department of Transportation, is doing its work adequately, their good work will be there on public relations. So why should those departments fund, at taxpayers' expense, PR people to go hog-whip their department, which it should be doing as a matter of course. That's \$3 million, Mr. Speaker, and that would help restore some of this money for the disabled in our community that need this general assistance.

"I would like to defer to my other colleagues who probably can come up with more of that \$8 million, and maybe even more than the \$8 million figure.

"Thank you."

The Chair remarked:

"Thank you very much. We need about \$250 million."

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

"I really appreciate the attempts to provide, I think, what is needed to bring the level of funding so that we can take care of the population covered by general assistance.

"However, looking at the bill and looking at the amendment, I believe it would require us to rob Peter to pay Paul because of the limited title of the bill, and because of the funding appropriation as spelled out by the amendment. It would require that we take away from other programs within the Department of Human Services. And I think, as we all know, most of the programs in the Department of Human Services deal with meeting basic human needs, so although I appreciate the attempt, I don't believe we can support this amendment.

"Thank you, Mr. Speaker."

Representative Fox then rose to speak in favor of the amendment, stating:

"We are measured by how we care for those unable to care for themselves. This bill is about the impact upon the most vulnerable of our population -- the disabled.

"The cuts of general assistance should indeed be the cuts of last resort, the cuts just before we leave the Capitol and turn off the lights. Physically and mentally disabled,

uncovered by social security and supplemental funds, they depend on these payments as their safety net.

"There are other areas we can cut before these funds. For example, there's a building across Richards Street that would help us save a lot of money. I used to work there. It has a swimming pool, and many offices rich with antiques. If we stop leasing the glitzy Hemmeter Building, move the staff into existing space, we would gain \$5 million of the \$8 million we need. That's two-and-a-half million for each of the next two fiscal years. This is another example of where we can find money to cover general assistance.

"Thank you, Mr. Speaker."

Representative Moses then rose in support of the amendment, stating:

"This is the right thing to do. There are other places where we can cut before we need to cut the ropes holding up the safety net for our aged, blind and disabled.

"For example, if we reduce the state motor pool by only two-thirds and pay the state employees mileage for use of their own personal cars, we could save \$6 million over the coming biennium.

"Thank you, Mr. Speaker."

Representative Say then rose to speak against the amendment, stating:

"The proposed amendment on the floor is an honorable amendment that is trying to address a major concern of the state of Hawaii, which is our general assistance population.

"The proposed amendment, Mr. Speaker, if you read it very carefully, may insert House Bill 350, HD 1, SD 1, in lowering the appropriation amount of the House Draft of \$27.047 down to \$8 million, Mr. Speaker.

"The formal procedures in the budgetary discussion should take place in conference, Mr. Speaker, whereby as of today, in the Senate Draft there is a major reduction of \$15.276 million for the first year; \$16.161 in the second year.

"I am not here, Mr. Speaker, to debate the politics of our caucus, as far as not being in support of this population or interest group. I am here in asking the members of this House to follow the budgetary process which we have done in this institution.

"This floor amendment would jeopardize the total budget of House Draft 1 of our budget bill also, and I must correct the very honorable speaker from the other side that in the area of transportation, for the public relations group of the Department of Transportation, it is special funds which we were highly criticized this afternoon, Mr. Speaker, because we were transferring special funds back into the general funds.

"I have not said anything today on this floor but listening to the rhetoric, which I feel very hurt, because I have four very competent, intelligent, active members of the Minority Caucus that sit on the Finance Committee, which should have educated the other members of his or her caucus in regards to the budgetary process.

"Last but not least, I am concerned because this floor amendment may jeopardize the 24-month cap which we have taken off on behalf of this particular group.

"Thank you very much."

Representative Meyer then rose to speak in support of the amendment, stating:

"Let us cut expenses, not hope. If we were to slice our state office supplies budget by a mere 18 percent, we would have \$8 million for the people who cannot now, and never will be able to take care of themselves.

"Thank you, Mr. Speaker."

Representative Pendleton then rose to speak in support of the amendment, stating:

"In our Human Services and Housing Committee, I believe we had a much better bill than the one we face, and that is why I support this amendment because I am not calling into question anyone's commitment to the disabled, but I believe that our words and our actions need to conform with our beliefs and I believe we all stand here in strong support of the disabled but we need to make sure that our legislative actions also reflect that.

"This bill, Mr. Speaker, does one good thing by removing the two-year limit to general assistance, but there's no appropriation as people have said. What this does is that there is a finite fixed pie and it allows more and more people to use that pie but the slices are going to be increasingly narrow, Mr. Speaker. We are talking about people who live already on just a few hundred dollars a month, and we are going to be asking them to live off of less. I wish we could go back and look at the bill we had earlier and try and think of creative ways. We have many creative and inventive. . .

The Chair interrupted and said:

"Representative, you need to speak to the amendment, of course."

Representative Pendleton continued, saying:

"Yes, Mr. Speaker.

"Again, I support this amendment. One possible suggestion is, if we cut the state travel budget by 30 percent, we cover a substantial part of the shortfall, at least the money that we are looking for.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, in all due respect to our astute Chair of Finance, we have simply tried to say, without affecting the budget, we are suggesting ways which oftentimes we are not said to be contributing ways of saying, yes, we need this but we don't suggest ways to get the money.

"We've got over \$15 million on the floor, Mr. Speaker, and I'd like to add another \$6 million by saying, and everyone in this room can contribute, by having the House parking fees at \$50, Mr. Speaker. If we took what is now \$6 million per year that all state employees pay for parking fees, if we all contributed to double those fees, we would then have enough to fill \$6 million of the \$8 million of which we are intending to do with this particular bill, which puts us to a total of \$24 million which is separate from what some of the budget figures are already there.

"The point is this, Mr. Speaker. Each of these people are aged, blind and disabled. We have a total of about \$4,000, probably \$5,200, per year per person which, the coalition for this particular group said, if they are out on

the streets, it is going to cost \$3,500 to \$4,500 per person for all of the services they need, to service them in emergency, short-term, and otherwise our last ditch in keeping them alive.

"In this way, Mr. Speaker, this is an amendment to save money. It's a way to be kind to those who are the weakest and the poorest among us and, Mr. Speaker, quite frankly, it's the right thing to do.

"Thank you."

Representative Ward then asked for a Roll Call vote "after the end of our speeches."

Representative Kawanakoa then rose to speak in support of the amendment, stating:

"The bottom line, Mr. Speaker, is that the measure of a civilized society is seen in how it treats its most vulnerable members: the aged, blind and disabled. We have an unwritten covenant, Mr. Speaker, that we will care for them.

"Funding this area is the right thing to do, simply put. We've shown you the money, Mr. Speaker, but your Majority has refused to join us in taking decisive action on this matter, and I would hope that we can see eye to eye and find the money to continue funding this particular segment of our society that we are honor bound to continue funding.

"Thank you, Mr. Speaker."

Representative Jones then rose to speak against the amendment, stating:

"Mr. Speaker, the welfare program consists of basically three programs: Aid to the Aged, the Blind and Disabled; Aid to Families With Dependent Children; and the General Assistance program.

"Aid to Families With Dependent Children (AFDC) and Aid to the Aged, the Blind and Disabled, the SSI program, are basically federal and state funded. The General Fund program, which is the General Assistance program, is financed totally with general funds, and very few of the rest of the country have General Assistance programs. We are one of the few states in the country that has a General Assistance program, and these are not the aged, the blind and disabled, these are basically people that may qualify for that category. Basically, these people are not part of the federal and state program that I hear mentioned, so we have taken off the cap from the General Assistance program. By taking off the cap, we are allowing the program to still grow under the House version, and so people will still qualify for medical assistance.

"But when you look at medical assistance, this is a really important part of the program, although we are putting the cap on the amount of funds that we are going to spend for this category. The AFDC portion, as I understand it, will not be capped, but I think the benefits to this group will still be substantial.

"Thank you, Mr. Speaker."

Representative Say, in response, stated:

"In opposition to this floor amendment, I did receive a copy from the Minority in regards to what types of cuts may be made, but it may be made, Mr. Speaker, in trying to balance our budget shortfall that was reflected last month in the Council's revised projections.

"Everyone here on this floor, I believe, are truly concerned about the aged, blind and the disabled, those that have the multi-schizo personalities that must take their medication, those that at the age of 21 would be falling into this particular category of General Assistance, the problem we have, Mr. Speaker, like I've stated to this House, is that there just isn't enough money to go around for all of our state programs. I can understand the needs of the Republican Caucus in their proposal, but a better way to do it is by going through the budgetary process once we go into conference.

"The Minority did send me a copy of over \$161 million in cuts that was proposed, to \$220 million. Some made sense and some did not, but I did pass it on to the Finance Committee analysts for their research and investigation.

"Mr. Speaker, at that time I asked the members: Let's not tie our hands to this floor amendment, where you can make that decision in regards to the budgetary process for all state programs that need to be funded at their bare minimum. For this particular program -- General Assistance -- yes, it is all state funded (HMS-204).

"I have had a very difficult time these past five years in trying to resolve this problem, Mr. Speaker and members, because it was the Finance Committee, three years ago, that developed the block grant and now that we have had these major federal reforms, it is affecting all programs that deal with the human services area. And it is for this reason, Mr. Speaker and members, that I ask you not to support this floor amendment but to give each and every one of you an opportunity to talk to your fellow colleagues and saying: If this is a priority over all other priorities, be honest with the Committee on Finance and the Chair.

"Thank you."

Representative Thielen, in response, stated:

"Mr. Speaker, I wanted to respond briefly to my colleague from Waianae.

"We have six thousand people, because of physical and mental disability, they cannot provide for their personal subsistence needs. They haven't yet gone on to the list where they could qualify for SSI. The fact that we give them medical assistance doesn't help if they don't have a roof over their heads, if they are out on the streets if they're homeless.

"What this amendment does is, it provides just the bare-bones necessities for people, to prevent them from becoming homeless, to prevent them from becoming preyed upon as the most vulnerable in our society.

"The Finance Chairman said that we don't have the money. We just passed a bill a while ago giving money out of the general fund for sporting events. Give me a break! Where are our priorities: Funding a Trans-Koolau foot race, or keeping people with some shelter so they're not out on the streets?

"I think that this amendment makes a great deal of sense. We've come up with the dollars. If you can't take it from the Department of Transportation PR person, it's not in a special fund for the Department of Land and Natural Resources and some other departments, get rid of those PR people. Put the money where it's needed, folks.

"I was a Legal Aid attorney for five years and I worked with people on General Assistance. It's cruel, it's absolutely cruel, to take away funding for that program."

Representative Okamura then rose and stated:

"I would like to speak in opposition to the amendment also, and I agree totally with the Chairman of the Finance Committee.

"But to the Minority member who indicated that perhaps all of the public relations dollars throughout the departments should be eliminated, perhaps the Minority should possibly look at their own staff and possibly eliminate such a position also. They have. . .

At this point (4:30 p.m.), the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:31 o'clock p.m., the Chair called for the previous question.

Representative Thielen then moved for a Roll Call vote on the amendment, seconded by Representative Halford and carried on a show of hands.

Roll call having been requested, the motion was put to vote by the Chair and the amendment failed to carry by a vote of 36 yeas to 12 nays, with Representatives Aiona, Fox, Halford, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Thielen, Ward and Whalen voting aye, and Representatives Ahu Isa, Chang and Yoshinaga being excused.

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

"I wish to thank Chairman Say, Vice Chair Kawakami, and the Finance Committee members for hearing this bill and supporting its passage despite the fact that it puts all of us in an uncomfortable position of reducing cash benefits to a level below what people can expect to subsist on. The fact that these are the disabled and some of the most vulnerable in our population only wretches the heart even greater. We cannot take solace, however, in the fact that we have not pulled the rug from under over two thousand plus GA recipients who would have lost all benefits with a 24-month cap in place. And while it is absurd to hope that the physically and mentally disabled can find decent shelter and basic needs at \$217 a month, it is still a safety net, no matter how small. It will allow recipients to retain food stamps and health care benefits which are important to their very survival, even if it is on the streets or in their cars.

"Admittedly, the fiscal situation looks bleak at this moment, especially after learning of the massive cuts in the DHS budget by the Senate which, according to our Finance Chair, virtually eliminates most of the funding for the General Assistance program.

"I still retain hope that during conference, we can find both the means and the will to increase the assistance level to a manageable amount. The question we need to ask ourselves is: Do we believe that there is a moral obligation to help those who cannot help themselves, even if on a temporary basis?

"Because surveys of General Assistance recipients reveal that over 70 percent of them utilize the cash assistance for housing. I call on the Hawaii Housing Authority, the Housing Finance and Development Corporation and the County housing agencies to collaborate on a variety of housing alternatives for the disabled who wish to remain independent. I also call on the Department of Human Services, Legal Aid Society, and other advocates and providers for the disabled, to continue to push forward to have the long-term disabled placed on SSI.

"And I urge everyone to support this measure and pray that we can find the means to care for the General Assistance recipients.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose in support of the bill with reservations, stating:

"I am supportive of the measure. We are taking a step forward by removing the two-year limit, but I would refer to the Committee Report in noting that we've deleted the original intent of this bill which would have provided, I guess, funding for the General Assistance program. I find it absolutely impossible to figure that we cannot find \$8 million within a \$12- or \$11 billion budget. I mean, earlier there were questions about getting real. I think this is clearly one of the most obvious areas that as a government, as honorable people, as concerned citizens, as concerned legislators, we should fund first -- off the top. . .

The Chair interrupted and said:

"Will you please speak to the merits of the bill, we're not speaking about the amendment now."

Representative Kawanakoa thanked the Chair and continued, saying:

"I'm still concerned about what has been deleted from this measure.

"I'll simply summarize and finish with the notion that it's hard for me to believe that we cannot find the money to fulfill this measure when it first came to the House from the Senate. I would hope that we can find it in our hearts in conference to find the money to otherwise fund General Assistance fully.

"Thank you, Mr. Speaker."

Representative Santiago then rose in support of the bill, stating:

"Mr. Speaker, I cannot remain silent on this issue. We've heard a lot and we've seen the emotions flow over recently. This is a very, very emotional bill.

"I did not support the amendment earlier relating to this bill because I felt that there is a process that we need to follow, and I believe in the process. I believe that the Chairman of the Committee that is heading this really wants to do what is right, and I know that he's attempting to do it in every way.

"But the point I wanted to make is: Yes, this is very, very important. There are so many needs, not just for the General Assistance, and nobody on this floor -- nobody on this floor -- understands this to the depth that I do. I have worked as a social worker for twelve years. Talk about your work at Legal Aid; I worked at Legal Aid, too.

"As the Chair of the Health Committee, I've seen unmet needs that would boggle the mind of those who get up and say: It's just \$8 million. It's not just \$8 million, Mr. Speaker. Eight million for this issue. Where do we stop?

"I understand that there's not a whole lot of money. I tried to come up with suggestions to the Chair of the Finance Committee on where to find the \$8 million. It wasn't that easy for me and having sat on the Finance Committee, I know how difficult it is to balance the budget because while this is a priority and I believe it is,

there are many, many other priorities, and you cannot look at a single issue and say this is the only one. And that's why, Mr. Speaker, as I sit here and I hear some of the comments, I wonder: Will those comments be there to support other issues on human services that are equally as important.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, we are all concerned about the needs of our General Assistance recipients.

"I think when people mention the need for housing, I can understand the feelings of the people expressing this need, but I think, Mr. Speaker, we need to address the housing issue, but I don't think this is the place to address it. I think we need to look at the housing program from the perspective of the zoning laws, the housing laws. I think it's about time we take a hard look at these laws because many of these laws were enacted over fifty years ago, when we didn't have a housing crisis, but today we are stuck with many of these laws which we need to look at. You know, this is a hard call but I think the answer to the housing needs of General Assistance lay in looking at those laws.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 252, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Cachola, Chang and Yoshinaga being excused.

The Chair directed the Clerk to note that S.B. No. 252, had passed Third Reading at 4:42 o'clock p.m.

S.B. No. 1316, SD 2, HD 1:

Representative Okamura moved that S.B. No. 1316, SD 2, HD 1, pass Third Reading, seconded by Representative M. Oshiro.

Representative Fox offered the following amendment:

"SECTION 1. Senate Bill No. 1316, S.D. 2, H.D. 1, is amended by deleting line 19 on page 8 to line 2 on page 9.

SECTION 2. Senate Bill No. 1316, S.D. 2, H.D. 1, is amended by amending the enumeration of the subsections in section 235-2.4 beginning with line 21 on page 8. (Technical, nonsubstantive)

SECTION 3. Proposed H.D. 2 reflecting the above changes is attached."

Representative Fox moved that the amendment be adopted, seconded by Representative Moses.

Representative Fox rose to speak in support of the amendment, stating:

"This amendment is to remove from a bill that is about conforming the Hawaii State tax structure to that of the IRS, an exception that it currently sits in S.B. 1316, HD 1. That exception removes for the taxpayers of Hawaii, the deduction for long-term care that is being instituted at the federal level this year. The long-term care deduction is an important victory that was achieved at the national level through the cooperation of Republicans and Democrats: The Kennedy/Kassenbaum bill signed by

President Clinton, and it is really aimed at helping what we might call the working class -- the caregivers who are struggling to keep those people who need long-term care supported without laying the cost of a long-term care in the laps of the taxpayers. We are talking about people who are privately supporting long-term care, and trying to do it with great difficulty, and the national government has recognized the need for some help for these people by making long-term care a medical tax deduction under the IRS. The State Administration has supports doing the same thing locally.

"The bill we're dealing with is a Senate bill that basically provided for long-term care in Hawaii. It was an action in the Finance Committee that removed long-term care from this bill. The reason we did so was that we were told we would save \$12 million. This is a rough estimate of the Tax Director. But he has a difficult time making such an estimate because many of the people who take the deduction at the federal level are going to carry that deduction over to the State level. He doesn't know how many people will actually do that, and he doesn't know how much of that carry-over he'll catch, but he figures that the revenue gained for the State by taking away the long-term deduction is probably going to be somewhat well under \$12 million, maybe in the neighborhood of \$2- to \$3 million, very difficult to estimate, but probably not \$12 million.

"The principle that we should stand behind, in supporting this tax deduction, is that people who are trying to carry these expenses on their own deserve some help. If these people can't carry the expenses, it'll fall in the laps of us, the local taxpayers, in the form of Medicaid. So either we support these caregivers in trying to keep people from the situation where they are one hundred percent financed by the taxpayers, or we do away with this tax credit and essentially move them toward Medicaid.

"So on a revenue basis alone, the sensible thing to do is to support this amendment, and give the people who are struggling as caregivers to take care of long-term care expenses, the chance to have a tax deduction for doing so.

"Thank you, Mr. Speaker."

Representative Moses then rose to speak in support of the amendment, stating:

"Passing this floor amendment is the right thing to do. It's right for the families of Hawaii who are struggling to pay the tremendous cost of long-term health care. It's right for the state in our current financial crisis because it will reduce the number of Medicare recipients in the state. It's right for our elders who have given and sacrificed so that we might live a happy and prosperous life.

"Many families are trying to do the right thing and pay the full cost of long-term care for their relatives. This noble act can have disastrous effects for family finances. As the mounting costs of care eat up savings for college, retirement savings, and live a stack of unpaid bills in lieu of an inheritance, this Legislature should do everything in its power to support these families who are doing their best to avoid being a burden on the state.

"Not passing this amendment is a slap in the face to those families, Mr. Speaker, effectively telling them that the state of Hawaii will not support their efforts.

"Thank you."

Representative Suzuki then rose to speak against the amendment, stating:

"First of all, I don't want to slap anyone in the face by my objections to this amendment, but I would like to congratulate our Congress for giving this deduction to all of our citizens, and now we can take these types of deductions as itemized deductions on our tax returns.

"But what we learned in testimony from our Tax Director, was that the adoption of this provision into the Internal Revenue Code is estimated to cost \$12 million in the form of reduced tax revenues. Because of this reduction in revenues, for our budgetary purposes, we must find an offsetting like reduction in expenditures, regardless of the merits of this feature.

"It is for this reason that this bill has been reported out of the Finance Committee without the inclusion of long-term care expenses and insurance premiums as itemized deductions.

"The plan we are working on, as we take this bill into conference with the Senate, is to fully analyze the Tax Director's estimate of revenue loss. We are in ongoing discussions with the Tax Director and he, with the Office on Aging, to get more certain data supporting the revenue loss. It is felt that the \$12 million figure is a soft estimate and with more certain computations, we could show less of a revenue loss.

"If we can take this revised figure, together with the help of the members, in finding areas in the budget for further reductions, we can then adopt this provision of the Code that is so important to all aged who will receive not only the federal tax relief, but also state tax relief in the form of deductions for these types of expenses.

"In trying to achieve this worthy goal, I invite all those who have objected to this bill or plan to vote 'yes' for this amendment, to join the rest of us who want to take this bill, as is, into conference. Then, we can try to first, resolve the budgetary constraints so this worthy measure, among the many, many other worthy measures, can be included in the conference bill.

"Thank you, Mr. Speaker."

Representative Pendleton then rose to speak in support of the amendment, stating:

"Mr. Speaker, the financial situation of the state makes it imperative that this amendment be adopted.

"The crisis in long-term health care is only just beginning as the baby boomers move towards retirement age. The long-term care needs will greatly increase the demand for already scarce state and federal dollars.

"This Legislature could act today or at this time, to ease this crisis by voting in favor of the proposed amendment. By conforming to the federal tax deduction, you would be giving families some extra leeway to finance long-term health care. We would be giving positive incentives to individuals to purchase long-term health care insurance that would enable them to have access to the care they need and not be dependent on the state.

"Mr. Speaker, one thing is clear. People respond to incentives, both positive and negative incentives. If the state of Hawaii is willing only to pay for the long-term health care of the destitute and only the destitute, then people will be forced to transfer or otherwise shelter their assets to qualify. This type of perverse incentive, which places the ultimate cost of care on the taxpayers of Hawaii, can be corrected.

"Mr. Speaker, a more positive incentive could make it easier to purchase long-term health care insurance or allow families to pay the cost of care themselves and give families more control over the quality of care and allow the government to reserve dollars for the truly needy.

"This amendment, Mr. Speaker, makes sense, both morally and economically, for both the taxpayers and the affected families. The question, Mr. Speaker, is not whether we can afford to adopt this tax deduction, the question is whether we can afford not to adopt it.

"Thank you, Mr. Speaker."

Representative Kawanakoa then rose in support of the amendment, stating:

"You know, Hawaii has had an excellent reputation for its innovative health care system. The proportion of our population, as covered by health insurance, has long been the envy of other states.

"Passage of this bill, unamended, would send a clear signal to the people of Hawaii that this Legislature is beginning to back off on its commitment to quality health care for our constituents. Rather than charging ahead to provide the best care possible, as the United States has allowed through its amendment to the Internal Revenue Code, we are denying the people of Hawaii relief from the devastating financial impact of long-term health care.

"And it has been mentioned before in other discussions, we have an aging populous here in the islands, perhaps above that of other states, so all the more reason why it is so critical for us to follow in the footsteps of the federal government on this particular measure.

"Our kupuna deserve the best, Mr. Speaker, the Legislature can offer. Amend this bill and ensure that they receive it.

"Thank you, Mr. Speaker."

Representative Marumoto then rose in support of the amendment, stating:

"For the record, I would like to share some of the testimony from the Finance Committee:

From the American Association of Retired Persons:

'We all know that the cost of long-term care services are bankrupting families and causing them to resort to Medicaid. Medicaid overruns are drawing money from other services in the state.

'It is in the best interests of the state to encourage the purchase of long-term care insurance so that fewer families will spend their assets on long-term care and need Medicaid state dollars. The Congress recognized this by changing the Internal Revenue Code; it would be shortsighted for the state not to do so also.'

The Tax Foundation of Hawaii said:

'...adoption of the annual conformity bill is critical to the continued ease of compliance on the part of taxpayers...The lack of adoption will only add to the cost of doing business in Hawaii and the filing of individual tax returns.

'We are making a serious mistake in not allowing the long-term care deduction. This deduction represents a relatively small revenue loss to the state, but will mean an additional hardship to those

responsible citizens who purchase long-term care insurance.'

"Thank you, Mr. Speaker."

At this time, Representative M. Oshiro moved for the previous question, seconded by Representative Okamura and carried.

Representative Thielen moved for a Roll Call vote, seconded by Representative Halford and carried by a show of hands.

Roll call having been requested, the motion was put to vote by the Chair and failed to carry by a vote of 33 noes to 12 ayes, with Representatives Aiona, Fox, Halford, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Thielen, Ward and Whalen voting aye, and Representatives Ahu Isa, Chang, Jones, Nakasone, Takumi and Yoshinaga being excused.

The motion (main) was put to vote by the Chair and carried, and S.B. No. 1316, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 45 ayes, with Representatives Ahu, Chang, Jones, Nakasone, Takumi and Yoshinaga being excused.

The Chair directed the Clerk to note that S.B. No. 1316 had passed Third Reading at 4:58 o'clock p.m.

At 4:58 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 5:01 o'clock p.m.

S.B. No. 1699, SD 1, HD 1:

Representative Okamura moved that S.B. No. 1699, SD 1, HD 1, be recommitted to the Committee on Finance, seconded by Representative M. Oshiro.

Representative Thielen rose and stated:

"I recognize there's a motion to recommit the bill.

"The Minority members had an amendment to put before all of the members that we submitted to the Clerk before we went back into session. I think the amendment may have been something that this body would like to act on instead of recommitting the bill."

The Chair responded:

"There is a motion and, again, you're out of order. Will you please speak on the motion of recommitment; otherwise, you will be out of order."

Representative Ward then rose and stated:

"Mr. Speaker, to recommit is to forego a tax decrease -- first ever in the history of the state of Hawaii. Are we sure we want to do that versus what is in the amendment is to give a tax decrease on food and medical. . .

The Chair interrupted and stated:

"Obviously this is what the members want."

Representative Ward continued, saying:

"So if we're going to give it to cabarets and those who are slightly unclothed, why not give it to those who are fully clothed, who buy food and who need medicine?"

"So the recommitment is taking out a historical opportunity for this body to act upon, which otherwise the cabarets were going to get a first-time tax break. Are you sure you want to recommit it?"

The Chair responded:

"I'm sure we want to do it. Thank you very much for your concern. . . Again, only on the recommitment. I will not accept any more discussions unless it's on the recommitment. Otherwise, I will rule you out of order.

"I'm going to call for the motion. All those in favor of the recommitment, signify by saying aye; opposed say no; motion is carried, and S.B. No. 1699, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE TAXATION," was recommitted to the Committee on Finance, with Representatives Ahu Isa, Chang, Jones and Yoshinaga being excused.

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

"I'm sorry. . . I was trying for an opportunity to discuss. . .

The Chair responded:

"It's all over now. That item is over, sir. We're on Item No. 8."

Representative Kawanakoa then said:

"I understand your ruling, but I would just note for the record that perhaps in the future, you should check the entire auditorium or the floor to see if anyone else has further discussion."

The Chair answered:

"Thank you very much. I will note that."

Representative Moses rose, saying:

"Mr. Speaker. . . Mr. Speaker. . .

Chair: "Item No. 8: Announcements."

Representative Moses then rose on a point of information and said:

"This Representative did rise to speak on the recommitment, Mr. Speaker, and I was denied the right to do so. I will enter it into the record, sir."

The Chair "so ordered," and remarked:

"You can also make a note that you have filled a volume today with your speeches."

Representative Kawanakoa then rose and stated:

"Mr. Speaker, I don't believe that comment was appropriate from the rostrum. I would hope that you would refrain from making such remarks in the future."

The Chair thanked Representative Kawanakoa, and "so ordered."

House communication dated April 8, 1997 to the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii, from Patricia Mau-Shimizu, Chief Clerk, giving written notice of the final form of Senate Bill No. 209, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS", in accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution.

ADJOURNMENT

At 5:05 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Thursday, April 10, 1997. (Representatives Ahu Isa, Chang, Jones and Yoshinaga were excused.)

FORTY-EIGHTH DAY

Thursday, April 10, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:44 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Ms. Kawena Young of the Baha'i, after which the Roll was called showing all members present with the exception of Representatives Chang, Morita, Stegmaier, Tarnas and Tom, who were excused.

On motion by Representative M. Oshiro, seconded by Representative Thielen and carried, reading of the Journals was dispensed with and the Journals of the House of Representatives of the Forty-Second, Forty-Third, Forty-Fourth and Forty-Fifth Days were subsequently approved, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas, Tom and Yonamine being excused.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 176 through 180) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 176, informing the House that on April 7, 1997, he signed the following bills into law:

House Bill No. 1635 as Act 6, entitled: "RELATING TO CRIMINAL HISTORY RECORD CHECKS";

House Bill No. 1891 as Act 7, entitled: "RELATING TO CONTRACTORS LICENSE RENEWAL"; and

House Bill No. 1897 as Act 8, entitled: "RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS".

Gov. Msg. No. 177, informing the House that on April 7, 1997, he signed the following bill into law:

House Bill No. 1886 as Act 9, entitled: "RELATING TO DENTAL HYGIENISTS".

Gov. Msg. No. 178, transmitting copies of the following: The 1996 Annual Report of the Environmental Council, Environmental Report Card, 1996.

Gov. Msg. No. 179, transmitting copies of the "Report to the 1997 Hawaii State Legislature by the Governor's Health Tourism Task Force on Activities Related to Marketing the Expertise and Excellence of Hawaii's Health Care," which was prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 180, transmitting copies of the 1995-1996 annual report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, Hawaii Revised Statutes, as amended.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 426 through 641) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 426, returning H.B. No. 2, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO

MOTOR CARRIERS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 427, returning H.B. No. 20, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 428, returning H.B. No. 33, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 429, transmitting S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR," which was adopted by the Senate on April 8, 1997.

Sen. Com. No. 430, transmitting S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY," which was adopted by the Senate on April 8, 1997.

By unanimous consent, further action on S.C.R. Nos. 40 and 43 was deferred.

Sen. Com. No. 431, returning H.B. No. 65, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 432, returning H.B. No. 103, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 433, returning H.B. No. 106, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 434, returning H.B. No. 107, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 435, returning H.B. No. 108, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 436, returning H.B. No. 111, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 437, returning H.B. No. 112, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 438, returning H.B. No. 113, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 439, returning H.B. No. 116, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 440, returning H.B. No. 120, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 441, returning H.B. No. 122, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 442, transmitting S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RULES AGAINST TEACHER HARASSMENT FROM STUDENTS," which was adopted by the Senate on April 8, 1997.

By unanimous consent, further action on S.C.R. No. 124 was deferred.

Sen. Com. No. 443, returning H.B. No. 133, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL AND VOCATIONAL TRAINING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 444, returning H.B. No. 140, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 445, returning H.B. No. 141, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 446, returning H.B. No. 143, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 447, returning H.B. No. 145, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 448, returning H.B. No. 147, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 449, returning H.B. No. 167, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 450, returning H.B. No. 233, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 451, returning H.B. No. 258, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 452, returning H.B. No. 293, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 453, returning H.B. No. 350, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 454, returning H.B. No. 351, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 455, returning H.B. No. 364, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 456, returning H.B. No. 371, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 457, returning H.B. No. 387, entitled: "A BILL FOR AN ACT RELATING TO NURSES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 458, returning H.B. No. 417, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 459, returning H.B. No. 432, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 460, returning H.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 461, returning H.B. No. 462, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 462, returning H.B. No. 463, entitled: "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 463, returning H.B. No. 472, SD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 464, returning H.B. No. 480, HD 2, SD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 465, returning H.B. No. 581, HD 1, SD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 466, returning H.B. No. 582, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 467, returning H.B. No. 617, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 468, returning H.B. No. 623, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 469, returning H.B. No. 631, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 470, returning H.B. No. 636, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 471, returning H.B. No. 646, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 472, returning H.B. No. 675, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRST DEGREE ROBBERY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 473, returning H.B. No. 728, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 474, returning H.B. No. 777, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 475, returning H.B. No. 780, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 476, returning H.B. No. 789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 477, returning H.B. No. 793, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 478, returning H.B. No. 872, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 479, returning H.B. No. 912, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 480, returning H.B. No. 931, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 481, returning H.B. No. 971, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 482, returning H.B. No. 979, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 483, returning H.B. No. 1006, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 484, returning H.B. No. 1012, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 485, returning H.B. No. 1023, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 486, returning H.B. No. 1031, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 487, returning H.B. No. 1049, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 488, returning H.B. No. 1085, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 489, returning H.B. No. 1086, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WORK OPPORTUNITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 490, returning H.B. No. 1087, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 491, returning H.B. No. 1105, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 492, returning H.B. No. 1132, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 493, returning H.B. No. 1138, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 494, returning H.B. No. 1188, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 495, returning H.B. No. 1196, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 496, returning H.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 497, returning H.B. No. 1243, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 498, returning H.B. No. 1244, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 499, returning H.B. No. 1247, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 500, returning H.B. No. 1250, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 501, returning H.B. No. 1287, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 502, returning H.B. No. 1292, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 503, returning H.B. No. 1296, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 504, returning H.B. No. 1300, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 505, returning H.B. No. 1309, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 506, returning H.B. No. 1320, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 507, returning H.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 508, returning H.B. No. 1367, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 509, returning H.B. No. 1370, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 510, returning H.B. No. 1377, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF JUDICIARY RECORDS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 511, returning H.B. No. 1382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 512, returning H.B. No. 1385, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 513, returning H.B. No. 1387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 514, returning H.B. No. 1388, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 515, returning H.B. No. 1390, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 516, returning H.B. No. 1393, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 517, returning H.B. No. 1395, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 518, returning H.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 519, returning H.B. No. 1410, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION RECORDS AND USES THEREOF," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 520, returning H.B. No. 1451, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 521, returning H.B. No. 1473, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 522, returning H.B. No. 1485, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 523, returning H.B. No. 1488, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 524, returning H.B. No. 1510, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 525, returning H.B. No. 1539, SD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 526, returning H.B. No. 1547, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 527, returning H.B. No. 1575, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 528, returning H.B. No. 1579, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 529, returning H.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 530, returning H.B. No. 1582, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 531, returning H.B. No. 1587, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 532, returning H.B. No. 1591, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 533, returning H.B. No. 1593, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 534, returning H.B. No. 1604, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 535, returning H.B. No. 1610, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 536, returning H.B. No. 1613, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 537, returning H.B. No. 1618, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 538, returning H.B. No. 1619, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 539, returning H.B. No. 1624, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 540, returning H.B. No. 1625, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 541, returning H.B. No. 1638, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 542, returning H.B. No. 1639, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 543, returning H.B. No. 1640, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 544, returning H.B. No. 1641, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 545, returning H.B. No. 1645, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 546, returning H.B. No. 1646, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," which passed Third

Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 547, returning H.B. No. 1648, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 548, returning H.B. No. 1650, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 549, returning H.B. No. 1654, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 550, returning H.B. No. 1655, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 551, returning H.B. No. 1656, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 552, returning H.B. No. 1657, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 553, returning H.B. No. 1660, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 554, returning H.B. No. 1664, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 555, returning H.B. No. 1675, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 556, returning H.B. No. 1686, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 557, returning H.B. No. 1688, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 558, returning H.B. No. 1689, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 559, returning H.B. No. 1690, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," which passed Third

Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 560, returning H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 561, returning H.B. No. 1694, SD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 562, returning H.B. No. 1695, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 563, returning H.B. No. 1701, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 564, returning H.B. No. 1706, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 565, returning H.B. No. 1713, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 566, returning H.B. No. 1714, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 567, returning H.B. No. 1715, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 568, returning H.B. No. 1716, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 569, returning H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 570, returning H.B. No. 1721, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 571, returning H.B. No. 1724, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 572, returning H.B. No. 1731, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," which

passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 573, returning H.B. No. 1732, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 574, returning H.B. No. 1738, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 575, returning H.B. No. 1745, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 576, returning H.B. No. 1748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHO'OLAWA PENALTIES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 577, returning H.B. No. 1750, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 578, returning H.B. No. 1756, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 579, returning H.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," which passed Third Reading in the Senate on April 8, 1997.

Sen. Com. No. 580, returning H.B. No. 1770, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 581, returning H.B. No. 1771, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 582, returning H.B. No. 1772, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 583, returning H.B. No. 1773, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 584, returning H.B. No. 1774, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 585, returning H.B. No. 1775, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 586, returning H.B. No. 1776, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 587, returning H.B. No. 1777, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 588, returning H.B. No. 1778, HD 1, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 589, returning H.B. No. 1779, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 590, returning H.B. No. 1780, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 591, returning H.B. No. 1781, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 592, returning H.B. No. 1782, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 593, returning H.B. No. 1783, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 594, returning H.B. No. 1784, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 595, returning H.B. No. 1785, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 596, returning H.B. No. 1786, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 597, returning H.B. No. 1787, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 598, returning H.B. No. 1788, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING

COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 599, returning H.B. No. 1789, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 600, returning H.B. No. 1790, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 601, returning H.B. No. 1791, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 602, returning H.B. No. 1792, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 603, returning H.B. No. 1793, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 604, returning H.B. No. 1796, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 605, returning H.B. No. 1797, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 606, returning H.B. No. 1798, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 607, returning H.B. No. 1799, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 608, returning H.B. No. 1804, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 609, returning H.B. No. 1805, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 610, returning H.B. No. 1806, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 611, returning H.B. No. 1814, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which

passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 612, returning H.B. No. 1818, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 613, returning H.B. No. 1819, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 614, returning H.B. No. 1829, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 615, returning H.B. No. 1831, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 616, returning H.B. No. 1833, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 617, returning H.B. No. 1836, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 618, returning H.B. No. 1837, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 619, returning H.B. No. 1838, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 620, returning H.B. No. 1840, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 621, returning H.B. No. 1841, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 622, returning H.B. No. 1842, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 623, returning H.B. No. 1843, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 624, returning H.B. No. 1854, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 625, returning H.B. No. 1857, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 626, returning H.B. No. 1858, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 627, returning H.B. No. 1860, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 628, returning H.B. No. 1863, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 629, returning H.B. No. 1899, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 630, returning H.B. No. 1900, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 631, returning H.B. No. 1904, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 632, returning H.B. No. 1965, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 633, returning H.B. No. 1984, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 634, returning H.B. No. 2019, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 635, returning H.B. No. 2060, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 636, returning H.B. No. 2202, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 637, returning H.B. No. 2207, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 638, returning H.B. No. 2032, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO

SCHOOL-TO-WORK OPPORTUNITIES," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 639, returning H.B. No. 2234, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 640, returning H.B. No. 2305, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FORGERY," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

Sen. Com. No. 641, returning H.B. No. 2308, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," which passed Third Reading in the Senate on April 8, 1997, in an amended form.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the House disagreed to the amendments proposed by the Senate to the following House Bills and requested a conference on the subject matter of said amendments: H.B. Nos. 2, HD 2 (SD 1); 20, HD 1 (SD 2); 33, HD 2 (SD 2); 65, HD 1 (SD 1); 103, HD 2 (SD 1); 106, HD 1 (SD 1); 107, HD 1 (SD 1); 108, HD 2 (SD 1); 111, HD 1 (SD 1); 112, HD 2 (SD 1); 113, HD 1 (SD 1); 116, HD 2 (SD 2); 120, HD 1 (SD 1); 122, HD 1 (SD 2); 133, HD 2 (SD 1); 140, HD 2 (SD 2); 141 (SD 1); 143, HD 2 (SD 1); 145, HD 1 (SD 1); 147, HD 1 (SD 1); 167, HD 2 (SD 1); 233 (SD 1); 258 (SD 2); 293, HD 1 (SD 1); 350, HD 1 (SD 1); 351, HD 2 (SD 2); 371, HD 2 (SD 1); 417, HD 3 (SD 1); 432, HD 1 (SD 1); 472 (SD 1); 480, HD 2 (SD 1); 581, HD 1 (SD 1); 582, HD 1 (SD 1); 623 (SD 1); 631, HD 2 (SD 2); 636, HD 2 (SD 1); 646, HD 2 (SD 2); 675, HD 1 (SD 1); 728, HD 1 (SD 1); 777, HD 1 (SD 2); 780, HD 1 (SD 1); 793, HD 3 (SD 2); 872 (SD 1); 912, HD 1 (SD 1); 931, HD 2 (SD 1); 971 (SD 1); 979, HD 2 (SD 1); 1006, HD 1 (SD 2); 1012 (SD 1); 1023 (SD 1); 1031, HD 1 (SD 1); 1049, HD 1 (SD 1); 1086, HD 2 (SD 2); 1087, HD 1 (SD 2); 1105, HD 2 (SD 1); 1132, HD 1 (SD 1); 1138, HD 1 (SD 1); 1188, HD 1 (SD 1); 1196, HD 2 (SD 1); 1243, HD 1 (SD 1); 1244, HD 2 (SD 1); 1247 (SD 1); 1250, HD 3 (SD 2); 1287, HD 1 (SD 2); 1292, HD 1 (SD 1); 1300, HD 1 (SD 1); 1309, HD 1 (SD 2); 1320 (SD 1); 1367 (SD 1); 1370, HD 2 (SD 1); 1385 (SD 1); 1388, HD 2 (SD 1); 1390, HD 1 (SD 2); 1393, HD 1 (SD 2); 1395 (SD 1); 1410, HD 1 (SD 1); 1451, HD 1 (SD 1); 1473 (SD 1); 1485, HD 2 (SD 2); 1488, HD 2 (SD 1); 1510 (SD 1); 1539 (SD 1); 1547, HD 2 (SD 1); 1575 (SD 1); 1582, HD 2 (SD 1); 1587, HD 1 (SD 2); 1591, HD 2 (SD 1); 1593 (SD 1); 1604, HD 1 (SD 1); 1610, HD 2 (SD 1); 1613 (SD 1); 1618, HD 1 (SD 2); 1619, HD 2 (SD 1); 1624, HD 1 (SD 2); 1625, HD 1 (SD 2); 1638, HD 2 (SD 1); 1639, HD 2 (SD 1); 1640, HD 1 (SD 1); 1641 (SD 1); 1645, HD 1 (SD 2); 1646 (SD 1); 1648 (SD 1); 1650, HD 1 (SD 1); 1654, HD 1 (SD 2); 1655, HD 1 (SD 1); 1656, HD 1 (SD 2); 1657, HD 1 (SD 1); 1660, HD 2 (SD 1); 1664, HD 1 (SD 2); 1675, HD 2 (SD 1); 1686, HD 1 (SD 2); 1688, HD 1 (SD 2); 1689, HD 1 (SD 2); 1690, HD 1 (SD 1); 1694 (SD 2); 1695, HD 2 (SD 1); 1701, HD 2 (SD 2); 1706, HD 2 (SD 2); 1713, HD 1 (SD 1); 1714, HD 2 (SD 1); 1715, HD 1 (SD 1); 1716, HD 1 (SD 1); 1721, HD 2 (SD 2); 1724, HD 1 (SD 1); 1731, HD 1 (SD 2); 1732, HD 2 (SD 1); 1738, HD 1 (SD 1); 1745, HD 2 (SD 2); 1770 (SD 1); 1771 (SD 1); 1772 (SD 1); 1773 (SD 1); 1774 (SD 1); 1775 (SD 1); 1776 (SD 1); 1777 (SD 1); 1778, HD 1 (SD 1); 1779 (SD 1); 1780 (SD 1); 1781 (SD 1); 1782 (SD 1); 1783 (SD 1); 1784 (SD 1); 1785 (SD 1); 1786 (SD 1); 1787 (SD 1); 1788 (SD 1); 1789 (SD 1); 1790 (SD 1); 1791 (SD 1); 1792 (SD 1); 1793 (SD 1); 1796, HD 1 (SD 1); 1797, HD 1 (SD 2); 1798 (SD 1); 1799, HD 1

(SD 1); 1804, HD 1 (SD 1); 1805, HD 2 (SD 1); 1806, HD 1 (SD 1); 1814, HD 1 (SD 1); 1818, HD 2 (SD 2); 1819, HD 1 (SD 1); 1829, HD 3 (SD 2); 1831, HD 1 (SD 2); 1833 (SD 2); 1836, HD 2 (SD 1); 1837, HD 2 (SD 2); 1838, HD 2 (SD 1); 1840, HD 1 (SD 1); 1841, HD 3 (SD 2); 1842, HD 2 (SD 1); 1843, HD 2 (SD 2); 1854, HD 1 (SD 1); 1857, HD 1 (SD 1); 1858 (SD 1); 1860, HD 3 (SD 1); 1863, HD 2 (SD 1); 1899, HD 1 (SD 1); 1900, HD 1 (SD 1); 1904, HD 3 (SD 1); 1965, HD 1 (SD 1); 1984 (SD 2); 2019, HD 1 (SD 2); 2032, HD 2 (SD 2); 2060, HD 1 (SD 1); 2202, HD 2 (SD 1); 2207, HD 2 (SD 1); 2234, HD 1 (SD 1); 2305 (SD 1) and 2308, HD 2 (SD 1). (Representatives Cachola, Chang, Kahikina, Morihara, Morita, Stegmaier, Tarnas, Tom, Ward and Yonamine were excused.)

By unanimous consent, the aforementioned House Bills, as amended by the Senate, were placed on the Clerk's desk.

APPOINTMENT OF CONFEREES

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

H.B. No. 145, HD 1, SD 1:

Representatives Say, Chair; Kawakami and Marumoto.

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

Representative Kanoho introduced eight student government officers in grades 10, 11 and 12 from Kauai High School and Kapaa High School. They were accompanied by James Kawamura and Gordon Shibao, advisers; and Mr. Bunji Shimomura, County Clerk.

Representative Arakaki introduced (in absentia) 116 eighth grade students from Kamehameha Schools, who were in the gallery earlier, saying:

"Mr. Speaker and colleagues, when I was going to high school, we used to look with disdain upon the hills behind my alma mater, Farrington High School, up at the school on the hill. But these days, I look at that school and I look at what will probably be the best and brightest of our opio and keiki in the state of Hawaii, who will represent the future of our Hawaiian community."

ORDER OF THE DAY

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1727) recommending that H.C.R. No. 174 be adopted.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1728) recommending that H.R. No. 114 be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 174 and H.R. No. 114 be adopted, seconded by Representative M. Oshiro.

Representative Pendleton rose in strong support of the resolutions and asked that his remarks be inserted into the Journal, and the Chair, noting that there were no objections, "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in strong support of House Concurrent Resolution 174 and House Resolution 114, relating to Amerasian children of U.S. servicemembers in the Philippines.

"Mr. Speaker, I strongly support these resolutions because these resolutions request Hawaii's congressional delegation to propose and support legislation and the President of the United States to issue an Executive Order to assist Amerasian children of U.S. servicemembers in the Philippines.

"Mr. Speaker, as you well know, the United States has had a significant military presence in the Philippines for quite some time. Their purpose has been an honorable one; namely, to safeguard the security of our allies in the Far East. While the intent of the U.S. has been noble, the effects of our presence have been less than optimal for the population surrounding our bases.

"Mr. Speaker, I am referring to our Air Force base -- Clark Air Base -- and to the naval station at Subic Bay. These bases were the homes of thousands of U.S. servicemen and servicewomen. They worked hard to protect the interests of the United States. Then the U.S. initiated a realignment of our military throughout the world. We pulled out of the Philippines, at least for the most part.

"Unfortunately, one of the unintended consequences was that many children were left behind. These children, Amerasian children, number in the thousands. One very reliable source estimates that more than 25,000 children were left behind.

"These resolutions recognize that the children of our servicemen who were stationed in Vietnam, Korea, and Thailand have been the beneficiaries of special legislation, and rightly so, through Public Law 97-359. Now it is time to remember the other Amerasian children.

"Mr. Speaker, perhaps it is important for me to disclose at this time that I am an Amerasian. That is, my father is white and my mother is Filipino. I am fortunate. They are married and we all live happily. And so I do not share the same challenges that fellow Filipino-American children may be facing. Many of them are in poverty -- hungry, lacking clothing, with little hope of receiving a formal education or training.

"My heart goes out to them, Mr. Speaker. Provisionally, I have been blessed having been born an American on U.S. soil, having eaten nutritious meals, having had a chance for an education and an opportunity to be gainfully employed. I want to ensure a brighter future for my counterparts in the Philippines.

"We live in the greatest country in the world. We have a gross national product which is many times larger than that of most countries. We have natural resources matched by no other country. We have land and economic prosperity and national security. Surely, we are the only superpower left in the world. But, Mr. Speaker, a nation's greatness is measured not simply by the

foregoing. A nation's greatness is measured by the goodness of its people.

"We as Americans must stand up for what is right. We must give voice to the powerless, serve those who cannot serve their own. These resolutions are a manifestation of the Spirit of Aloha, a love for our fellow men and women, whether far or near.

"I am proud we are passing House Concurrent Resolution No. 174 and House Resolution No. 114 today."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION AND THE PRESIDENT OF THE UNITED STATES TO ISSUE AN EXECUTIVE ORDER TO ASSIST AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," and H.R. No. 114, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION AND THE PRESIDENT OF THE UNITED STATES TO ISSUE AN EXECUTIVE ORDER TO ASSIST AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," were adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1729) recommending that H.C.R. No. 18, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 18, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING THE COSTS OF MENTAL HEALTH SERVICES IN HAWAII AND THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE IN HEALTH CARE INSURANCE PLANS EQUIVALENT TO THE COVERAGE FOR ANY OTHER MEDICAL ILLNESSES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1730) recommending that H.C.R. No. 19, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 19, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was adopted with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1731) recommending that H.C.R. No. 49 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF OCCUPATIONAL THERAPY," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1732) recommending that H.C.R. No. 165 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1733) recommending that H.C.R. No. 215, as amended in HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 215, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Ward rose to speak in support of the resolution, stating:

"Mr. Speaker, this is a good resolution; it's structured well. There's only one possible flaw in it, and that is, in the section where the establishment of the Joint Legislative Committee on Land Use Planning is, it says you have the power to appoint a number of individuals, but it doesn't mention the Minority.

"As you had said in your Opening Day remarks, you are always fair to the Minority, and I know you have been, particularly in the last couple of weeks, fair -- firm, but fair. It's true, however, it would be fairer if you would designate one of those members from the Minority. And I do that as a friendly suggestion to this, to make it an even better world.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 215, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON LAND USE PLANNING," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1734) recommending that H.C.R. No. 271, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 271, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE OPERATIONS OF THE AGRIBUSINESS DEVELOPMENT

CORPORATION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1735) recommending that H.R. No. 193, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 193, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE OPERATIONS OF THE AGRIBUSINESS DEVELOPMENT CORPORATION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1736) recommending that H.C.R. No. 76, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 76, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING IMPLEMENTATION OF EXPEDITED AUTOMATIC BORDER CLEARANCE; EXTENSION OF THE VISA WAIVER PROGRAM; AND ELIMINATION OF VISA REQUIREMENTS WHERE POSSIBLE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Tom, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1737) recommending that H.C.R. No. 164, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 164, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LAW ENFORCEMENT COALITION TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1738) recommending that H.C.R. No. 274 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE ITS SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1739) recommending that H.R. No. 195 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 195, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE ITS SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL

GOVERNMENT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1740) recommending that H.C.R. No. 226 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A REPORT SETTING FORTH RECOMMENDATIONS TO REFORM STATE GOVERNMENT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1741) recommending that H.R. No. 134 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 134, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A REPORT SETTING FORTH RECOMMENDATIONS TO REFORM STATE GOVERNMENT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1742) recommending that H.C.R. No. 211, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 211, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE SCOPE, IMPLEMENTATION, EFFICIENCY, AND EFFECTIVENESS OF TITLE 7, HAWAII REVISED STATUTES, AND TO SEEK CONSENSUS ON NECESSARY OR APPROPRIATE CHANGES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1743) recommending that H.R. No. 146, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 146, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE SCOPE, IMPLEMENTATION, EFFICIENCY, AND EFFECTIVENESS OF TITLE 7, HAWAII REVISED STATUTES, AND TO SEEK CONSENSUS ON NECESSARY OR APPROPRIATE CHANGES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1744) recommending that H.C.R. No. 168, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 168, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE QUESTION OF ADDING CONSERVATION AND RESOURCES

ENFORCEMENT OFFICERS TO CLASS A OF THE EMPLOYEES' RETIREMENT SYSTEM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1745) recommending that H.R. No. 108, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE QUESTION OF ADDING CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS TO CLASS A OF THE EMPLOYEES' RETIREMENT SYSTEM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1746) recommending that H.C.R. No. 41, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 41, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF SMALL BOAT HARBORS IN THE COUNTIES OF MAUI, HAWAII, AND OAHU PARTICULARLY THOSE OF LAHAINA, HONOKOHAU AND ALA WAI," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1747) recommending that H.C.R. No. 147 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1748) recommending that H.R. No. 93 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 93, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1749) recommending that H.C.R. No. 257, HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 257, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH OTHER

AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE FUTURE OPTIONS FOR THE COMMUNITY," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1750) recommending that H.R. No. 184, HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 184, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH OTHER AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE THE FUTURE OF THAT COMMUNITY," was adopted with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1751) recommending that H.C.R. No. 153, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 153, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT AN AUDIT OF THE REVENUES, COSTS, AND SERVICES OF ALL STATE-RUN SMALL BOAT HARBORS AND BOAT RAMPS," was adopted with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1752) recommending that H.C.R. No. 196, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 196, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A MASTER PLAN TO PROTECT MAUNALUA BAY," was adopted with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1753) recommending that H.C.R. No. 186, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 186, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was adopted with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1754) recommending that H.R. No. 121, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 121, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1755) recommending that H.C.R. No. 166 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1756) recommending that H.R. No. 106 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 106, entitled: "HOUSE RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1757) recommending that H.C.R. No. 72 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A COMPREHENSIVE RURAL TRANSITION PLAN THAT PROMOTES NEW AND DIVERSIFIED AGRICULTURE AND INCREASES RURAL EMPLOYMENT AND DEVELOPMENT IN THE STATE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1758) recommending that H.C.R. No. 40 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH LOCAL INDUSTRIES, THE HAWAII VISITORS AND CONVENTION BUREAU, THE DEPARTMENT OF AGRICULTURE AND OTHER APPROPRIATE AGENCIES TO SHOWCASE HAWAII-MADE PRODUCTS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1759) recommending that H.C.R. No. 265, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 265, HD 1,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF WAYS FOR THE UNIVERSITY OF HAWAII TO COORDINATE ITS EFFORTS TO PROMOTE AGRICULTURE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1760) recommending that H.R. No. 190, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 190, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF WAYS FOR THE UNIVERSITY OF HAWAII TO COORDINATE ITS EFFORTS TO PROMOTE AGRICULTURE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1761) recommending that H.C.R. No. 6 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INCLUDE AN AGRICULTURAL INSPECTION FACILITY IN THE DESIGN OF THE CARGO FACILITIES AT ALL AIRPORTS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1762) recommending that H.C.R. No. 286, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 286, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO THE MAUKA HIGHWAY AS AN ALTERNATIVE HIGHWAY TO FARRINGTON HIGHWAY ON THE LEEWARD COAST," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1763) recommending that H.R. No. 203, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 203, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO THE MAUKA HIGHWAY AS AN ALTERNATIVE HIGHWAY TO FARRINGTON HIGHWAY ON THE LEEWARD COAST," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1764) recommending that H.C.R. No. 227 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A

TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1765) recommending that H.R. No. 155 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1766) recommending that H.C.R. No. 9, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 9, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW, REASSESS, AND STRENGTHEN THE VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OF THE COMMUNITY COLLEGE SYSTEM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1767) recommending that H.R. No. 6, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 6, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW, REASSESS, AND STRENGTHEN THE VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OF THE COMMUNITY COLLEGE SYSTEM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1768) recommending that H.C.R. No. 52, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 52, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLACE THE MULTIPURPOSE SPORTS AND RECREATION COMPLEX ON THE UNIVERSITY OF HAWAII-HILO CAMPUS ON ITS LIST OF PRIORITIES FOR CAPITAL IMPROVEMENT PROJECTS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1769) recommending that H.R. No. 45, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 45, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLACE THE MULTIPURPOSE SPORTS AND RECREATION COMPLEX ON THE UNIVERSITY OF HAWAII-HILO CAMPUS ON ITS LIST OF PRIORITIES FOR CAPITAL IMPROVEMENT PROJECTS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1770) recommending that H.C.R. No. 66, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 66, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC LIBRARY SYSTEM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1771) recommending that H.C.R. No. 93, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VALUES AND ETHICS PROGRAM AS DETERMINED BY EACH SCHOOL COMMUNITY," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1772) recommending that H.C.R. No. 241 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1773) recommending that H.R. No. 172 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 172, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1774) recommending that H.C.R. No. 262, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 262, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1775) recommending that H.R. No. 187, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 187, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1776) recommending that H.C.R. No. 251, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 251, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1777) recommending that H.R. No. 178, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 178, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1778) recommending that H.C.R. No. 250, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 250, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EVALUATE THE BIG ISLAND PILOT PROJECT ON MENTAL HEALTH SERVICES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1779) recommending that H.C.R. No. 281 be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 281 be adopted, seconded by Representative M. Oshiro.

Representative Pendleton submitted the following remarks to the Clerk for insertion into the Journal:

"Mr. Speaker, I am delighted today to speak in favor and in support of House Concurrent Resolution No. 281.

"Mr. Speaker, back in the late 1980s our State embarked on a mission to ensure the vitality and, indeed, the continuance of the Hawaiian language.

"While we live in Hawaii, we do not speak Hawaiian. We speak English. This is understandable, Mr. Speaker, as English is the language of law, of commerce, of science. However, Mr. Speaker, it would be a terrible tragedy if this language, the Hawaiian language, were forever lost from the face of this earth.

"The Hawaiian Language Immersion Program was created to ensure that such a tragedy would never occur. I am grateful that the Board of Education had the wisdom to develop and approve such a program or programs. I should mention that my wife was not a member at the time, but if she were, I am certain she would have voted in strong support for the program. She teaches our children the language of her home country. And I am glad they are learning Tagalog, because Tagalog is more than a language, more than a mere means or vehicle of communication. It ties my children to their past, to their history, to their ancestors. In doing so, they learn about themselves and the history which undergirds our culture and our family.

"The Hawaiian language will help preserve the Hawaii we read about in the history books. We can never return to the past. But we can treasure it, learn from it, cherish it, and respect it -- and hopefully bring a little bit of it with us into the future, so that future generations will benefit from the wisdom of our ancestors.

"Mr. Speaker, this resolution requests the preparation of a long-range financial and operational plan to ensure the development of the Hawaiian Language Immersion Program. I am glad we are doing this. Without careful planning, we are surely not going to have a program that is as comprehensive, efficient, and effective as would otherwise have been.

"I think this is a good thing. This plan will be good for Hawaiians and for all races. It is my hope that this is the beginning of a comprehensive effort to educate all of Hawaii's keiki in the Hawaiian language. While I am happy my children are picking up Tagalog, our Filipino dialect, I would love for them to learn the language of this aina. They would, thus equipped, be not only more marketable professionals in the future, but would be more sensitive to our local culture and certainly more aware of the history and culture of this State we all love and call home. Thank you, Mr. Speaker.

"I thank Representative Kawakami for introducing this resolution, H.C.R. No. 281. I would have loved to have signed on. But I know that it is difficult to locate representatives with all of the meetings going on, and at least I have had the opportunity to speak on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-RANGE FINANCIAL AND OPERATIONAL

PLAN TO ENSURE THE DEVELOPMENT OF THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1780) recommending that H.C.R. No. 278, HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 278, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1781) recommending that H.R. No. 199, HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 199, HD 2, entitled: "HOUSE RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1782) recommending that H.C.R. No. 129 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HISTORIC HOMEOWNERSHIP TAX CREDIT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1783) recommending that H.R. No. 7 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION SUPPORTING THE HISTORIC HOMEOWNERSHIP TAX CREDIT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1784) recommending that H.C.R. No. 95, HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 95, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Pendleton submitted the following remarks for insertion into the Journal:

"Mr. Speaker, I rise in strong support of House Concurrent Resolution 95, House Draft 1, relating to immigrants health and human services.

"Mr. Speaker, as a member of the Health Committee and the Human Services Committee, I am pleased to rise in strong support of a resolution urging the Governor to carefully assess the impact of new federal laws affecting immigrants. Our purpose was to protect the rights of legal immigrants.

"Mr. Speaker, I understand there are immigration laws. And these are important. I also understand that we have a serious financial crisis in this country. We have a looming federal deficit and are not growing at the rate we ought to be growing.

"My concern with what our federal counterparts have done has to do with the fact that our welfare reform laws proceed from the aforementioned premises and arrive at conclusions which are non sequitur, to misconjugate the Latin.

"Mr. Speaker, I do not know how our federal counterparts arrived at the decision to reform welfare by targeting legal immigrants. In law school, I learned that non sequitur means, 'does not follow.' And in this case the term is very appropriate. While we must reform welfare, there is no data supporting abuse of the system by legal immigrants.

"On the Statue of Liberty we read the words, 'Give me your tired, your poor' Mr. Speaker, apparently our federal counterparts have said, if these immigrants find themselves in tough economic times, then tough luck. I disagree. I, for one, will not turn my back.

"While I can perhaps justify precluding illegal immigrants from receiving the aid and assistance which legal immigrants need, I can find no reason to harm those who have complied with our immigration laws. We are all just a paycheck or two from being homeless. We should never discriminate based on wealth.

"This resolution aptly points out that: 'Hawaii's immigrant work force is the backbone of the tourism industry, with thousands employed in service jobs in hotels and restaurants, and has been the foundation for the building of Hawaii's agricultural heritage'

"I strongly urge passage of House Concurrent Resolution No. 95, House Draft 1. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 95, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1785) recommending that H.C.R. No. 34, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 34, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1786) recommending that H.R. No. 33, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the

Committee was adopted and H.R. No. 33, HD 1, entitled: "HOUSE RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1787) recommending that H.C.R. No. 27, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 27, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO DEVELOP A PROGRAM THAT PAIRS COLLEGE STUDENTS WITH DELINQUENT YOUTHS TO TRACK THEIR PROGRESS AND SERVE AS MENTORS AND ROLE MODELS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1788) recommending that H.C.R. No. 145, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE HAWAII HEALTH QUEST PROGRAM AND TO MAKE RECOMMENDATIONS TO IMMEDIATELY REDUCE THE PROGRAM'S INCREASING COSTS OR TO STABILIZE THEM, OR BOTH, WITHOUT AN INCREASE IN FUNDING," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1789) recommending that H.R. No. 91, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 91, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE HAWAII HEALTH QUEST PROGRAM AND TO MAKE RECOMMENDATIONS TO IMMEDIATELY REDUCE THE PROGRAM'S INCREASING COSTS OR TO STABILIZE THEM, OR BOTH, WITHOUT AN INCREASE IN FUNDING," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1790) recommending that H.C.R. No. 16, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 16, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ADVANCED CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE CONTRACT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1791) recommending that H.R. No. 16, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 16, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ADVANCED CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE CONTRACT," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1792) recommending that H.C.R. No. 125, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND MAINTAIN CHILD AND ADOLESCENT MENTAL HEALTH SERVICES THAT ARE ACCESSIBLE, COMMUNITY-BASED, AND SENSITIVE TO THE NEEDS AND SOCIO-ECONOMIC PROFILE OF HAWAII'S COMMUNITIES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1793) recommending that H.R. No. 79, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND MAINTAIN CHILD AND ADOLESCENT MENTAL HEALTH SERVICES THAT ARE ACCESSIBLE, COMMUNITY-BASED, AND SENSITIVE TO THE NEEDS AND SOCIO-ECONOMIC PROFILE OF HAWAII'S COMMUNITIES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1794) recommending that H.C.R. No. 178 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1795) recommending that H.C.R. No. 206, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 206, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE WAIMANALO

HOMES PROJECT TO REMAIN LIVING THERE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1796) recommending that H.R. No. 142, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 142, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE WAIMANALO HOMES PROJECT TO REMAIN LIVING THERE," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1797) recommending that H.C.R. No. 279 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT CARDIOPULMONARY RESUSCITATION TRAINING PROGRAM ON KAUAI," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1798) recommending that H.R. No. 200 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 200, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT CARDIOPULMONARY RESUSCITATION TRAINING PROGRAM ON KAUAI," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1799) recommending that H.C.R. No. 252, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 252, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RECRUITMENT OF THE 'AMERICA'S SMITHSONIAN' EXHIBITION TO HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1800) recommending that H.R. No. 179, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 179, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE RECRUITMENT OF THE 'AMERICA'S SMITHSONIAN' EXHIBITION TO HAWAII," was

adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1801) recommending that H.C.R. No. 78, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 78, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN INTERNATIONAL TECHNO-TOURISM POLICY," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1802) recommending that H.C.R. No. 70, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 70, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1803) recommending that H.C.R. No. 11 be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1804) recommending that H.R. No. 8 be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 11 and H.R. No. 8 be adopted, seconded by Representative M. Oshiro.

Representative McDermott rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Whalen rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Moses rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Marumoto rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, saying:

"Mr. Speaker, I regret I didn't take a closer look at them. I am in the Finance Committee, but at this time I will vote no."

Representative Kawanakoa rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Halford rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Ward rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Thielen rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Aiona rose and requested no votes on H.C.R. No. 11 and H.R. No. 8, and the Chair "so ordered."

Representative Meyer rose to cast her no votes, saying:

"Thank you, Mr. Speaker. I feel the pressure, I vote no."

Representative Pendleton rose in opposition to the resolutions and asked that his remarks be entered into the Journal, and the Chair "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in strong opposition to House Concurrent Resolution No. 11 and House Resolution No. 8, relating to out-of-state mail order sellers.

"Mr. Speaker, H.C.R. 11/H.R. No. 8 will request the Congress to enact taxes on goods delivered in states from out-of-state businesses, which goods were ordered by way of the catalog.

"I oppose these measures, Mr. Speaker. These are anti-direct marketing home-based business resolutions. I find it disconcerting that we would propose to collect yet another tax. I find it particularly troublesome that we would seek to levy a tax such as this.

"For example, this tax will target those people involved in the Amway business. Many thousands have been able to improve the economic lot of their neighbors, friends, family, and church members through multilevel marketing plans such as Amway. They help the economy. They promote entrepreneurship. They embody good, wholesome values -- such as hard work and persistent and consistent effort. They urge their distributors to set goals and dreams and to help others achieve success, both personal and material.

"Now we single them out as though they are part of the problem, as though our state is in an economic downturn because of direct marketers or multilevel distributors. Mr. Speaker, they are part of the solution. Because of them, many have been able to become financially free.

"I will oppose any such tax. I certainly will not support resolutions urging our Congress to levy such a tax or pass legislation enabling the collection of such use taxes.

"Mr. Speaker, I have read the Supreme Court's decision, National Bellas Hess v. Illinois Department of Revenue. I urge my colleagues to read this case. You will see that the Due Process Clause and the Commerce Clause of our United States Constitution do not require us to collect such a use tax and in fact probably caution us from doing so.

"In conclusion, Mr. Speaker, I oppose House Concurrent Resolution No. 11 and House Resolution No. 8."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION REQUIRING OUT-OF-STATE MAIL ORDER SELLERS TO COLLECT AND SUBMIT USE TAXES ON GOODS DELIVERED IN THOSE STATES THAT IMPOSE

THEM," and H.R. No. 8, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION REQUIRING OUT-OF-STATE MAIL ORDER SELLERS TO COLLECT AND SUBMIT USE TAXES ON GOODS DELIVERED IN THOSE STATES THAT IMPOSE THEM," were adopted, with Representatives Aiona, Halford, Kawanakoa, Marumoto, McDermott, Meyer, Moses, Pendleton, Thielen, Ward and Whalen voting no, and Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1805) recommending that H.C.R. No. 71 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF METHODS OF PROVIDING TAX INCENTIVES TO BUSINESSES FOR SUPPORTING THE EMPLOYMENT OF HAWAII WORKERS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1806) recommending that H.C.R. No. 144 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE NEED TO CONTINUE UPDATES OF THE STATE FUNCTIONAL PLANS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1807) recommending that H.R. No. 90 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 90, entitled: "HOUSE RESOLUTION REQUESTING AN EVALUATION OF THE NEED TO CONTINUE UPDATES OF THE STATE FUNCTIONAL PLANS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1808) recommending that H.C.R. No. 3, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 3, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM AND THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF THE IMPACT OF THE ACTIVITIES OF THE UNIVERSITY OF HAWAII ON THE ECONOMIC DEVELOPMENT OF THE STATE OF HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1809) recommending that H.C.R. No. 276, HD 1, be adopted.

Representative Okamura moved that the report of the Committee be adopted and H.C.R. No. 276, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Pendleton submitted the following remarks for insertion into the Journal:

"Mr. Speaker, I rise in support of House Concurrent Resolution 276, HD 1, and House Resolution 197, HD 1, both of which relate to the PASH decision.

"Mr. Speaker, I support this concurrent resolution because of its stated intent, namely, to request DBEDT to facilitate discussions and to seek consensus among all interested parties with respect to the issues arising out of, and related collectively to, the PASH decision which our Supreme Court rendered in 1995.

"Mr. Speaker, this resolution is necessary because there has been a great deal of uncertainty regarding the implications and ramifications of the Public Access Shoreline Hawaii, et al. v. Hawaii County Planning Commission decision. Commonly referred to as the PASH decision, this Supreme Court case opined, in pertinent part, that: 'Our examination of the relevant legal developments in Hawaiian history leads us to the conclusion that the western concept of exclusivity is not universally applicable in Hawaii' Apparently, this has caused some confusion among landowners and those who would practice traditional gathering rights.

"Mr. Speaker, I was initially concerned about this concurrent resolution because I viewed it as an incarnation, as it were, of Senate Bill No. 8 dealing with this area. Both Republicans and Democrats agreed that it was premature to move forward with that Senate bill. Hence this resolution. Because of my concerns that this was merely the same problematic language in a different -- albeit a mere request rather than a statutory mandate -- I cast a 'no' vote in committee.

"Mr. Speaker, I have since been able to dialogue and consult a number of individuals highly informed on this matter. Among them were law professors, realtors, landowners, Hawaiian realtors, Hawaiian attorneys, people from the Association of Hawaiian Civic Clubs, as well as fellow legislators of Hawaiian descent. After such discussions, I have concluded that this bill is not only meritorious of an 'aye' vote but absolutely necessary.

"I would be the first to oppose anything anti-Hawaiian. We must stand up for this minority group, as we must stand up for all those who deserve a place at the public policy table. I have talked to many others who share my aloha for the Hawaiian community, and they have assured me that this resolution is not only tolerable but is seen as necessary by many in the Hawaiian community.

"Mr. Speaker, the PASH decision also stated that the 'State is authorized to impose appropriate regulations to govern the exercise of native Hawaiian rights in conjunction with permits issued for the development of land previously undeveloped or not yet fully developed,' and I interpret this to mean that this resolution is authorized and appropriate per the PASH decision.

"Mr. Speaker, perhaps one of the most attractive features of this resolution is that fact that it requests 'all affected parties' to be involved. I firmly believe that this whole issue has been infused with heated passion, unfettered emotion, and, perhaps, discordant and uncivil voices. This is not the Hawaiian way. This is not behavior becoming of elected officials or concerned citizens. We are all better than this. Hence I am pleased that the stakeholders -- all of them -- will be invited to significantly participate in the dialogue.

"One theologian, Reinhold Niebuhr, once said, in an Essay entitled 'The Children of Light and the Children of

Darkness' that 'Man's capacity for justice makes democracy possible; but man's inclination to injustice makes democracy necessary.' My commentary on this quotation would be as follows: because we are capable of knowing what is in the best interest of all of us, we can engage in collective decision-making. This is an enterprise of which we are capable. However, because of our propensities toward selfishness and harmful behavior, group decision-making is absolutely required.

"It is my hope that passage of this resolution will lead to justice for all. We all have a vested interest in seeing equitable treatment meted out to all, whether Hawaiian or non-Hawaiian. This is why I now support House Concurrent Resolution No. 276 and House Resolution No. 197."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 276, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO FACILITATE DISCUSSIONS BETWEEN ALL AFFECTED PARTIES AND SEEK CONSENSUS ON APPROPRIATE STATE REGULATION OF RIGHTS REAFFIRMED UNDER ARTICLE XII, SECTION 7, OF THE HAWAII STATE CONSTITUTION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1810) recommending that H.R. No. 197, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 197, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF PLANNING OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO FACILITATE DISCUSSIONS BETWEEN ALL AFFECTED PARTIES AND SEEK CONSENSUS ON APPROPRIATE STATE REGULATION OF RIGHTS REAFFIRMED UNDER ARTICLE XII, SECTION 7, OF THE HAWAII STATE CONSTITUTION," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1811) recommending that H.C.R. No. 65, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PUBLIC FINANCING OF STATE ELECTIONS," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1812) recommending that H.C.R. No. 235, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 235, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE IDENTIFICATION CARDS AND/OR OTHER FORMS OF IDENTIFICATION TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was adopted, with Representatives Chang,

Moriyama, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1813) recommending that H.R. No. 165, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 165, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE IDENTIFICATION CARDS AND/OR OTHER FORMS OF IDENTIFICATION TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was adopted, with Representatives Chang, Moriyama, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1814) recommending that H.C.R. No. 107, HD 1, be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1815) recommending that H.R. No. 62, HD 1, be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 107, HD 1, and H.R. No. 62, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Moses rose in strong support of the resolutions, stating:

"I believe the Committee Reports mean funding and not finding. However, I believe that we should urge the Congress to fund this carrier and homeport it here at Pearl Harbor.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 107, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," and H.R. No. 62, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," were adopted, with Representatives Chang, Moriyama, Morita, Stegmaier, Tarnas and Tom being excused. Tarnas and Tom being excused. being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1816) recommending that H.C.R. No. 280 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE THE INCLUSION OF DISASTER MITIGATION MEASURES IN THE PLANNING, DESIGN, AND CONSTRUCTION PHASES OF ALL STATE-FUNDED BUILDINGS DESIGNATED AS HURRICANE SHELTERS," was adopted, with Representatives Chang, Moriyama, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1817) recommending that H.C.R. No. 249 be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1818) recommending that H.R. No. 177 be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 249 and H.R. No. 177 be adopted, seconded by Representative M. Oshiro.

Representative McDermott rose and asked the Clerk to register no votes for him, and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register no votes for him, saying:

"I talked about this before, and I believe that it is improper, that we're going against the free market system. We're telling the military they have to buy things in this state instead of buying them at the cheapest possible price for the taxpayers. Next could be milk, meat, eggs, anything they want to sell there.

"If the actual problem is black marketeering, then the idea of putting tax exempt stamps on the cigarettes will suffice to keep them from being sold in the black market.

"Thank you, Mr. Speaker."

Representative Meyer then rose and asked the Clerk to register no votes for her, and the Chair "so ordered."

Representative Whalen then rose and asked that no votes be cast for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A LOCAL PURCHASE REQUIREMENT FOR THE PURCHASE OF CIGARETTES BY MILITARY AND COAST GUARD FACILITIES IN ALASKA AND HAWAII," and H.R. No. 177, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A LOCAL PURCHASE REQUIREMENT FOR THE PURCHASE OF CIGARETTES BY MILITARY AND COAST GUARD FACILITIES IN ALASKA AND HAWAII," were adopted, with Representatives McDermott, Meyer, Moses and Whalen voting no, and Representatives Chang, Moriyama, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1819) recommending that H.C.R. No. 210 be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAE DISTRICT FLOODING," was adopted, with Representatives Chang, Moriyama, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1820) recommending that H.C.R. No. 264, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 264, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION

REQUESTING THE HOSTING OF A PACIFIC CONFERENCE ON MARINE SCIENCE AND TECHNOLOGY IN HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1821) recommending that H.R. No. 189, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 189, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HOSTING OF A PACIFIC CONFERENCE ON MARINE SCIENCE AND TECHNOLOGY IN HAWAII," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1822) recommending that H.C.R. No. 256, HD 1, be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1823) recommending that H.R. No. 183, HD 1, be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 256, HD 1, and H.R. No. 183, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Thielen rose to speak against the resolutions, stating:

"Mr. Speaker, I think this body has taken a position that it does not want to go ahead with gambling. I know that our government entities, that are to do this second study, have a lot of other valid work to do.

"I would prefer that we pass on this, and not continue to flag a dead racehorse. Let's just let it lie and move on with other things.

"Thank you, Mr. Speaker."

Representative Pendleton then rose in opposition to the resolutions and asked that his remarks be entered into the Journal, and the Chair, noting that there were no objections, "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in strong opposition to House Concurrent Resolution No. 256, HD 1 and House Resolution No. 183, HD 1, relating to Hilo gambling.

"Mr. Speaker, I believe Representative Tarnas has stated our concerns previously. This resolution seems to imply that narrowing the scope of the application of gambling will somehow diminish the extent of the harmful consequences of gambling.

"Mr. Speaker, I disagree with such a suggestion. While it might limit the harmful effects to a carefully circumscribed geographical area within our State, those harmful effects will nonetheless be experienced by those who reside within said circumscribed area.

"I have observed the harm and social costs of gambling in other states. I have done so not because each state is identical but because surely we can learn from the experience of others. Permit me, then, Mr. Speaker, to share some of the insights of the law enforcement people from Florida. In a 1994 report by the Florida Sheriffs Association, the Florida Police Chiefs Association, and

the Florida Department of Law Enforcement, entitled 'Casinos and Crime: Is it worth the Gamble?' we read the following:

"While it is clear that a small number of enterprises would gain from casino gambling, it would not benefit the majority of Floridians. It is the view of the leadership of Florida law enforcement that casino gambling would prove extremely counterproductive to anti-crime efforts. It is vitally important that highly financed efforts to stimulate Florida's economy through casino gambling not overshadow the overwhelming concerns relative to street crime and traditional and nontraditional organized crime.' Thus reads the report. Mr. Speaker, these are not the rantings of a right wing fanatic. They are not the hypersensitive concerns of a left wing social worker. Proponents of gambling often describe such concerns regarding the ill-effects of gambling as crying wolf. But these words are those of law enforcement leaders. They reflect the factually supportable reservations of those who have been fighting the war on drugs and taking on organized crime.

"Mr. Speaker, I put my faith in our law enforcement officials. While I do not ascribe dishonesty to companies which promote gambling, I do believe it is challenging for such companies to be entirely objective and neutral; after all, they are gambling on being able to build horse race tracks, casinos, et cetera. They have profits at stake. In contrast, a police chief's salary will not change depending on whether a state legalizes gambling.

"Mr. Speaker, the report also goes on to state that 'it has been clearly demonstrated in other jurisdictions that a significant increase in crime and its consequences accompanies casino gambling.' The report cites increases in crime in Mississippi and New Jersey. In Mississippi, casinos were legalized and auto thefts thereafter climbed by nearly 150% and DUIs increased by 67%. In Atlantic City, New Jersey, there are statistics from the first three years of casino gambling. Those statistics demonstrate an excessive rate of crime, more than 40 times the growth rate of other parts of the state.

"The foregoing, Mr. Speaker, is clear and compelling. I cannot in good conscience support this resolution. I am opposed to gambling because it does nothing to create positive, sustaining growth in this state. Furthermore, the social costs are enormous. How can we justify such a state of affairs? We cannot. Accordingly, I strongly oppose H.C.R. No. 256. I ask my colleagues to join me in voting against this measure."

Representative McDermott then rose in opposition to the resolutions, saying:

"I believe the proper term is flog a dead racehorse."

Representative Marumoto then rose and asked the Clerk to record no votes for her, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to record no votes for her, and the Chair "so ordered."

Representative Halford then rose and asked the Clerk to record no votes for him, and the Chair "so ordered."

Representative Ward then rose and asked the Clerk to record no votes for him, and the Chair "so ordered."

Representative Moses then rose and asked that no votes be cast for him, and the Chair "so ordered."

Representative Case then rose and asked that no votes be cast for him, and the Chair "so ordered."

Representative Lee then rose and asked that no votes be cast for her, and the Chair "so ordered."

Representative Santiago then rose and asked that no votes be cast for him, and the Chair "so ordered."

Representative Arakaki then rose and asked that no votes be cast for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 256, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC AND SOCIAL IMPACT OF PARI-MUTUEL HORSE RACING, SHIPBOARD CASINOS, AND HOTEL/CASINO GAMBLING IN HILO," and H.R. No. 183, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC AND SOCIAL IMPACT OF PARI-MUTUEL HORSE RACING, SHIPBOARD CASINOS, AND HOTEL/CASINO GAMBLING IN HILO," were adopted, with Representatives Arakaki, Case, Halford, Lee, Marumoto, McDermott, Meyer, Moses, Pendleton, Santiago, Thielen and Ward voting no, and Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1824) recommending that H.C.R. No. 105, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 105, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE EMPLOYMENT AND TRAINING FUND," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1825) recommending that H.R. No. 60, HD 1, as amended in HD 2, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 60, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE EMPLOYMENT AND TRAINING FUND," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1826) recommending that H.C.R. No. 259, as amended in HD 1, be adopted.

Representative Say, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1827) recommending that H.R. No. 186, as amended in HD 1, be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 259, HD 1, and H.R. No. 186, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Thielen then rose and asked that no votes be cast for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 259, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COUNCIL," and H.R. No. 186, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COUNCIL," were adopted, with Representative Thielen voting no, and Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1828) recommending that H.C.R. No. 248, HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 248, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO REPORT ON H.B. 567 AND S.B. 1077 RELATING TO REAL PROPERTY LEASES," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1829) recommending that H.C.R. No. 208, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 208, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ADVISE THE LEGISLATURE ON THE STATUS OF THE HAWAII STATE PLAN AND THE VIABILITY OF INCORPORATING THE KE ALA HOKU PROCESS IN A COHESIVE STATE FUNCTIONAL AND FINANCIAL PLAN," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1830) recommending that H.R. No. 144, as amended in HD 1, be adopted.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and H.R. No. 144, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ADVISE THE LEGISLATURE ON THE STATUS OF THE HAWAII STATE PLAN AND THE VIABILITY OF INCORPORATING THE KE ALA HOKU PROCESS IN A COHESIVE STATE FUNCTIONAL AND FINANCIAL PLAN," was adopted, with Representatives Chang, Morihara, Morita, Stegmaier, Tarnas and Tom being excused.

Representatives Takamine and Yoshinaga, for the Committees on Water and Land Use and Energy and Environmental Protection, presented a joint report (Stand.

Com. Rep. No. 1831) recommending that H.C.R. No. 119, as amended in HD 1, be adopted.

Representatives Takamine and Yoshinaga, for the Committees on Water and Land Use and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1832) recommending that H.R. No. 73, as amended in HD 1, be adopted.

Representative Okamura moved that the joint reports of the Committees be adopted and H.C.R. No. 119, HD 1, and H.R. No. 73, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Meyer rose to speak in support of the resolutions with some strong reservations, stating:

"I received a number of faxes on this particular resolution. People that are involved in the helicopter business feel that they have a good arrangement now with the Parks -- something that is working. They fear that this resolution could create greater regulation -- new regulations that could conceivably put them out of business.

"They take exception to the Senate's bill that talks about low-flying sightseeing aircrafts in our National Parks and surrounding residential areas. They have adjusted their flight pattern, and they're not flying these low-flying irritating flights.

"It's an industry that brings money to the State. This one particular company said he has 98 employees -- 47 on the Big Island -- which would more than likely lose their jobs if the regulations get any tougher than they are now.

"I also received a fax from the Maui Chamber of Commerce and they, too, were against this resolution. So I have some strong reservations, and I just want that to be noted."

At 12:07 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 12:08 o'clock p.m.

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

"Maui has collaborated with the people, and the helicopter industry has collaborated; there has been progress. I understand that the solutions, so far, are not perfect but this resolution, in addition to asking for federal legislation, also emphasizes the importance of continuing dialogue between the industry and people, and it notes that on that dialogue, it's constructive.

"Thank you."

The motion was put to vote by the Chair and carried, and the joint reports of the Committees were adopted and H.C.R. No. 119, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO SUPPORT SENATOR JOHN McCAIN'S FEDERAL LEGISLATION TO PROVIDE FOR THE MANAGEMENT OF THE AIRSPACE OVER UNITS OF THE NATIONAL PARK SYSTEM," and H.R. No. 73, HD 1, entitled: "HOUSE RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO SUPPORT SENATOR JOHN McCAIN'S FEDERAL LEGISLATION TO PROVIDE FOR THE MANAGEMENT OF THE AIRSPACE OVER UNITS OF THE NATIONAL PARK SYSTEM," were adopted, with

Representatives Chang, Morita, Stegmaier, Tarnas and Tom being excused.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1833) recommending that H.C.R. No. 39, as amended in HD 1, be adopted.

Representative Yoshinaga, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 1834) recommending that H.R. No. 38, as amended in HD 1, be adopted.

Representative Okamura moved that the reports of the Committee be adopted and H.C.R. No. 39, HD 1, and H.R. No. 38, HD 1, be adopted, seconded by Representative M. Oshiro.

Representative Moses rose in support of the resolutions with reservations, stating:

"These have to do with Campbell Industrial Park's air quality, and ask for the formation of a Task Force, which I guess the State will have to pay for.

"However, I'd like to point out to this body that the State Health Director has been involved in investigations in Campbell Industrial Park now for a number of years. And through fines assessed to users, businesses there at Campbell Industrial Park, we have an environmental consultant that has been hired by the State with those funds and she is a point of contact in investigating all occurrences within the Campbell Industrial Park. So I'm not sure why we want to spend the money to now create another Task Force.

"Thank you, Mr. Speaker."

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

"Just to correct the record, that the Chair of your Energy and Environmental Protection Committee is very concerned about our State finances, and therefore, we are very encouraged to offer these two resolutions for consideration by this body, which is a Task Force that would be privately funded.

"And the Task Force would be, frankly, a voluntary and cooperative effort in partnering with industry to come up with a long-term plan on how to deal with existing facilities and perhaps reduction of air emissions at Campbell Industrial Park in the long run, as well as to take a look at other incentives for industry to assist in such capital investment in Campbell Industrial Park. It does not involve any State funds.

"Thank you, Mr. Speaker."

Representative Moses then rose and responded:

"In that case, I'm even more opposed to the measures, because there already exists a voluntary task force called a Clean Committee which has already been established by the community and the businesses out there, and if it's addressing the problem now for a couple of years, I see no need for a redundant task force.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 39, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO APPOINT A TASK FORCE TO ASSESS AIR QUALITY AT CAMPBELL

INDUSTRIAL PARK AND THE AIR QUALITY IMPACTS OF EMISSION SOURCES IN THIS LOCATION," and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO APPOINT A TASK FORCE TO ASSESS AIR QUALITY AT CAMPBELL INDUSTRIAL PARK AND THE AIR QUALITY IMPACTS OF EMISSION SOURCES IN THIS LOCATION," were adopted, with Representatives Chang, Morita, Stegmaier, Tarnas and Tom being excused.

ANNOUNCEMENTS

Representative Goodenow rose and stated:

"As I'm sure you're all aware by now, we're starting our Food Bank Drive for the House. It's a higher honor, I think, than beating the Senate at basketball or baseball. We can beat them in our Food Drive so you all should make the effort.

"The problem of homelessness is year-round, but now during the Food Bank Drive, we, the freshmen Representatives, under the guidance of Representative Arakaki, are expanding our efforts to include serving homeless people at the River of Life Homeless Shelter and IHS.

"Tonight at 6:30, at the River of Life, that's 101 Pauahi Street, we'll be serving -- Representatives Lei Ahu Isa, Arakaki and myself will be there, and staff from people's offices. If you want to come, please come. And then next week, there'll be a larger group at IHS -- Representatives Aiona, Fox, Lee, Morita, and Pendleton are some of the ones who will be there, and that's on the 16th. So please, if you can come and serve, I think it really shows that we are concerned and we're aware, and also donate to the Food Drive. We need to beat the Senate."

Representative Morihara then rose and stated:

"I just wanted to rise as one of the Davids in the House. Obviously, we have our Dave's Day annual ice cream party on the 4th floor today at 2 o'clock. And you, your staff, and our guests are all invited, courtesy of David Pendleton."

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 11, 1997. (Representatives Chang, Morita, Stegmaier, Tarnas and Tom were excused.)

FORTY-NINTH DAY

Friday, April 11, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:45 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Reverend Jonathan Heierman of the Joy of Christ Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Chang, Halford, Hiraki, Menor, Morihara, Takamine and Tarnas, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Eighth Day was deferred.

GOVERNOR'S MESSAGE

Gov. Msg. No. 181, transmitting copies of "State Foundation on Culture and the Arts Report on Federal Funds Received, Budget Proviso Act 287, SLH 1996, Section 192," was received and announced by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 642 through 698) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 642, informing the House that the Senate has agreed to the amendments proposed by the House in the following Senate Bills and said Senate Bills passed Final Reading in the Senate on April 10, 1997:

S.B. No. 1556, HD 1
S.B. No. 1578, HD 1

Sen. Com. No. 643, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills on April 10, 1997:

S.B. No. 26, HD 1, entitled: "RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR";

S.B. No. 165, SD 2, HD 1, entitled: "RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES";

S.B. No. 382, SD 1, HD 1, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

S.B. No. 1064, SD 1, HD 1, entitled: "RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES";

S.B. No. 1267, SD 1, HD 1, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

S.B. No. 1421, SD 2, HD 1, entitled: "RELATING TO PAYROLL PERIODS";

S.B. No. 1802, SD 2, HD 1, entitled: "RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES";

S.B. No. 938, SD 1, HD 1, entitled: "RELATING TO NONRESIDENT INCOME TAX";

S.B. No. 989, SD 1, HD 1, entitled: "RELATING TO TORTS";

S.B. No. 1242, SD 1, HD 1, entitled: "RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS";

S.B. No. 293, SD 1, HD 1, entitled: "RELATING TO THE PENAL CODE";

S.B. No. 653, SD 2, HD 2, entitled: "RELATING TO EMPLOYMENT PRACTICES";

S.B. No. 1069, SD 1, HD 1, entitled: "RELATING TO CANDIDATE NOMINATION PAPERS";

S.B. No. 1766, SD 1, HD 1, entitled: "RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY";

S.B. No. 208, SD 1, HD 2, entitled: "RELATING TO TAXATION";

S.B. No. 251, SD 1, HD 2, entitled: "RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION";

S.B. No. 373, HD 1, entitled: "RELATING TO THE ENVIRONMENT";

S.B. No. 941, SD 1, HD 2, entitled: "PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, TO ESTABLISH A BUDGET STABILIZATION FUND";

S.B. No. 991, SD 2, HD 2, entitled: "RELATING TO HIGHWAY SAFETY";

S.B. No. 1016, HD 1, entitled: "RELATING TO PUBLIC LANDS";

S.B. No. 1018, SD 1, HD 2, entitled: "RELATING TO TAX";

S.B. No. 1385, HD 1, entitled: "RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES";

S.B. No. 1554, SD 1, HD 2, entitled: "RELATING TO PUBLIC HOUSING";

S.B. No. 1571, SD 1, HD 2, entitled: "RELATING TO VITAL STATISTICS";

S.B. No. 1588, SD 1, HD 2, entitled: "RELATING TO MENTAL HEALTH";

S.B. No. 1636, SD 2, HD 1, entitled: "RELATING TO THE EAST WEST CENTER";

S.B. No. 1919, SD 1, HD 2, entitled: "RELATING TO THE LEGISLATURE"; and

S.B. No. 1943, SD 1, HD 2, entitled: "RELATING TO MOTOR VEHICLES".

Sen. Com. No. 644, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills on April 10, 1997:

S.B. No. 35, SD 1, HD 1, entitled: "RELATING TO LANDLORDS";

S.B. No. 37, SD 1, HD 2, entitled: "RELATING TO ENTERPRISE ZONES";

- S.B. No. 135, SD 1, HD 2, entitled: "RELATING TO OPTOMETRY";
- S.B. No. 138, SD 1, HD 3, entitled: "RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES";
- S.B. No. 141, SD 1, HD 1, entitled: "RELATING TO LEASE-PURCHASE AGREEMENTS";
- S.B. No. 147, SD 1, HD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 152, SD 2, HD 1, entitled: "RELATING TO TIME SHARING";
- S.B. No. 161, SD 1, HD 1, entitled: "RELATING TO CHILD CARE FACILITIES";
- S.B. No. 202, SD 1, HD 1, entitled: "RELATING TO PENSIONERS BONUS";
- S.B. No. 226, SD 1, HD 1, entitled: "RELATING TO ARCHITECTS";
- S.B. No. 228, SD 1, HD 1, entitled: "RELATING TO THE DEFINITION OF CHIROPRACTIC";
- S.B. No. 242, SD 1, HD 2, entitled: "RELATING TO LOBBYISTS";
- S.B. No. 252, SD 1, HD 2, entitled: "RELATING TO GENERAL ASSISTANCE";
- S.B. No. 257, SD 2, HD 2, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";
- S.B. No. 263, SD 2, HD 1, entitled: "RELATING TO CONTRACEPTIVE SERVICES";
- S.B. No. 286, SD 2, HD 2, entitled: "RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS";
- S.B. No. 375, HD 2, entitled: "RELATING TO SOLID WASTE MANAGEMENT";
- S.B. No. 388, SD 2, HD 2, entitled: "RELATING TO DEGREE GRANTING INSTITUTIONS";
- S.B. No. 512, SD 2, HD 2, entitled: "RELATING TO PROFESSIONS AND VOCATIONS";
- S.B. No. 538, SD 3, HD 1, entitled: "RELATING TO PUBLIC LIBRARIES";
- S.B. No. 623, SD 2, HD 1, entitled: "RELATING TO STATE FUNDS";
- S.B. No. 633, SD 2, HD 2, entitled: "RELATING TO BED AND BREAKFAST OPERATIONS";
- S.B. No. 647, SD 1, HD 2, entitled: "RELATING TO TORT LIABILITY";
- S.B. No. 656, SD 1, HD 3, entitled: "RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS";
- S.B. No. 680, SD 1, HD 1, entitled: "RELATING TO CONDOMINIUMS";
- S.B. No. 681, SD 2, HD 1, entitled: "RELATING TO PLANNED COMMUNITY ASSOCIATIONS";
- S.B. No. 717, SD 2, HD 2, entitled: "RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES";
- S.B. No. 718, HD 1, entitled: "RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT";
- S.B. No. 727, SD 2, HD 1, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- S.B. No. 818, SD 1, HD 1, entitled: "RELATING TO TRADEMARK COUNTERFEITING";
- S.B. No. 831, SD 2, HD 2, entitled: "RELATING TO CAMPAIGN SPENDING";
- S.B. No. 835, SD 1, HD 1, entitled: "RELATING TO PHYSICIANS";
- S.B. No. 843, SD 1, HD 2, entitled: "RELATING TO SMALL BUSINESS TAXATION";
- S.B. No. 846, SD 1, HD 2, entitled: "RELATING TO CONTROLLED SUBSTANCES";
- S.B. No. 870, SD 2, HD 2, entitled: "RELATING TO PICKUP TRUCKS";
- S.B. No. 871, SD 2, HD 3, entitled: "RELATING TO ECONOMIC DEVELOPMENT";
- S.B. No. 944, SD 2, HD 2, entitled: "RELATING TO HEALTH";
- S.B. No. 952, SD 1, HD 1, entitled: "RELATING TO CONSUMER PROTECTION";
- S.B. No. 969, HD 2, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- S.B. No. 1032, SD 2, HD 2, entitled: "RELATING TO MARRIAGE AND FAMILY THERAPISTS";
- S.B. No. 1082, SD 1, HD 2, entitled: "RELATING TO THE ENVIRONMENT";
- S.B. No. 1089, SD 2, HD 2, entitled: "RELATING TO ENDANGERED SPECIES";
- S.B. No. 1113, SD 1, HD 1, entitled: "RELATING TO FORECLOSURES";
- S.B. No. 1114, SD 1, HD 1, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";
- S.B. No. 1115, SD 1, HD 1, entitled: "RELATING TO THE RETURN OF MERCHANDISE";
- S.B. No. 1116, SD 1, HD 1, entitled: "RELATING TO COMMERCIAL PAPER";
- S.B. No. 1118, SD 1, HD 1, entitled: "RELATING TO PEST CONTROL OPERATORS";
- S.B. No. 1153, SD 2, HD 1, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIME";
- S.B. No. 1160, SD 1, HD 3, entitled: "RELATING TO ELECTRIC VEHICLES";
- S.B. No. 1191, SD 1, HD 1, entitled: "RELATING TO INSURANCE";
- S.B. No. 1197, SD 1, HD 1, entitled: "RELATING TO DRIVERS' LICENSES";

- S.B. No. 1264, SD 1, HD 1, entitled: "RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM";
- S.B. No. 1266, SD 2, HD 2, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";
- S.B. No. 1268, SD 2, HD 2, entitled: "RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT";
- S.B. No. 1277, SD 1, HD 1, entitled: "RELATING TO DANGEROUS DRUGS";
- S.B. No. 1285, SD 1, HD 2, entitled: "RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES";
- S.B. No. 1286, HD 1, entitled: "RELATING TO RETAIL TOBACCO SALES TO MINORS";
- S.B. No. 1316, SD 2, HD 1, entitled: "RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE";
- S.B. No. 1464, SD 1, HD 1, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";
- S.B. No. 1472, SD 2, HD 2, entitled: "RELATING TO GOVERNMENT";
- S.B. No. 1487, SD 1, HD 1, entitled: "RELATING TO MUTUAL BENEFIT SOCIETIES";
- S.B. No. 1495, SD 1, HD 1, entitled: "RELATING TO MOTOR VEHICLE LEASE DISCLOSURE";
- S.B. No. 1499, SD 1, HD 1, entitled: "RELATING TO UNFAIR METHODS OF COMPETITION";
- S.B. No. 1515, SD 1, HD 1, entitled: "RELATING TO PEST CONTROL OPERATORS";
- S.B. No. 1516, SD 1, HD 1, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY LICENSING";
- S.B. No. 1519, HD 1, entitled: "RELATING TO PUBLIC ACCOUNTANCY";
- S.B. No. 1521, SD 1, HD 1, entitled: "RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY";
- S.B. No. 1522, SD 1, HD 1, entitled: "RELATING TO DISPENSING OPTICIANS";
- S.B. No. 1523, HD 1, entitled: "RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS";
- S.B. No. 1524, HD 1, entitled: "RELATING TO DENTISTRY";
- S.B. No. 1533, HD 1, entitled: "RELATING TO THE INSURANCE CODE";
- S.B. No. 1535, SD 1, HD 2, entitled: "RELATING TO THE INSURANCE CODE";
- S.B. No. 1553, SD 1, HD 1, entitled: "RELATING TO HEALTH RESOURCES";
- S.B. No. 1560, SD 1, HD 2, entitled: "RELATING TO ELECTRONIC PRESCRIPTIONS";
- S.B. No. 1565, SD 1, HD 1, entitled: "RELATING TO GENETIC INFORMATION";
- S.B. No. 1581, SD 2, HD 2, entitled: "RELATING TO THE ENVIRONMENT";
- S.B. No. 1599, SD 1, HD 1, entitled: "RELATING TO A COMMERCIAL MARINE DEALER LICENSE";
- S.B. No. 1632, SD 2, HD 2, entitled: "RELATING TO HOUSING";
- S.B. No. 1624, HD 2, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";
- S.B. No. 1625, HD 2, entitled: "RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM";
- S.B. No. 1628, SD 2, HD 2, entitled: "RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION";
- S.B. No. 1683, SD 1, HD 2, entitled: "RELATING TO A HAWAIIAN LANGUAGE COLLEGE";
- S.B. No. 1619, HD 2, entitled: "RELATING TO PARKING FOR DISABLED PERSONS";
- S.B. No. 1714, HD 1, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING";
- S.B. No. 1715, HD 1, entitled: "RELATING TO SECURED TRANSACTIONS";
- S.B. No. 1773, SD 2, HD 2, entitled: "RELATING TO RECYCLING";
- S.B. No. 1794, SD 1, HD 2, entitled: "RELATING TO SANITATION PERMITS";
- S.B. No. 1806, SD 2, HD 2, entitled: "MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING";
- S.B. No. 1814, SD 1, HD 1, entitled: "RELATING TO EMERGENCY TELEPHONE SERVICE";
- S.B. No. 1874, SD 2, HD 2, entitled: "RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE";
- S.B. No. 1879, SD 2, HD 2, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";
- S.B. No. 1891, SD 1, HD 2, entitled: "RELATING TO THE CONVENTION CENTER";
- S.B. No. 1901, SD 1, HD 1, entitled: "RELATING TO TIME SHARE";
- S.B. No. 1948, SD 1, HD 1, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";
- S.B. No. 1951, HD 2, entitled: "RELATING TO TAXATION"; and
- S.B. No. 1618, HD 2, entitled: "RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND".
- Sen. Com. No. 645, returning House Concurrent Resolution No. 223 which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 646, returning House Concurrent Resolution No. 238, HD 1, which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 647, returning House Concurrent Resolution No. 245 which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 648, returning House Bill No. 1433, HD 2 (SD 3), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 10, 1997, in an amended form.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the House disagreed to amendments proposed by the Senate in H.B. No. 1433, HD 2, SD 3, and requested a conference on the subject matter of said amendments, with Representatives Arakaki, Cachola, Chang, Halford, Hiraki, Menor, Morihara, Takamine and Tarnas being excused.

By unanimous consent, H.B. No. 1433, HD 2, SD 3, was placed on the Clerk's desk.

Sen. Com. No. 649, transmitting S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSIST THE LEGISLATURE IN ESTABLISHING AN APPROPRIATE SALARY STRUCTURE AND PAY INCREMENTS FOR LENGTH OF CONTINUOUS CREDITABLE JUDICIAL SERVICE TO THE STATE," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 650, transmitting S.C.R. No. 9, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL INSURANCE COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR PROSTATE CANCER," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 651, transmitting S.C.R. No. 13, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 652, transmitting S.C.R. No. 16, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF STATE LANDS FOR MILITARY RANGES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 653, transmitting S.C.R. No. 33, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TOW TRUCK OPERATORS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 654, transmitting S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO MANDATE THE U.S. FEDERAL RESERVE SYSTEM TO ADOPT A FULL EMPLOYMENT POLICY," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 655, transmitting S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH GUIDELINES FOR THE MED-QUEST PROGRAM," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 656, transmitting S.C.R. No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING AN ASSESSMENT TO DETERMINE THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE EQUAL TO COVERAGE FOR ALL OTHER MEDICAL ILLNESSES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 657, transmitting S.C.R. No. 78, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF ALL PUBLIC SCHOOL PARKING SITUATIONS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 658, transmitting S.C.R. No. 90, SD 2, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE PRESERVATION OF HAWAII'S GREEN SEA TURTLES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 659, transmitting S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 660, transmitting S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 661, transmitting S.C.R. No. 111, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE POSSIBLE HEALTH EFFECTS OF THE AERIAL SPRAYING OF HERBICIDES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 662, transmitting S.C.R. No. 113, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 663, transmitting S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 664, transmitting S.C.R. No. 125, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO SUPPORT THE PROCESS ESTABLISHED UNDER SECTION 6-81-19, HAWAII ADMINISTRATIVE RULES, AND THROUGH THIS PROCESS, TO CONSIDER FUNDING SOME PORTION OF ASK-2000 FOR THE 1997-1999 FISCAL BIENNIUM," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 665, transmitting S.C.R. No. 128, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 666, transmitting S.C.R. No. 131, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 667, transmitting S.C.R. No. 142, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HUMAN SERVICES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 668, transmitting S.C.R. No. 147, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 669, transmitting S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 670, transmitting S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LAW ENFORCEMENT COALITION, IN CONSULTATION WITH THE JUDICIARY, TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 671, transmitting S.C.R. No. 155, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST AND MEDICAID PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 672, transmitting S.C.R. No. 163, entitled: "SENATE CONCURRENT RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 673, transmitting S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 674, transmitting S.C.R. No. 165, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHU CENTENNIAL CELEBRATION ADVISORY

COMMISSION BY EXECUTIVE ORDER," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 675, transmitting S.C.R. No. 166, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE REPORT NO. 93-27, A REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR CONTRACEPTIVE SERVICES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 676, transmitting S.C.R. No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 677, transmitting S.C.R. No. 173, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE HAWAII STATE LIBRARY BOOK CONTRACT WITH BAKER AND TAYLOR," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 678, transmitting S.C.R. No. 178, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF TRANSPORTATION, HAWAII'S CONGRESSIONAL DELEGATION, AND OTHER STATE AND FEDERAL PUBLIC OFFICIALS TO PURSUE 'OPEN SKIES' NEGOTIATION BY INITIATING APPROPRIATE ACTION TO GIVE THE STATE OF HAWAII MORE INPUT IN FEDERAL POLICIES AND REGULATIONS AFFECTING HAWAII'S AIRWAYS AND AIR RIGHTS WITH JAPAN AND OTHER PACIFIC RIM COUNTRIES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 679, transmitting S.C.R. No. 182, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 680, transmitting S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A COMMISSION ON THE TWENTY-FIRST CENTURY," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 681, transmitting S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE TAX INCREMENT FINANCING FOR INFRASTRUCTURE IMPROVEMENTS FOR NEW DEVELOPMENT," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 682, transmitting S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON PROVIDING IMMUNITY FROM LIABILITY FOR VOLUNTEERS WORKING WITH GOVERNMENT AND NONPROFIT ORGANIZATIONS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 683, transmitting S.C.R. No. 203, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 684, transmitting S.C.R. No. 212, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND

NATURAL RESOURCES AND KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO ENTER INTO LAND EXCHANGE NEGOTIATIONS FOR CERTAIN LANDS ON THE ISLAND OF HAWAII," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 685, transmitting S.C.R. No. 223, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 686, transmitting S.C.R. No. 224, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EDUCATE ALL RESTAURANTS, DINING ROOMS, AND OTHER FOOD SERVICE ESTABLISHMENTS REGARDING HAZARDS OF AND REGULATIONS PERTAINING TO IMPROPERLY MAINTAINED AIR CONDITIONING SYSTEMS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 687, transmitting S.C.R. No. 233, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 688, transmitting S.C.R. No. 242, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 689, transmitting S.C.R. No. 244, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 690, transmitting S.C.R. No. 248, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 691, transmitting S.C.R. No. 249, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 692, transmitting S.C.R. No. 251, SD 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS IN THE UNITED STATES CONGRESS TO PROVIDE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS WHO HAVE BEEN DENIED PARTICIPATION IN THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM AND TO RETURN THESE INDIVIDUALS TO THE PROGRAM, AND TO

RESTORE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS FOR ALL NEED-BASED PROGRAMS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 693, transmitting S.C.R. No. 256, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 694, transmitting S.C.R. No. 257, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES NINTH CIRCUIT COURT OF APPEALS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 695, transmitting S.C.R. No. 270, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 696, transmitting S.C.R. No. 274, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF MENTAL HEALTH SERVICES FOR EAST HONOLULU," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 697, transmitting S.C.R. No. 275, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS," which was adopted by the Senate on April 10, 1997.

Sen. Com. No. 698, transmitting S.C.R. No. 277, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION, THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AND THE HAWAII SCHOOL OFFICE SERVICES ASSOCIATION DEVELOP A PLAN TO PROVIDE FUTURE CLERICAL STAFFING TO ALL SCHOOLS," which was adopted by the Senate on April 10, 1997.

By unanimous consent, further action on S.C.R. Nos. 2, SD 1; 9, SD 1; 13, SD 1; 16, SD 1; 33, SD 1; 41; 52; 55, SD 1; 78, SD 1; 90, SD 2; 99; 108; 111, SD 1; 113, SD 1; 116; 125, SD 1; 128, SD 1; 131, SD 1; 142, SD 1; 147, SD 1; 151; 152, SD 1; 155, SD 1; 163; 164; 165; 166, SD 1; 171, SD 1; 173, SD 1; 178, SD 1; 182, SD 1; 184; 194; 198; 203, SD 1; 212; 223; 224, SD 1; 233, SD 1; 242; 244; 248, SD 1; 249, SD 1; 251, SD 1; 256; 257; 270, SD 1; 274; 275; and 277, SD 1, was deferred until later in the calendar.

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

Representative Kawanakoa introduced 27 fifth grade students from Nuuanu Elementary School. They were accompanied by Lynn Morikami, teacher; and Russell Leong, parent.

Representative Stegmaier introduced Mr. Jay Sekulow, Chief Counsel for the American Center for Law and Justice, from Virginia Beach, Virginia. He was accompanied by his wife, Pam; sons, Jordan and Logan; David Cortman, an attorney with the ACLJ; Walter Soto,

aide to Mr. Sekulow; and Mrs. A.J. Cortman, an assistant to Mr. Sekulow.

The Speaker introduced Mr. Walter Ornellas, an old friend of his, who was seated in the gallery.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were referred to committee by the Speaker:

S.C.R.

Nos. Referred to:

- 2 Committee on Judiciary, then to the Committee on Finance
- 9 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 13 Committee on Hawaiian Affairs, then to the Committee on Health, then to the Committee on Finance
- 16 Committee on Water and Land Use, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
- 22 Committee on Hawaiian Affairs, then to the Committee on Health, then to the Committee on Finance
- 33 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 40 Committee on Agriculture, then to the Committee on Water and Land Use
- 41 Committee on Labor and Public Employment
- 43 Committee on Education, then to the Committee on Finance
- 52 Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance
- 55 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 78 Committee on Transportation, then to the Committee on Education, then to the Committee on Finance
- 90 Committee on Ocean Recreation and Marine Resources
- 99 Committee on Education, then to the Committee on Finance
- 108 Jointly to the Committee on Water and Land Use and the Committee on Energy and Environmental Protection
- 111 Committee on Agriculture, then to the Committee on Energy and Environmental Protection, then to the Committee on Finance
- 113 Committee on Health, then to the Committee on Judiciary

- 116 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 124 Committee on Education, then to the Committee on Judiciary
- 125 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 128 Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 131 Committee on Health, then to the Committee on Finance
- 142 Committee on Human Services and Housing, then to the Committee on Finance
- 147 Committee on Labor and Public Employment, then to the Committee on Finance
- 151 Committee on Labor and Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
- 152 Committee on Judiciary
- 155 Jointly to the Committee on Health and the Committee on Human Services and Housing, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 163 Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 164 Committee on Transportation
- 165 Committee on Culture and the Arts, then to the Committee on Judiciary
- 166 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
- 171 Committee on Education, then to the Committee on Finance
- 173 Committee on Education, then to the Committee on Finance
- 178 Committee on Tourism, then to the Committee on Transportation
- 182 Committee on Education, then to the Committee on Finance
- 184 Committee on Economic Development and Business Concerns, then to the Committee on Finance
- 194 Committee on Finance
- 198 Committee on Judiciary, then to the Committee on Finance
- 203 Committee on Human Services and Housing, then to the Committee on Transportation, then to the Committee on Finance
- 212 Committee on Water and Land Use, then to the Committee on Finance

223	Committee on Water and Land Use, then to the Committee on Finance	1539	Jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance
224	Committee on Energy and Environmental Protection, then to the Committee on Finance	1604	Committee on Judiciary, then to the Committee on Finance
233	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance	1618	Committee on Labor and Public Employment, then to the Committee on Finance
242	Committee on Transportation, then to the Committee on Finance	1624	Committee on Labor and Public Employment, then to the Committee on Finance
244	Committee on Higher Education, then to the Committee on Finance	1713	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
248	Committee on Tourism, then to the Committee on Finance	1797	Committee on Human Services and Housing, then to the Committee on Finance
249	Committee on Tourism, then to the Committee on Finance	1804	Jointly to the Committee on Finance and the Committee on Culture and the Arts
251	Committee on Human Services and Housing, then to the Committee on Finance		
256	Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce		
257	Committee on Judiciary		
270	Committee on Education, then to the Committee on Finance		
274	Committee on Health, then to the Committee on Finance		
275	Committee on Consumer Protection and Commerce		
277	Committee on Education, then to the Committee on Finance		

S.B.
No.

871 Jointly to the Committee on Economic Development and Business Concerns and the Committee on Transportation, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance

**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolutions (H.R. Nos. 225 and 226) were announced by the Clerk and the following action taken:

H.R. No. 225, entitled: "HOUSE RESOLUTION HONORING JAMES M. MORITA FOR HIS OUTSTANDING LIFELONG CONTRIBUTIONS TO HAWAII," was jointly offered by Representatives Garcia, Abinsay, Yamane by request, Cachola, Case, Fox, Hamakawa, Hiraki, Ito, Kawanakoa, Morita, Moses, Nakasone, Okamura, M. Oshiro, P. Oshiro, Say, Suzuki, Takai and Thielen.

Representative Garcia moved that H.R. No. 225 be adopted, seconded by Representative Abinsay.

Representative Garcia rose to speak in support of the resolution, stating:

"Mr. Speaker, as this floor has been noted for saluting many captains of industry, I'm proud and pleased to have Jimmy Morita among them, and just a few words about his achievements, both in commerce and in our community.

"Jimmy Morita is one of Hawaii's most distinguished leaders in the business and civic community. He was born in Kealakekua, South Kona, on the Big Island, and went to school at Napoopoo Elementary and Konawaena Junior High School in South Kona on the Big Island before moving on to the Mid-Pacific Institute in Honolulu, and then on to the University of Hawaii, where he earned his Bachelor of Arts degree in political science and economics in 1936.

"Jimmy, and this is the only time I can call him Jimmy, when I'm on the floor of the House; usually I call him 'boss' when I'm at the bank. Jimmy was graduated from the Georgetown University School of Law. While there, he was elected to serve on the editorial board of the

COMMITTEE REASSIGNMENTS

The following House Bills and Senate Bill were re-referred to committee by the Speaker:

H.B.
Nos.**Re-referred to:**

112	Committee on Tourism, then to the Committee on Judiciary, then to the Committee on Finance
872	Committee on Higher Education, then to the Committee on Finance
1006	Committee on Higher Education, then to the Committee on Finance
1087	Jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance
1105	Committee on Health, then to the Committee on Education, then to the Committee on Finance
1138	Committee on Education, then to the Committee on Finance
1292	Committee on Energy and Environmental Protection, then to the Committee on Finance

Georgetown University Law Journal, which was an added honor as only the top 10 percent of law students could qualify.

"Jimmy became a member of the Hawaii Supreme Court Bar in 1941, and practiced law under the firm of Fukushima and Morita, working with Yasutaka Fukushima, who later became a Territorial Representative and Senator and subsequently, a Judge. During this period, in addition to his practice, Jimmy assisted many returning law school graduates in preparing them for the difficult bar examination by conducting law review classes, as there was no such facilities in Hawaii at that time.

"In 1949, Jimmy was one of three attorneys instrumental in having a law repealed that had been put in effect during World War II, prohibiting the teaching and use of foreign languages, including, amazingly enough, Hawaiian. The law was declared unconstitutional in local Federal District Court, which was comprised of a special panel consisting of three judges. This decision was appealed by the Attorney General of the Territory of Hawaii directly to the Supreme Court of the United States. The decision was remanded later for further hearing by the District Court in Hawaii. However, before the hearing on the case was resumed, the statute was repealed by the Legislature of the Territory of Hawaii in view of the fact that the three-judge panel declared the law unconstitutional.

"Mr. Morita practiced law until 1951 when he was then appointed First Assistant Public Prosecutor of the City and County of Honolulu. In 1953, he was appointed by Mayor Johnny Wilson, one of Hawaii's most colorful political figures, to become the City and County Attorney for the City Corporation Counsel. By his appointment, Mr. Morita became the second Japanese-American to serve in the office of the Corporation Counsel; Wilfred Tsukiyama was the first. From 1955 to 1957, even though a Democrat, Mr. Morita served under Republican Mayor Neal Blaisdell as special counsel in charge of the multi-million dollar Wilson Tunnel litigations and successfully defended the City in what was then, and is probably now, termed one of the largest lawsuits ever filed against the City and County of Honolulu.

"Although Mr. Morita has enjoyed a distinguished career in both law and banking, he is more widely known today for his accomplishments in banking. He is one of the founders of City Bank and was primarily responsible for organizing it in 1958.

"In the middle 1960's, after successfully starting City Bank, he was offered, by Governor John Burns, the opportunity to serve as an Associate Justice of the Hawaii Supreme Court. And while he was by profession and training an attorney with the ultimate aspiration of serving as a judge, Mr. Morita, out of a sense of obligation to his employees and shareholders, turned down the offer from the Governor and instead went on to accomplish many things at City Bank.

"From a humble beginning in 1958, the bank has grown into an \$800 million bank with some 350 employees and 13 branches throughout the State of Hawaii. Mr. Morita was one of the early pioneers to foresee the importance of establishing financial associations on an international scale for the bank. He formed close relationships with organizations in Japan and throughout Asia, establishing stockholder correspondent relationships.

"Mr. Morita has been the Chairman of the Board of City Bank since 1961. He became President, in addition to being Chairman in 1969, and moved up to the position

of Chairman and CEO in 1973. He is also the Chairman of the Board and Chief Executive Officer of CB Bancshares, a one-bank, now two-bank holding company which was formed in 1980.

"Mr. Speaker, his accomplishments have been listed and noted in the resolution and up to now I have spoken about his accomplishments in both the law and banking. But Mr. Morita is also noted as someone who takes to heart the needs of the community. And he was instrumental in the formation and the continuation of charity golf tournaments that would benefit organizations and people throughout the State.

"Because of his work, his vision, these tournaments have, over the past 19 years, raised over close to half a million dollars for various charities. On Maui, the Maui Arts and Culture Center for the past 9 years; in Hilo, the University of Hawaii at Hilo Athletics for the past 16 years; on Oahu, many organizations and institutions and individuals have benefited from his good works.

"Mr. Speaker, this has been the sum of Mr. Morita's human achievements not just with respect to commerce, but also with attention to the needs of our community. It was mentioned earlier, by a colleague of ours on the floor, that service to humanity is the best work of life.

"And I know that later today we'll be honoring others who have given much to our community and I'd like to say that Jimmy, we will miss him at the bank. He's taking leave of his duties on a delegate basis as an officer. He will stay with us as a member of the Board but, more importantly, Mr. Speaker, his accomplishments, his attention to detail, his attention to his customers and shareholders will be sorely missed, and I'll be sorely pressed to follow his example.

"Fellow colleagues, Mr. Speaker, may I introduce the honoree, the Chairman, Jimmy Morita."

The honoree, Mr. James Morita, rose to be recognized.

Accompanying Mr. Morita on the House floor was Mr. Wayne Miyao, Senior Vice-President of City Bank, "someone whose name is in the society columns now and then, and a noted sports fan in our community," who then rose to be recognized.

Representative Abinsay then rose to speak in support of the resolution, stating:

"Mr. Speaker, I would like to extend my congratulations also to Mr. James Morita for a lifelong of accomplishments, both professionally and in his personal life. I wish him happiness and good health during his retirement years. And if I may, Mr. Speaker, just to add some of the recipients: he's leading the golf tournament. I would also like to mention that the Kuakini Foundation was also a recipient, the Alzheimers Association, the Hawaii Bone Marrow Donor Registry, the Association for Retarded Citizens, Prevent Child Abuse in Hawaii.

"And in his participation of civic activities, these include: past President of Hawaii Visitors Bureau for two terms; Chairman, the Oahu Unit of the American Cancer Society for Crusade; the Downtown Improvement Association; Director of Aloha United Way; American Red Cross; Better Business Bureau; Chamber of Commerce of Hawaii; the Honolulu Japanese Chamber of Commerce; Trustee of the National Jewish Hospital; and Asthma Center of Denver, Colorado.

"Mr. Morita, thank you for all your contributions to our community.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of the resolution, stating:

"Mr. Speaker, I would like to commend Mr. Morita and congratulate him on his retirement. But the success story of Jimmy Morita is of a success story of the Nisei in the United States, and the AJA community, including a few Republicans who salute him as a great example of the Nisei in the U.S.A. today.

"Thank you very much."

The motion was put to vote by the Chair and carried, and H.R. No. 225 was adopted, with Representatives Chang, Halford, Hiraki, Menor, Say, Takamine, Tarnas and White being excused.

A Certificate of Recognition and floral leis were presented to the honorees.

H.R. No. 226, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE OFFICE OF STATE VOLUNTEER SERVICES FOR PROVIDING YEARS OF DEDICATED SERVICE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Thielen and Case.

Representative Thielen moved that H.R. No. 226 be adopted, seconded by Representative Case.

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

"Mr. Speaker and members of the House, it's decidedly my privilege today to be able to honor volunteers in our community. It's due to the volunteers that our State of Hawaii is able to attend to the needs of so many people who are reached and touched by those volunteers in their actions. Without the volunteers, frankly, I think our State would be a much poorer place, a much more cruel place. They give of their time, they give of their hearts, and they make a significant difference in our islands.

"I'm going to be introducing three of the wonderful volunteers that we have here today. And I know that you will share with me the recognition of the work that they have done.

"The first volunteer that I want to introduce is Pastor Bruce Craft," and Pastor Craft rose to be recognized.

"Pastor Craft has been an ordained pastor of the Evangelical Church of America for 36 years, and he's tirelessly served the needs of the people in the Kailua community through St. John Lutheran Church for 15 years. He is one of the founders and the chair now of the Windward Spouse Abuse Shelter. This is a shelter that has benefited from his leadership, his patience and his efforts toward protecting women and children from domestic abuse. In addition, Pastor Craft has devoted his time serving his 12 years as the Chair of the Pohai Nani Good Samaritan Advisory Board, the Windward Coalition of Churches and the Kaneohe Rotary.

"Mr. Craft is joined today by his wife, Kay, in the gallery," and asked Mrs. Craft to stand to be recognized.

"Our Windward side would be very sad without Pastor Craft there, and without the work that he has done to keep our Spouse Abuse Shelter open in its partnership with the Castle Memorial Hospital. That makes a big difference, and on behalf of all of the women and the children who have benefited from having shelter in the

Spouse Abuse Shelter, thank you so much, Pastor Craft, and could the members join me in thanking him."

Representative Thielen then asked Miss Sarah Casken to stand to be recognized, saying:

"Mr. Speaker and members, I am so delighted to be able to honor Sarah Casken in the House of Representatives. In 1986, she became licensed to provide foster care in Hawaii, and ever since has provided a loving and nurturing home to foster infants and toddlers. In 1993, Sarah Casken and her husband, John Casken, finalized the adoption of a sister and brother who were placed, as infants, in foster care in their home. And they joined their three birth sons, which then increased their family to five.

"Through her role as President and the first Executive Director of the Hawaii State Foster Parent Association, Sarah Casken has committed years of dedicated service to assisting foster parents in providing a good home for foster children. I'd like to share with the members and with you, Mr. Speaker, her main concern: that there is a serious need to provide a permanent plan for a child in a reasonable amount of time, rather than allowing that child to languish in foster care limbo. I think we'll be able to address that in the Legislature. And I appreciate her -- for bringing that concern to our attention.

"She successfully guided the Hawaii State Foster Parent Association through a number of accomplishments which include, as members here know, the passage of the specific laws governing foster parents care, successfully establishing an in-service Foster Parent Training Program to supplement the limited training available through the State. And hosting the first statewide Annual Foster Care Conference just last year. And then also spearheading a campaign to increase the awareness and understanding of fetal alcohol syndrome and its effects on children.

"She is very quick to point out, Mr. Speaker, that the on-going accomplishments of the Hawaii State Foster Parent Association would not be possible without the support and involvement of many foster parents who have volunteered their time and expertise to the Association. Sarah is a representative, and we're honoring all of those members of that Association who have done such wonderful work in our State.

"Sarah has brought with her, her husband John, who is a professor in the School of Public Health at the University of Hawaii, and their children -- Phillip, Paul, and Damien; Denise Mazepa and Barbara Wright, foster parents, and asked them to stand to be recognized.

Representative Thielen then asked Alexandra Avery to stand to be recognized, saying:

"Alexandra Avery has given of herself -- unselfishly of herself -- over the years in service to her community through such endeavors as volunteering her time and her leadership skills to the Association For Retarded Children, where she learned about the importance of human compassion and the joy of simple pleasures. And at the Women's Crisis Center in Oregon, where she realized how essential organized volunteerism is for the betterment of a community.

"Alexandra Avery continues to focus her volunteer efforts as the President of the Lani-Kailua Outdoor Circle, where her goals are to protect Hawaii's fragile environment by preserving open spaces, establishing public parks, planting trees and flowers. Most of this, Mr. Speaker, not at taxpayers expense, which I think all of us are glad to hear. And she educates young people about recycling, cleaning up litter, promotes legislation to

protect and beautify our State, and maintains the Triangle Parks in Kailua and Alala Point Park. Again, not at taxpayers expense.

"Alexandra Avery is joined by her parents, Alden and Dee Avery," and asked them to stand to be recognized.

"I'm just tremendously proud to be able to recognize Alexandra Avery. And would the members join me, please.

"Mr. Speaker, before my colleague, Representative Case, honors two other people that are here today, I just wanted to recognize the fact that Representative Case and I introduced legislation to protect volunteers from frivolous lawsuits. Another bill is making its way through the process, and I'm delighted that that bill is alive and well, and we hope that the volunteers that are here today and being honored as symbols of volunteers throughout our State, will be protected from unnecessary and frivolous lawsuits.

"Mr. Speaker, my colleague, Representative Case, will honor two other volunteers, and then my colleague, Representative Barbara Marumoto, will honor the final one."

Representative Case then rose in support of the resolution, stating:

"Mr. Speaker, as we increasingly search for some of the core values of our society, I think certainly we can find one of them in volunteerism and the desire of many, many people to serve simply for the reward of improving their communities. I think we should pause and just reflect on these six people, and on all of the various situations where we do incorporate volunteers into our lives, from sports leagues to cultural organizations, churches, schools, hospitals, boards and commissions, community public interest groups, and on and on. And I think it's important for us to pause also and realize how much we expect our volunteer community to continue in that capacity as we contract the size of government.

"I'm very honored today to introduce two members of our volunteer community who stand as shining examples of the fact that volunteerism is alive and well in our State," and asked Stanley Takamine to rise, saying:

"Mr. Takamine has been a resident of Manoa for over 50 years and had a long and very accomplished career with Hawaiian Electric. But in terms of the countless hours that he dedicated during that entire period and after his retirement to volunteerism, I'm just going to mention some of his good works. The list goes on and on for his Manoa community, but just as examples: he served as President and long-time member of the East Manoa Lions Club, as President of the Manoa Little League, and Treasurer and Director of the Manoa Community Association which runs the Manoa Japanese Language School.

"For his profession, he served as Chair of the Board of Registration of Professional Engineers, Architects, Surveyors and Landscape Architects. And for his Okinawan community to whom he has devoted many, many hours of volunteerism, he served in many capacities for which he was named Uchinanchu of the Year, and that was a long time ago and well before most of his primary accomplishments for that community were performed. So Mr. Takamine, your community and your State thank you very much for your volunteerism. And if we could please recognize Stanley Takamine. Thank you.

"With us in the gallery are three members of my community who have come to assist me in honoring Mr.

Takamine," and asked them to stand. "First of all, his wife, Betty, an accomplished volunteer in her own right; second, Mr. Tom Ikeda, also a very longtime member of the East Manoa Lions Club, and third, somebody that may be familiar to some of the people in the audience, Mr. Teruto Soma, a longtime friend and a former Jefferson Award Winner for Statewide Volunteer Activities, and, for one year of his retirement, a page on this floor. Thank you very much all three.

"Mr. Speaker, the second person that I wish to recognize is really a fascinating woman and in many ways a pioneer in many areas, and that's Mary Matayoshi. And Mary, if we could ask you to stand so that I can introduce you. Many of us, of course, recognize Mary as the First Lady of the County of Hawaii during her husband's tenure as Mayor, but that really doesn't even begin to describe this tremendous Renaissance woman.

"By profession, of course, she was a teacher and the director of the UH Hilo's Center for Continuing Education and Community Service for many years. She also served with the UH Peace Corps Training Center in Hilo, certainly on behalf of quasi-volunteers that went out into the world to perform many services. In 'retirement' -- and her daughter tells us that retirement has been a much more busy time for her than her pre-retirement period -- she has devoted herself full time to volunteerism, including the National Board of PBS as well as several local boards.

"I think the most important thing about Mary is that she currently serves as the Director of the Office of State Volunteer Services, and it is to her that the responsibility falls to really foster the volunteer spirit and harness it, bring it in and direct it to where it's very much needed. So it's with a real sense of honor that I recognize you, Mary, for all of your good work, and I know you're going to continue it. So if we could please recognize Mary Matayoshi."

"Mr. Speaker, in the gallery behind me we have one of Mary's legacies, and that is her daughter, Kathryn Matayoshi, familiar to us as our own Director of Commerce and Consumer Affairs. In her true style of humility, Mary didn't tell any member of her family that she was being honored, and I really wonder whether any member of her family, outside of her daughter, knows, because we told her daughter and I don't see any other family members. So we'll try and tell them, Mary, but thank you very much.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of the resolution, stating:

"Mr. Speaker, I'm very happy to tell you about Auntie Ayraud -- we call her Auntie Ayraud, her name is Edith Ronald, and she has been a longtime volunteer in the Research Office in many capacities, but she also takes care of all of our clippings. And it's been more than once that even LRB has phoned up and asked us for clippings because their files have been lacking, but she has amazing longevity, and she is now 90 years old. She doesn't look it, and she's been in Hawaii for 53 years.

"Auntie Ayraud has been working at the Capitol here in a volunteer capacity for 28 years. I have known her for about 20 of those years, and she's simply amazing. She does as much work for the Central Union Church, and she's an invaluable volunteer there also. But she is amazing in her longevity, and she just keeps going and going. I think her greatest thing -- claim to fame here in the Capitol -- is she has used more glue and uhu glue sticks than anybody else in the building.

"Aunty Ayraud, would you please stand so that we might acknowledge your volunteer service.

"Thank you."

Representative Pendleton then rose in support of the resolution, stating:

"Mr. Speaker, I'm very honored today, as are the rest of us, to have the presence of these inspiring volunteers here in our Chambers. I concur with all of the previous speakers, and I would like to add a few remarks about the Reverend Bruce Craft.

"Reverend Bruce Craft has a church and his church is in my district, and we've heard today about all of the activities in which he's been involved, very good and important things on our side of the island. We've heard of Hale Ola, which is a domestic abuse spouse shelter, and we've heard of some of the other things that he's been greatly involved in.

"I just want to add a few words, Mr. Speaker, about Bruce Craft in his role as a preacher behind the pulpit. All too often we are eager to praise pastors for their work outside of the church and forget the tremendous work they do in the sanctuary, behind the pulpit. Reverend Craft preaches quietly but powerfully, Mr. Speaker. I've attended his Saturday night light family oriented contemporary Lutheran service on occasion, and have been greatly blessed by his presentations of the gospel.

"He is a tireless worker outside and it's clear to see where he gets his energy from. It's from a deep love and devotion to God, and a love to his fellow men and women. He clearly and compellingly preaches and comforts the afflicted and also afflicts the comfortable, and they're just exalted to social action. He is a man who has inspired me to take a call to stand up for social justice very seriously, and I appreciate his words. Our community, Kailua, on the Windward side, appreciates his great work as pastor.

"In the book, Micah, we read that there's an inquiry: 'What does the Lord require of us?' And the response in that book is: To do justice, to love mercy, and to walk humbly with our God. Reverend Bruce Craft has taken that passage at heart and leads a life in conformity with those sacred verses. It's a great honor to have him here this morning."

Representative Goodenow then rose in support of the resolution, stating:

"Mr. Speaker, three of the honorees here today are especially well known for their contributions to the Windward community. I want to commend Sarah Casken and Pastor Craft for their dedicated service to the community. I would be remiss however, if I didn't especially and specifically say a few words about one of the honorees, who I was very impressed by.

"The Lanikai Outdoor Circle's a very well-known organization, their important work in protecting the environment, and the conservation of the natural beauty of our State. It's very important.

"I met Alexandra Avery at the 'I Love Kailua Town' party and it soon became clear to me that Alexandra's warm, engaging and if I may say so, Mr. Speaker, vibrant personality, had a very large part in the success of that organization. She really made me and everyone so very welcome for a very good cause, and I commend her.

"Thank you.

Representative Kawanakoa then rose and requested a ruling on a potential conflict, saying:

"As I understand, Miss Avery is currently employed at my wife's shop in downtown Honolulu."

The Chair ruled, "No conflict."

Representative Kawanakoa then spoke in support of the resolution, stating:

"Mr. Speaker, I wanted to note, from what I have heard from my wife, and I've heard of her good work, both for us but, more importantly, for the community. She seems to be such a go-getter in the Kailua, Windward side. We certainly are appreciative to have her good words and her understanding she shares with us at our shop and, apparently, what she does for the broader community in all of her work. I'm certainly honored here to pay recognition, and I'm glad to see that there is no conflict.

"Thank you, Mr. Speaker."

Representative Yonamine then rose to speak in support of the resolution, stating:

"First I want to commend all of you volunteers for giving your many hours, days, years of service to the community. You have added much to the quality of life in Hawaii, and we want to thank you very much for your years of dedicated service.

"There are two people I would like to say, in particular, since, first of all, I believe that all of the volunteers are also good family people because I know they come from good families and they raise good family members. I wanted to say, in particular, to Mary Matayoshi, it's no wonder that the Office of State Volunteer Services are doing well, because she herself is an example of a very highly successful career, a lifelong devotion to working in the community, involving people and being, of course, a wonderful family parent.

"I first met Mary many, many years ago when, as a director of a youth school -- College of Continuing Ed at UH Hilo -- she was founding the first countywide and statewide conference on parent education and parenting skills. I think this was the first one that we've had in the State of Hawaii, and certainly for the County of Hawaii. So as part of her getting all of the people mobilized and organized to attend this conference, she also visited Honolulu where she visited our center, the Susannah Wesley Community Center, to get information not only of our programs, but with all of the establishing networks with other professionals, people in the schools and agencies who are deeply involved in parent education. And this is just an example of the kind of things she has done with her career not only with parent education programs, but many, many activities in her career.

"And also, I've had the opportunity, Mary, of working with your son, Ron, who's the Director of Placement and Practicum at the UH School of Social Work, and he's such a good person. I think we know where all of that goodness comes from. I want to congratulate you and hope you can continue to help us in the State of Hawaii.

"The other person I want to talk about is my good friend, Stan Takamine, who is past President of the United Okinawan Association and for many years on the Board of Directors there. Under his leadership, the United Okinawan Association just grew fantastically because of the leadership that he provided. Stan also was

the genesis to the Hawaii Okinawan Center, because under his direction we started to develop a campaign. He was instrumental in getting funds from here as well as in Okinawa. And I think, through his leadership, we were able to get a building which is dedicated to our Isseis, the first generation, who have done much to help us in Hawaii. Stan himself is a warm, wonderful, friendly person, and he has motivated us -- he's just given us so much inspiration and he's a wonderful organization person.

"And as a personal example, Stan, I just want to thank you for giving me inspiration, and for giving thousands of people the kind of motivation they in turn have received so they can help the community.

"So to all of you, congratulations, and thank you all."

Representative Ward then rose to speak in support of the resolution, stating:

"Mr. Speaker, I just wanted to add a note of thanks and gratitude for those that serve so well and so long. And I want to single out two things. One is a role model in Auntie Ayraud. When we reach 90 and we're still as active as you, we should be blessed to be here today and as active, so we can never use age as an excuse. Just stay active, keep those clippings, and all those other activities and how the youth follows from that.

"The other is someone by the name of Mary Matayoshi. She had a part in sending me off as a volunteer in the Peace Corps to Borneo in 1965. She was one of my drill sergeants in Hilo, at least she kept the administrative side of it going. And probably, Mr. Speaker, without volunteerism, I wouldn't be here because that was when I first fell in love with the people of Hilo and with the spirit of volunteerism.

"And I would just lastly say to the volunteers and those who have been volunteers, somehow, interestingly, the way the universe is structured, volunteers always get back more than they give, and that's the beauty of the whole thing. And that's how this great society survives.

"So congratulations on all the good work, and thank you for making Hawaii a better place to live.

"Thank you, Mr. Speaker."

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

"I think it's appropriate to honor volunteers especially after last night, Mr. Speaker, where you and I and some of our colleagues served as volunteers, to serve meals to the homeless. And we found out that organizations like the River of Life depend entirely on volunteers. In fact, their funding is through donations. And I think that these are things that we take for granted -- our volunteers and how important they are to the operations, and how important they are to supporting many of our programs and meeting many of the needs of our people.

"And the Japanese have a term, and they call it okage samade, and that basically means 'because of you'. So I'd like to say okage samade, thank you very much for all of your efforts.

"To Sarah Casken, I want to say thank you for being such a great advocate for our children and youth, especially in a foster care system. And we are going to be looking at some of the foster care issues during the interim, and I hope you can join us in that.

"And two old friends, Stan Takamine and Mary Matayoshi, I'd like to say, nife debiru. Thank you for all of your help to the work in the Okinawan community.

"Thank you to all -- mahalo."

At this time, Representative Yamane rose and introduced Mrs. Matayoshi's son, Ron, who was seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 226 was adopted, with Representatives Chang, Halford, Herkes, Hiraki, Ito, Jones, Menor, Morihara, Nakasone, Say, Stegmaier, Takamine and Tarnas being excused.

Certificates of Recognition and floral leis were presented to the honorees.

At 12:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:10 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORT

Representative Tarnas, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1835) recommending that S.C.R. No. 10, as amended in HD 1, be referred to the Committee on Transportation.

On motion by Representative Okamura, seconded by Representative M. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 10, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PUU KA'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL, EDUCATIONAL AND CULTURAL OCEAN ACTIVITIES," was referred to the Committee on Transportation, with Representatives Arakaki, Chang, Fox, Garcia, Halford, Herkes, Hiraki, Ito, Jones, Menor, Morihara, Nakasone, Pendleton, Saiki, Say, Stegmaier, Suzuki, Takai, Takamine, Tarnas, Yamane and Yonamine being excused.

ANNOUNCEMENT

Representative Ward: "Mr. Speaker, since we will be meeting on Monday at 11 o'clock, I just want to announce that the Minority caucus will be meeting at 10:30 on Monday.

ADJOURNMENT

At 1:13 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:00 o'clock a.m. on Monday, April 14, 1997. (Representatives Arakaki, Chang, Fox, Garcia, Halford, Herkes, Hiraki, Ito, Jones, Menor, Morihara, Nakasone, Pendleton, Saiki, Say, Stegmaier, Suzuki, Takai, Takamine, Tarnas, Yamane and Yonamine were excused.)

FIFTIETH DAY

Monday, April 14, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:10 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative David A. Pendleton, after which the Roll was called showing all members present with the exception of Representatives Halford, Menor and Saiki, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Ninth Day was deferred.

GOVERNOR'S MESSAGE

Gov. Msg. No. 182, transmitting copies of the 1995-1996 annual report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, Hawaii Revised Statutes, as amended, was received and announced by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 699 and 700) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 699, returning House Bill No. 2239, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," which passed Third Reading in the Senate on April 11, 1997.

Sen. Com. No. 700, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills on April 11, 1997:

S.B. No. 58, SD 1, HD 1, entitled: "RELATING TO KINDERGARTENS";

S.B. No. 130, SD 1, HD 2, entitled: "RELATING TO MOTOR VEHICLES";

S.B. No. 262, SD 1, HD 1, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

S.B. No. 377, SD 2, HD 2, entitled: "RELATING TO IMPAIRED DRIVERS";

S.B. No. 426, SD 1, HD 2, entitled: "RELATING TO CULTURE";

S.B. No. 497, HD 2, entitled: "RELATING TO TRAUMATIC BRAIN INJURY";

S.B. No. 817, SD 1, HD 1, entitled: "RELATING TO EDUCATION";

S.B. No. 835, SD 1, HD 1, entitled: "RELATING TO PHYSICIANS";

S.B. No. 927, SD 1, HD 2, entitled: "RELATING TO TAXATION";

S.B. No. 1293, SD 1, HD 1, entitled: "RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT";

S.B. No. 1486, HD 1, entitled: "RELATING TO INSURANCE RATE REGULATION";

S.B. No. 1506, SD 1, HD 1, entitled: "RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY";

S.B. No. 1589, SD 2, HD 1, entitled: "RELATING TO CHILD DEATH REVIEW";

S.B. No. 1621, HD 1, entitled: "RELATING TO HIGH OCCUPANCY VEHICLE LANES"; and

S.B. No. 1631, SD 2, HD 2, entitled: "RELATING TO EARLY CHILDHOOD EDUCATION".

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

Representative Kahikina introduced Gary Harris, III, a senior at Nanakuli High and Intermediate School, and his "shadow" for today. "Gary exemplifies excellence from Nanakuli." He was accompanied by Tila Laronal, his legislative aide.

Representative Lee introduced a group of eighth grade students from Wheeler Intermediate School. They were accompanied by their teachers, Ms. Tanimoto, Ms. Chun and Ms. Hynds.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following Senate Bill was re-referred by the Speaker:

S.B.
No. Re-referred to:

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

The following Senate Concurrent Resolutions were re-referred by the Speaker:

S.C.R.
Nos. Re-referred to:

10 Committee on Ocean Recreation and Marine Resources, then to the Committee on Transportation

22 Committee on Hawaiian Affairs, then to the Committee on Finance

165 Committee on Judiciary

179 Committee on Finance

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 227 and 228) were announced by the Clerk and the following actions taken:

H.R. No. 227, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING IIDA'S FOR ITS IMPORTANCE OF TRADITION AND FOR PROVIDING YEARS OF DEDICATED SERVICE TO THE PEOPLE OF HAWAII," was jointly offered by Representatives Yamane, Abinsay, Ahu Isa, Aiona, Case, Fox, Hamakawa, Hiraki, Ito, Kawakami, Kawanakoa, Lee,

Marumoto, Morihara, Moses, Nakasone, Okamura, M. Oshiro, Saiki, Santiago, Suzuki, Takai, Thielen, Tom, Whalen, White and Yonamine.

Representative Yamane moved that H.R. No. 227 be adopted, seconded by Representative Kawakami.

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

"Mr. Speaker and members, it gives me great pleasure today to introduce the Iida family. The first one is Mr. Robert Iida; next, Mrs. Yoshiko Nishimoto; and Mrs. Chiyo Iida. These are Mr. Iida and his two sisters, I believe the second generation of the Iida family, to carry on the Iida Store tradition.

"I'm sure that many members know that the Iida Store has been in the Ala Moana Center since 1959. The store actually started at right around the turn of the century, and so it's almost 100 years that the store's been in Hawaii. And for those of you who have not gone there, and I assume most of us, if not all of us have, it's just full of Japanese items. It is a store that's reminiscent of both the history of Hawaii, from the Japanese beginnings. It's an exciting store. . . I'm sorry Warren isn't here; that's Mr. Nishimoto's son. Warren and his older brother are graduates of the school that was here last week, the University High School. Both were excellent basketball guards, too.

"I've known the family for many years. In fact, I believe they still live at the same house, right across from Kawanakoa Elementary School. I used to live there back in the 50's when there was a Piggly Wiggly around there, too. But I've known the family for many years.

"Iida has flourished for nearly a century. We wish them many more years of successful merchandising. Thank you."

Representative Ward then rose to speak in support of the resolution, stating:

"Mr. Speaker, I join my colleague in commending the Iida's for 50 years of retail success, particularly in a climate where 80 percent of businesses never reach their 5th birthday, and they've exceeded that 10 times. And by the amount of inventory, the Iida's selection and their marketing mix, you've never not found something when you went to the Iida Store. It was always there.

"So for their entrepreneurial spirit, we commend you for your persistence, your success, and your blessing the people of Hawaii. Thank you very much."

Representative Meyer then rose to speak in support of the resolution, stating:

"I'd like to thank the Iidas for bringing all the wonderful things that they've been bringing from Japan for so many years.

"I was born and raised in Hawaii and when I was between 7 and 12, I did all my Christmas shopping at Iida's. I think my mother would give me somewhere in the neighborhood of \$5, and I would spend hours in that store, looking at all the fascinating things they had and I had never seen -- maybe I didn't shop in the right places. These little clam shells that you throw in the water and then they'd open up, and they'd be like a little city in there. And these things were fascinating. There were magic rocks. There were always things, and I was just sure my friends would be delighted. So thank you for all that you've done."

Representative Arakaki then rose to offer his congratulations, saying:

"Since everyone is reminiscing, I also grew up a few blocks away from the store where they used to be; I think it was Nuuanu and Beretania. And I recall going to the Chambara, or Saturday night movies at Toyo Theatre and Kokusai Theatre. After that, I would visit Iida's Store to look for a katana, or a sword, to play with. And besides that, there were many other interesting things to look at.

"It's not only items for sale, I think they kind of taught people like me some historical things about Japan, so I really appreciate all that the store has done. Thank you."

Representative Morita then rose in support of the resolution, stating:

"While everybody is reminiscing and talking about history, I just wanted to mention that Mrs. Nishimoto's son, Warren, is the Director for the Center of Oral History at the University of Hawaii, and I worked with him about 10 years ago in an oral history project on the island of Lanai. I just wanted to point out that his work -- he was an important part in preserving history -- is an aspect from people that is not written or recorded. So I just wanted to point it out for the members."

The motion was put to vote by the Chair and carried, and H.R. No. 227 was adopted, with Representatives Halford, Jones, Kanohe, Menor, Nakasone, Pendleton and Saiki being excused.

A Certificate of Recognition and floral leis were presented to the honorees.

H.R. No. 228, entitled: "HOUSE RESOLUTION COMMENDING THE WAIALUA PUBLIC LIBRARY FOR RECEIVING THE 'EXCELLENCE IN SMALL AND/OR RURAL PUBLIC LIBRARY SERVICE AWARD'," was offered by Representative Santiago.

Representative Santiago moved that H.R. No. 228 be adopted, seconded by Representative Stegmaier.

Representative Santiago rose to speak in support of the resolution, stating:

"Mr. Speaker, I am so honored today and pleased to recognize the Waialua Public Library. On the North Shore, we have many, many things that we are very, very proud of, and Waialua Library is up there with all of them.

"Recently, Waialua Public Library was awarded the 'Excellence in Small and Rural Public Library Service Award' from the Public Library Association. This is a nationwide award. Of all those libraries that serve 10,000 or less members of the community, Waialua Library was selected for all that they had done.

"Let me just share with you some of the things that the library has done. It serves our North Shore residents; there's about 7,000 people that it serves, and it has some dedicated members, many of whom are my personal friends. Some budget cutbacks were talked about since 1995. What Waialua Public Library did, and the residents and the people who frequent the library did, they generated thousands of dollars. They increased their membership from 26 to 272 members presently, of which I am a very proud member also. They purchased a computer with on-line capability to offset the cancellation of some of our periodicals. They sold donated books, and we have the little bookstore right outside that I also try to frequent as often as I can. We have local artists' works, and the artwork of promising art students from Waialua

High School that we display at the library, and we put on for sale.

"Also, the library recently put together information about the history of the Waialua-Haleiwa area, and it began amassing and recording photographs of all histories and other material pertaining to the history of the Waialua Sugar Company and its plantation. So we're very, very proud.

"I want to introduce the people who made a lot of this possible," and asked the following honorees, who were seated on the House floor, to stand to be recognized: Alicia Amper, library assistant at Waialua Library; Toni Kinsella, President of the Friends of the Waialua Library; Gloria Schultz, Treasurer of the Friends of the Waialua Library; Edita Agricola, staff member, Waialua Library; and Alice Stanley, a volunteer at the Waialua Library.

Representative Santiago then introduced the following persons who were seated in the gallery, and asked them to stand to be recognized: Mr. Al Wickens, Librarian from Waialua Library; Charlene Terukina, Library Assistant; Bernice Santos, volunteer; and Aileen Stewart, his office manager. "The reason that Aileen is significant is not because she is my office manager, but her father, in 1952, actually built the library -- Mr. Abe who has built many structures out there. Aileen is also a frequent person visiting the library."

Representative Santiago continued, saying:

"So members, today, on behalf of the North Shore residents and on behalf of the House, let us welcome these very special persons to the House."

Representative Stegmaier then rose and stated:

"Mr. Speaker, I rise in support of the resolution, to commend the Waialua Library staff and all of those who have come to the support of the library, and especially to be recognized for public service at a time when they are struggling just to stay alive. We know that the smaller libraries in Hawaii have the most difficulty.

"We had some legislation that we considered concerning the Makiki Community Library this session, legislation that was introduced by Representative Aiona. And we know, through the testimony, how important small libraries are to their communities.

"I, too, want to express congratulations to all those who have spent their time and effort to strengthen the Waialua Library, and wish you the best in all of your future endeavors to keep the library alive, and also to provide that excellence of public service to the members of your community. Thank you."

Representative Kahikina then rose in support of the resolution, stating:

"As a Representative from a rural district similar to Waialua, I can appreciate all that our honorees have given towards their community. And with that, I thank you very much for all your hard work that you have done, and congratulations."

The motion was put to vote by the Chair and carried, and H.R. No. 228 was adopted, with Representatives Halford, Jones, Menor, Nakasone, Pendleton and Saiki being excused.

Certificates of Recognition and floral leis were presented to the honorees.

At 11:33 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:40 o'clock a.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

APPOINTMENT OF CONFEREES

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

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

Representatives Hiraki/Tom, Co-Chairs; Takumi and Moses.

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

Representatives Hiraki/Menor/Tom, Co-Chairs; Yamane and Aiona.

H.B. No. 20, HD 1, SD 2:

Representatives Hiraki/Tom, Co-Chairs; Case, Herkes and Marumoto.

H.B. No. 33, HD 2, SD 2:

Representatives Hiraki/Say, Co-Chairs; Nakasone and Marumoto.

H.B. No. 65, HD 1, SD 1:

Representatives Menor/Tom, Co-Chairs; and Aiona.

H.B. No. 100, HD 1, SD 1:

Representatives Menor/Tom/Say, CO-Chairs; Yamane and Whalen.

H.B. No. 103, HD 2, SD 1:

Representatives Herkes/Ito, Co-chairs; Ahu Isa and Fox.

H.B. No. 106, HD 1, SD 1:

Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.

H.B. No. 107, HD 1, SD 1:

Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.

H.B. No. 108, HD 2, SD 1:

Representatives Tom/Say, Co-Chairs; White, Yamane and Whalen.

H.B. No. 111, HD 1, SD 1:

Representatives Tom, Chair; Lee, Yamane, Yoshinaga and Pendleton.

H.B. No. 112, HD 2, SD 1:

Representatives Cachola/Tom/Say, Co-Chairs; Chang and McDermott.

H.B. No. 113, HD 1, SD 1:

Representatives Tom, Chair; Case, Jones, Yamane and Pendleton.

H.B. No. 116, HD 2, SD 2:

- Representatives Hiraki/Tom, Co-Chairs; Takumi, Yamane and Moses.
- H.B. No. 117, SD 1:**
Representatives Tom, Chair; Cachola, Herkes, Yamane and Whalen.
- H.B. No. 118, HD 1, SD 1:**
Representatives Tom, Chair; Cachola, Herkes, Yamane and Thielen.
- H.B. No. 120, HD 1, SD 1:**
Representatives Arakaki/Santiago/Suzuki, Co-Chairs; and Fox.
- H.B. No. 122, HD 1, SD 2:**
Representatives Santiago/Arakaki/Say, Co-Chairs; Kahikina and Pendleton.
- H.B. No. 133, HD 2, SD 1:**
Representatives Yonamine/Nakasone, Co-Chairs; and Marumoto.
- H.B. No. 139, HD 2, SD 1:**
Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Fox.
- H.B. No. 140, HD 2, SD 2:**
Representatives Tom/Say, Co-Chairs; Cachola, Yamane and Whalen.
- H.B. No. 141, SD 1:**
Representatives Tom, Chair; Case, Yamane and Thielen.
- H.B. No. 143, HD 2, SD 1:**
Representatives Saiki/Kawakami, Co-Chairs; Lee and Pendleton.
- H.B. No. 145, HD 1, SD 1:**
Representatives Say, Chair; Kawakami and Marumoto.
- H.B. No. 147, HD 1, SD 1:**
Representatives Arakaki/Kawakami, Co-Chairs; Ahu Isa, Kahikina and Fox.
- H.B. No. 167, HD 2, SD 1:**
Representatives Santiago/Say, Co-Chairs; Lee and Pendleton.
- H.B. No. 214, SD 1:**
Representatives Hiraki, Chair; Case, Takumi and Marumoto.
- H.B. No. 233, SD 1:**
Representatives Hamakawa/Herkes, Co-Chairs; and Meyer.
- H.B. No. 258, SD 2:**
Representatives Cachola/Say, Co-Chairs; Ahu Isa, Chang and Aiona.
- H.B. No. 293, HD 1, SD 1:**
Representatives Hiraki, Chair; Case, Takumi and Moses.
- H.B. No. 345, SD 1:**
Representatives Menor, Chair; Cachola, Herkes, Lee and Kawananaoka.
- H.B. No. 350, HD 1, SD 1:**
Representatives Say, Chair; Kawakami, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanohe, Nakasone, Suzuki, White, Fox, Marumoto, Meyer and Ward.
- H.B. No. 351, HD 2, SD 2:**
Representatives Herkes/Menor/Say, Co-Chairs; and Aiona.
- H.B. No. 371, HD 2, SD 1:**
Representatives Yonamine/Tom, Co-Chairs; Suzuki, Yamane and Whalen.
- H.B. No. 417, HD 3, SD 1:**
Representatives Hamakawa/Hiraki/Kanohe, Co-Chairs; Goodenow and Marumoto.
- H.B. No. 432, HD 1, SD 1:**
Representatives Tom, Chair; Hiraki, Jones, Yamane and Whalen.
- H.B. No. 454, HD 1, SD 1:**
Representatives Takamine, Chair; Goodenow, Hamakawa, Morihara and Meyer.
- H.B. No. 472, SD 1:**
Representatives Say, Chair; Nakasone and Marumoto.
- H.B. No. 480, HD 2, SD 1:**
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Saiki and Fox.
- H.B. No. 581, HD 1, SD 1:**
Representatives Herkes/Tom, Co-Chairs; Lee, Yamane and Kawananaoka.
- H.B. No. 582, HD 1, SD 1:**
Representatives Menor/Tom, Co-Chairs; Lee, Yamane and Kawananaoka.
- H.B. No. 623, SD 1:**
Representatives Tom, Chair; Herkes, Yamane, Yoshinaga and Pendleton.
- H.B. No. 631, HD 2, SD 2:**
Representatives Santiago/Tom, Co-Chairs; Lee, Yamane and Whalen.
- H.B. No. 636, HD 2, SD 1:**
Representatives Hamakawa/Tom, Co-Chairs; Goodenow, Yamane and Thielen.
- H.B. No. 646, HD 2, SD 2:**
Representatives Santiago/Arakaki/Kawakami, Co-Chairs; Stegmaier and Fox.
- H.B. No. 675, HD 1, SD 1:**
Representatives Tom, Chair; Jones, Yamane and Whalen.
- H.B. No. 728, HD 1, SD 1:**
Representatives Suzuki, Chair; Ito and Meyer.
- H.B. No. 777, HD 1, SD 2:**
Representatives Menor/Tom, Co-Chairs; Lee, Yamane and Aiona.
- H.B. No. 780, HD 1, SD 1:**
Representatives Menor, Chair; Lee, Yoshinaga and Kawananaoka.
- H.B. No. 793, HD 1, SD 2:**
Representatives Menor, Chair; Garcia, Herkes, Lee and Aiona.
- H.B. No. 872, SD 1:**
Representatives Morihara/Chang, Co-Chairs; and Ward.
- H.B. No. 931, HD 2, SD 1:**

- Representatives Jones/Abinsay, Co-Chairs; Chang, White and Fox.
- H.B. No. 939, HD 1, SD 1:**
Representatives Menor, Chair; Lee, Saiki, Yoshinaga and Aiona.
- H.B. No. 971, SD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- H.B. No. 979, HD 2, SD 1:**
Representatives Santiago/Say, Co-Chairs; Kahikina, Suzuki and Pendleton.
- H.B. No. 1006, HD 1, SD 2:**
Representatives Takai/Chang, Co-Chairs; Goodenow, Morita and Meyer.
- H.B. No. 1012, SD 1:**
Representatives Stegmaier/Tom, Co-Chairs; Morita, Yamane and McDermott.
- H.B. No. 1023, SD 1:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Takai and Halford.
- H.B. No. 1031, HD 1, SD 1:**
Representatives Say, Chair; Kawakami, Suzuki and Fox.
- H.B. No. 1049, HD 1, SD 1:**
Representatives Menor, Chair; Case, Garcia, Lee and Kawanakoa.
- H.B. No. 1086, HD 2, SD 2:**
Representatives Jones/Chang, Co-Chairs; Abinsay, White and Fox.
- H.B. No. 1087, HD 1, SD 2:**
Representatives Tom/Garcia/Say, Co-Chairs; Yamane and Whalen.
- H.B. No. 1105, HD 2, SD 1:**
Representatives Santiago/Stegmaier/Kawakami, Co-Chairs; Morita and Halford.
- H.B. No. 1132, HD 1, SD 1:**
Representatives Stegmaier, Chair; Morihara, Morita and Moses.
- H.B. No. 1138, HD 1, SD 1:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Morita and Moses.
- H.B. No. 1188, HD 1, SD 1:**
Representatives Tom/Say, Co-Chairs; Yamane, Yoshinaga and Pendleton.
- H.B. No. 1196, HD 2, SD 1:**
Representatives Yoshinaga/Menor, Co-Chairs; Garcia, Saiki and Aiona.
- H.B. No. 1216, HD 1, SD 1:**
Representatives Menor, Chair; Case, Garcia, Yoshinaga and Aiona.
- H.B. No. 1243, HD 1, SD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Hamakawa and Meyer.
- H.B. No. 1244, HD 2, SD 1:**
Representatives Yoshinaga/Menor, Co-Chairs; Morihara and Kawanakoa.
- H.B. No. 1247, SD 1:**
- Representatives Yoshinaga/Tom, Co-Chairs; Tarnas, Yamane and Thielen.
- H.B. No. 1250, HD 3, SD 2:**
Representatives Yoshinaga/Tom/Say, Co-Chairs; Yamane and Thielen.
- H.B. No. 1287, HD 1, SD 2:**
Representatives Say, Chair; Nakasone and Marumoto.
- H.B. No. 1292, HD 1, SD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Tarnas and Meyer.
- H.B. No. 1300, HD 1, SD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- H.B. No. 1309, HD 1, SD 2:**
Representatives Menor, Chair; Herkes, Saiki, Yoshinaga and Kawanakoa.
- H.B. No. 1320, SD 1:**
Representatives Say, Chair, Suzuki and Marumoto.
- H.B. No. 1367, SD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Hamakawa, Tarnas and Meyer.
- H.B. No. 1370, HD 2, SD 1:**
Representatives Takamine/Yoshinaga/Kanoho, Co-Chairs; Hamakawa and Meyer.
- H.B. No. 1385, SD 1:**
Representatives Tom, Chair; Yamane and Whalen.
- H.B. No. 1388, HD 2, SD 1:**
Representatives Tom/Say, Co-Chairs; Jones, White and Pendleton.
- H.B. No. 1390, HD 1, SD 2:**
Representatives Say, Chair; Kawakami, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanoho, Nakasone, Suzuki, White, Fox, Marumoto, Meyer and Ward.
- H.B. No. 1393, HD 1, SD 2:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Whalen.
- H.B. No. 1395, SD 1:**
Representatives Hiraki, Chair; Case, Takumi and Moses.
- H.B. No. 1433, HD 2, SD 3:**
Representatives Stegmaier/Say, Co-Chairs; Goodenow, Takamine and Halford.
- H.B. No. 1450, SD 1:**
Representatives Menor, Chair; Cachola, Lee, Saiki and Kawanakoa.
- H.B. No. 1451, HD 1, SD 1:**
Representatives Yoshinaga/Menor/Tom, Co-Chairs; and Yamane.
- H.B. No. 1473, SD 1:**
Representatives Tom, Chair; Jones, Yamane, Yoshinaga and Whalen.
- H.B. No. 1485, HD 2, SD 2:**
Representatives Jones/Say, Co-Chairs; Abinsay, White and Meyer.
- H.B. No. 1488, HD 2, SD 1:**

- Representatives Arakaki/Menor, Co-Chairs; Lee, Saiki and Whalen.
- H.B. No. 1539, SD 1:**
Representatives Tom/Garcia/Say, Co-Chairs; Kawakami and Whalen.
- H.B. No. 1547, HD 2, SD 1:**
Representatives Tarnas/White, Co-Chairs; Goodenow, Morihara and Marumoto.
- H.B. No. 1575, SD 1:**
Representatives Jones/Menor, Co-Chairs; Abinsay, Saiki and McDermott.
- H.B. No. 1582, HD 2, SD 1:**
Representatives Tom/Say, Co-Chairs; Lee, White and Pendleton.
- H.B. No. 1587, HD 1, SD 2:**
Representatives Tom/Say, Co-Chairs; Jones, White and Marumoto.
- H.B. No. 1591, HD 2, SD 1:**
Representatives Tom/Say, Co-Chairs; Case, Yamane and Marumoto.
- H.B. No. 1593, SD 1:**
Representatives Say, Chair; Nakasone and Marumoto.
- H.B. No. 1604, HD 1, SD 1:**
Representatives Tom/Say, Co-Chairs; Herkes, Yamane and Whalen.
- H.B. No. 1610, HD 2, SD 1:**
Representatives Tom/Say, Co-Chairs; Jones, White and Whalen.
- H.B. No. 1613, SD 1:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Pendleton.
- H.B. No. 1618, HD 1, SD 2:**
Representatives Yonamine/Say, Co-Chairs; Hiraki, Nakasone and Marumoto.
- H.B. No. 1619, HD 2, SD 1:**
Representatives Yonamine/Nakasone, Co-Chairs; and Marumoto.
- H.B. No. 1624, HD 1, SD 2:**
Representatives Yonamine/Say, Co-Chairs; Case, Nakasone and Moses.
- H.B. No. 1625, HD 1, SD 2:**
Representatives Yonamine/Nakasone, Co-Chairs; and Marumoto.
- H.B. No. 1638, HD 2, SD 1:**
Representatives Garcia/Kanoho, Co-Chairs; Kahikina, Saiki and Ward.
- H.B. No. 1639, HD 2, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1640, HD 1, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1641, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1645, HD 1, SD 2:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1646, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1648, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1650, HD 1, SD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1654, HD 1, SD 2:**
Representatives Morihara/Stegmaier/Chang, Co-Chairs; Takai and Halford.
- H.B. No. 1655, HD 1, SD 1:**
Representatives Morihara/Chang, Co-Chairs; Ahu Isa, Morita and Meyer.
- H.B. No. 1656, HD 1, SD 2:**
Representatives Morihara/Say, Co-Chairs; Ahu Isa, Takai and Meyer.
- H.B. No. 1657, HD 1, SD 1:**
Representatives Morihara/Stegmaier/Say, Co-Chairs; Tarnas and McDermott.
- H.B. No. 1660, HD 2, SD 1:**
Representatives Morihara/Say, Co-Chairs; Ahu Isa, Takai and Halford.
- H.B. No. 1664, HD 1, SD 2:**
Representatives Morihara/Chang, Co-Chairs; Ahu Isa, Tarnas and Meyer.
- H.B. No. 1675, HD 2, SD 1:**
Representatives Menor/Suzuki, Co-Chairs; Garcia, Lee and Ward.
- H.B. No. 1686, HD 1, SD 2:**
Representatives Say, Chair; Nakasone and Marumoto.
- H.B. No. 1688, HD 1, SD 2:**
Representatives Case/Say, Co-Chairs; Kahikina, Suzuki and Kawanakoa.
- H.B. No. 1689, HD 1, SD 2:**
Representatives Say, Chair; Nakasone and Marumoto.
- H.B. No. 1690, HD 1, SD 1:**
Representatives Say, Chair; Kawakami and Marumoto.
- H.B. No. 1694, SD 2:**
Representatives Say, Chair; Suzuki and Marumoto.
- H.B. No. 1695, HD 2, SD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Tarnas and Meyer.
- H.B. No. 1701, HD 2, SD 2:**
Representatives Takamine/Say, Co-Chairs; Hamakawa, Ito and Marumoto.
- H.B. No. 1706, HD 2, SD 2:**
Representatives Yonamine/Nakasone, Co-Chairs; Case, Suzuki and Marumoto.
- H.B. No. 1713, HD 1, SD 1:**
Representatives Case/Tom/Say; Co-Chairs; Yamane and Kawanakoa.
- H.B. No. 1714, HD 2, SD 1:**
Representatives Arakaki/Say, Co-Chairs; Kahikina, Kawakami and Fox.
- H.B. No. 1715, HD 1, SD 1:**
Representatives Arakaki/Tom, Co-Chairs; Saiki, Yamane and Whalen.
- H.B. No. 1716, HD 1, SD 1:**

- Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Stegmaier and Fox. Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1721, HD 2, SD 2:**
Representatives Arakaki/Say, Co-Chairs; Kawakami, Santiago and Pendleton.
- H.B. No. 1724, HD 1, SD 1:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Thielen.
- H.B. No. 1731, HD 1, SD 2:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Morita and Ward.
- H.B. No. 1732, HD 2, SD 1:**
Representatives Menor/Kawakami, Co-Chairs; Garcia, Goodenow and Aiona.
- H.B. No. 1738, HD 1, SD 1:**
Representatives Tarnas/Menor, Co-Chairs; Morihara, Saiki and Thielen.
- H.B. No. 1745, HD 2, SD 2:**
Representatives Tarnas/Tom, Co-Chairs; Morihara, Yamane and Meyer.
- H.B. No. 1762, SD 1:**
Representatives Hiraki/Say, Co-Chairs; Nakasone, Takumi and Marumoto.
- H.B. No. 1770, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1771, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1772, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1773, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1774, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1775, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1776, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1777, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1778, HD 1, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1779, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1780, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1781, SD 1:**
- H.B. No. 1782, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1783, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1784, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1785, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1786, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1787, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1788, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1789, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1790, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1791, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1792, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1793, SD 1:**
Representatives Say, Chair; Ito, Kawakami and Marumoto.
- H.B. No. 1796, HD 1, SD 1:**
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina and Fox.
- H.B. No. 1797, HD 1, SD 2:**
Representatives Arakaki/Say, Co-Chairs; Kawakami, Lee and Fox.
- H.B. No. 1798, SD 1:**
Representatives Yonamine/Say, Co-Chairs; Case, Nakasone and Marumoto.
- H.B. No. 1799, HD 1, SD 1:**
Representatives Say, Chair; Nakasone, Suzuki and Marumoto.
- H.B. No. 1804, HD 1, SD 1:**
Representatives Say/Takai, Co-Chairs; White and Meyer.
- H.B. No. 1805, HD 2, SD 1:**
Representatives Cachola/Say, Co-Chairs; Chang, Ito and Aiona.
- H.B. No. 1806, HD 1, SD 1:**

- Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- H.B. No. 1814, HD 1, SD 1:**
Representatives Yonamine/Nakasone, Co-Chairs; and Marumoto.
- H.B. No. 1818, HD 2, SD 2:**
Representatives Santiago/Menor, Co-Chairs; Lee, Saiki and Pendleton.
- H.B. No. 1819, HD 1, SD 1:**
Representatives Santiago/Menor, Co-Chairs; Lee, Saiki and Pendleton.
- H.B. No. 1829, HD 3, SD 2:**
Representatives Santiago/Arakaki/Tom/Say, Co-Chairs; and Pendleton.
- H.B. No. 1831, HD 1, SD 2:**
Representatives Santiago/Stegmaier/Kawakami, Co-Chairs; Kahikina and Ward.
- H.B. No. 1833, SD 2:**
Representatives Hiraki/Tom, Co-Chairs; Takumi, Yamane and Pendleton.
- H.B. No. 1836, HD 2, SD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Hamakawa and Meyer.
- H.B. No. 1837, HD 2, SD 2:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Garcia, Hamakawa and Meyer.
- H.B. No. 1838, HD 2, SD 1:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Kanoho and Meyer.
- H.B. No. 1840, HD 1, SD 1:**
Representatives Santiago/Say, Co-Chairs; Kahikina, Kawakami and Fox.
- H.B. No. 1841, HD 3, SD 2:**
Representatives Santiago/Tom/Kawakami, Co-Chairs; Kahikina and Fox.
- H.B. No. 1842, HD 2, SD 1:**
Representatives Arakaki/Santiago/Menor, Co-Chairs; Saiki and Aiona.
- H.B. No. 1843, HD 2, SD 2:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Hamakawa, Morihara and Meyer.
- H.B. No. 1854, HD 1, SD 1:**
Representatives Menor/Tom/Kanoho, Co-Chairs; Cachola and Ward.
- H.B. No. 1857, HD 1, SD 1:**
Representatives Case/Tom/Say, Co-Chairs; Suzuki and Kawanakoa.
- H.B. No. 1858, SD 1:**
Representatives Menor/Tom, Co-Chairs; Case, Yamane and Whalen.
- H.B. No. 1860, HD 3, SD 1:**
Representatives Morihara/Menor/Tom/Say, Co-Chairs; and Halford.
- H.B. No. 1863, HD 2, SD 1:**
Representatives Menor/Kanoho, Co-Chairs; Hamakawa, Saiki and Ward.
- H.B. No. 1864, HD 1, SD 1:**
Representatives Santiago/Menor, Co-Chairs; Lee, Saiki and Whalen.
- H.B. No. 1893, SD 1:**
Representatives Menor, Chair; Garcia, Lee, Saiki and Whalen.
- H.B. No. 1894, SD 1:**
Representatives Menor, Chair; Garcia, Herkes, Lee and Whalen.
- H.B. No. 1899, HD 1, SD 1:**
Representatives Menor, Chair; Herkes, Lee, Saiki and Whalen.
- H.B. No. 1900, HD 1, SD 1:**
Representatives Menor/Kanoho, Co-Chairs; Cachola, Hamakawa and Ward.
- H.B. No. 1902, SD 1:**
Representatives Menor, Chair; Garcia, Lee, Saiki and Aiona.
- H.B. No. 1904, HD 3, SD 1:**
Representatives Morihara/Chang, Co-Chairs; Ahu Isa, Morita and McDermott.
- H.B. No. 1965, HD 1, SD 1:**
Representatives Tarnas/Tom, Co-Chairs; Hamakawa, Yamane and Thielen.
- H.B. No. 1984, SD 2:**
Representatives Santiago/Kawakami, Co-Chairs; Abinsay, Kahikina and Pendleton.
- H.B. No. 2019, HD 1, SD 2:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Hamakawa and Meyer.
- H.B. No. 2032, HD 2, SD 2:**
Representatives Stegmaier/Kawakami, Co-Chairs; Ito, Tarnas and McDermott.
- H.B. No. 2060, HD 1, SD 1:**
Representatives Say, Chair; Kawakami, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanoho, Nakasone, Suzuki, White, Fox, Marumoto, Meyer and Ward.
- H.B. No. 2202, HD 2, SD 1:**
Representatives Menor/Kanoho, Co-Chairs; Case, Hamakawa and Ward.
- H.B. No. 2207, HD 2, SD 1:**
Representatives Case/Say, Co-Chairs; Suzuki, Yamane and Marumoto.
- H.B. No. 2234, HD 1, SD 1:**
Representatives Morihara/Say, Co-Chairs; Suzuki, Takai and Halford.

ANNOUNCEMENT

The Chair stated:

"The Chair wishes to say that all the House Conferees have been named and it's before you so please check for your assignment."

ADJOURNMENT

At 11:41 o'clock a.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30

o'clock a.m. tomorrow, Tuesday, April 15, 1997.
(Representatives Halford, Jones, Menor, Nakasone,
Pendleton and Saiki were excused.)

FIFTY-FIRST DAY

Tuesday, April 15, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:45 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Michael Puamamo Kahikina, after which the Roll was called showing all members present with the exception of Representatives M enor and Pendleton, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 183 through 185) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 183, informing the House that he signed the following bills into law on April 14, 1997:

House Bill No. 37 as Act 11, entitled: "RELATING TO TRANSPORTATION";

House Bill No. 260 as Act 12, entitled: "RELATING TO INSURANCE";

House Bill No. 369 as Act 13, entitled: "RELATING TO INSURANCE";

House Bill No. 919 as Act 14, entitled: "RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION";

House Bill No. 1189 as Act 15, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 1190 as Act 16, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 1747 as Act 17, entitled: "RELATING TO THE KAHO'OLAWA ISLAND RESERVE"; and

House Bill No. 1870 as Act 18, entitled: "RELATING TO INSURANCE RATE REGULATION".

Gov. Msg. No. 184, informing the House that he signed the following bills into law on April 14, 1997:

Senate Bill No. 140 as Act 19, entitled: "RELATING TO BUSINESS REGISTRATION";

Senate Bill No. 207 as Act 20, entitled: "RELATING TO LIQUOR TAX";

Senate Bill No. 910 as Act 21, entitled: "RELATING TO PROCUREMENT"; and

Senate Bill No. 1300 as Act 22, entitled: "RELATING TO EMPLOYMENT SECURITY APPEALS".

Gov. Msg. No. 185, informing the House that he signed the following bills into law on April 14, 1997:

Senate Bill No. 45 as Act 23, entitled: "RELATING TO VETERANS";

Senate Bill No. 285 as Act 24, entitled: "RELATING TO THE COURTS";

Senate Bill No. 333 as Act 25, entitled: "RELATING TO DOMESTIC VIOLENCE";

Senate Bill No. 959 as Act 26, entitled: "RELATING TO THE UNIFORM PRUDENT INVESTOR ACT";

Senate Bill No. 1575 as Act 27, entitled: "RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATION"; and

Senate Bill No. 1653 as Act 28, entitled: "RELATING TO LEAVE SHARING".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 701 and 702) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 701, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate Bills on April 11, 1997, and has this day agreed to the amendments and that said bills passed Final Reading in the Senate on April 14, 1997:

Senate Bill No. 1495, SD 1, HD 1
Senate Bill No. 1715, HD 1
Senate Bill No. 1523, HD 1
Senate Bill No. 1519, HD 1
Senate Bill No. 1516, SD 1, HD 1
Senate Bill No. 1515, SD 1, HD 1
Senate Bill No. 1115, SD 1, HD 1
Senate Bill No. 1814, SD 1, HD 1
Senate Bill No. 1499, SD 1, HD 1
Senate Bill No. 1524, HD 1
Senate Bill No. 228, SD 1, HD 1
Senate Bill No. 1521, SD 1, HD 1
Senate Bill No. 1118, SD 1, HD 1
Senate Bill No. 1565, SD 1, HD 1
Senate Bill No. 1486, HD 1

Sen. Com. No. 702, informing the House that the President has, on April 14, 1997, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 5, SD 2, HD 1:

Senators D. Ige/Matsunaga, Co-Chairs; and Slom.

S.B. No. 135, SD 1, HD 2:

Senators Baker/D. Ige, Co-Chairs; Chun Oakland and Slom.

S.B. No. 138, SD 1, HD 3:

Senators Baker/D. Ige, Co-Chairs; and Kanno.

S.B. No. 141, SD 1, HD 1:

Senators Baker/D. Ige, Co-Chairs; and Kanno.

S.B. No. 226, SD 1, HD 1:

Senators Baker/D. Ige, Co-Chairs; and Chun Oakland.

S.B. No. 512, SD 2, HD 2:

Senators Baker, Chair; Chun Oakland and Slom.

S.B. No. 656, SD 1, HD 3:

Senators Baker/D. Ige, Co-Chairs; and Kanno.

S.B. No. 952, SD 1, HD 1:

Senators D. Ige, Chair; Chun Oakland and Slom.

S.B. No. 1114, SD 1, HD 1: Senators Baker, Chair; Kanno and Slom.	175	Committee on Energy and Environmental Protection, then to the Committee on Finance
S.B. No. 1116, SD 1, HD 1: Senators Baker/D. Ige, Co-Chairs; and Slom.	388	Committee on Higher Education and the Arts, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary, then to the Committee on Finance
S.B. No. 1191, SD 1, HD 1: Senators D. Ige, Chair; Chun Oakland and Slom.	871	Jointly to the Committee on Economic Development and Business Concerns; to the Committee on Transportation; and to the Committee on Tourism, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
S.B. No. 1242, SD 1, HD 1: Senators Chun Oakland/Kanno, Co-Chairs; Fukunaga, Sakamoto and Anderson.	1082	Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
S.B. No. 1428, SD 1, HD 1: Senators Taniguchi/Tanaka, Co-Chairs; Kawamoto and Slom.	1464	Committee on Human Services and Housing, then to the Committee on Finance
S.B. No. 1487, SD 1, HD 1: Senators D. Ige, Chair; Kanno and Slom.	1472	Committee on Finance
S.B. No. 1522, SD 1, HD 1: Senators Baker, Chair; Chun Oakland and Slom.		
S.B. No. 1533, HD 1: Senators Baker/D. Ige, Co-Chairs; and Slom.		
S.B. No. 1560, SD 1, HD 2: Senators Baker, Chair; Chun Oakland and Slom.		
S.B. No. 1714, HD 1: Senators D. Ige, Chair; Chun Oakland and Slom.		
S.B. No. 1802, SD 2, HD 1: Senators Chun Oakland/Kanno/Fernandes Salling/Fukunaga, Co-Chairs; Levin, Sakamoto and Anderson.		
S.B. No. 1901, SD 1, HD 1: Senators Baker/D. Ige, Co-Chairs; and Slom.		
S.B. No. 1948, SD 1, HD 1: Senators Baker/D. Ige, Co-Chairs; and Solomon.		

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 229 and 230) were announced by the Clerk and the following action taken:

H.R. No. 229, entitled: "HOUSE RESOLUTION CONGRATULATING THE FIVE HONOREES OF THE 20TH ANNUAL YWCA OF OAHU LEADERLUNCHEON PROGRAM," was jointly offered by Representatives Marumoto, Arakaki, Garcia, Halford, Hamakawa, Ito, Kawakami, Lee, McDermott, Morita, Moses, Okamura, M. Oshiro, P. Oshiro, Santiago, Suzuki, Takumi and Yonamine.

Representative Marumoto moved that H.R. No. 229 be adopted, seconded by Representative Lee.

Representative Marumoto rose to speak in support of the resolution, stating:

"Mr. Speaker, we're here to honor the awardees of the Leaderluncheon of the YWCA. This is a major fundraiser every year.

"But it's really also to honor the YWCA which has done so much for the people of Hawaii for nearly one hundred years. They were established in 1900, and they have empowered women, enriched families, by providing opportunities through our Women Resource Center and the Art Center, their Wellness Classes and Child Care and Housing Program. More than 17,000 individuals participate in YWCA activities each year. They come from all faiths and backgrounds. They offer programs on four sites on Oahu -- downtown here, Laniakea Center, Fernhurst, the transitional housing residences in Makiki, and at Kokokahi in Kaneohe.

"They offer many water activities for adults with special needs, safe and affordable transitional housing, and support services to help women. They help single parents find others with whom they could share housing expenses. They have instructions for women who want to enter into higher paying non-professional professions. They are interested in teaching advocacy, and offer referral support for single parents, and last but not least, they have many child care programs. So we are very grateful to the YWCA for all that they do for our State.

At this time, Representative Chang introduced to the members of the House a former colleague and husband of Representative Marilyn Lee, Sam Lee, who was seated in the gallery.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following House Bills were re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1138	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
1650	Jointly to the Committee on Finance and the Committee on Economic Development and Business Concerns

The following Senate Bills were re-referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
26	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

"They have honored several women and institutions today, and I will ask them to stand if they are able. Number one is Lynne Johnson, who has done a lot for the Symphony; second is Dr. Bea Krause; Rose Nakamura of Project Dana, and she is well known to many of us here; Kapiolani Hospital is being honored and we have representing the hospital, Wheeler Mortin; and Steve Green, Headmaster of St. Andrew's Priory School. If we could greet these people today."

Representative Marumoto then asked the following persons, who were seated in the gallery, to stand to be recognized: Susan Au Doyle, Executive Director of the YWCA of Oahu; Gail Miyasaki, Director of Development; Lorry Nakata, Marketing and Communications Manager; Karen Hao, niece, who is helping Dr. Krause, and her husband, Jim Hao; Shim Kanazawa, longtime advocate for Project Dana; Sam Lee, Board member of the Honolulu Symphony; Jay Watanabe, Development Director of St. Andrew's Priory; and students from St. Andrew's Priory: Christine Lee, senior; Kathy Mina, 6th grader; and Jordan Higa, a second grader.

Representative Lee then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I would like to congratulate all of the leaders here today; however, I would like to especially address my remarks to honoree Lynne Johnson. Today, we honor Lynne Johnson as a woman leader who is not only a community leader, but also a leader in our State for arts and culture.

"Several years ago, the Honolulu Symphony Society cancelled its season and the musicians struggled to continue as an orchestra, dedicated to preserving live classical music in our State. Lynne Johnson stepped forward to bring all sides together. She personally called on the musicians in their hall and started a dialogue. She cajoled the business community and the foundations to step up their efforts to make up the shortfall in funds from the City and the State.

"The Honolulu Symphony is back in business, presenting classical concerts, pops and local artists. Lately, you may have seen John Denver and Judy Collins, you've seen Joe Moore and met Sam Wong, the new Director.

"Mr. Speaker, last week I spoke about roots. The Honolulu Symphony is the 10th oldest symphony orchestra in the United States. It was founded in 1900. The Symphony enjoys an excellent reputation abroad. When SONY Corporation celebrated its 50th anniversary, it celebrated in Hawaii by bringing some 1500 of its representatives and agents from all over the world. The Chairman of SONY himself conducted the symphony in the renovated Hawaii Theater as part of the celebration.

"Under the leadership of Lynne Johnson, the Symphony has reached out, not only to Japan and Asia, but also to New York and Los Angeles. On August 31st of this year, the Honolulu Symphony will play in the Hollywood Bowl under the direction of Sam Wong. Lynne has broadened the membership of the Symphony Board and made it a mosaic of the many different peoples of our island state. In making the symphony more of a local institution, Lynne is also reaching into her roots. She is a 6th generation member of the Cooke family, who have brought us, among other things, castles on Lanai and art galleries in Makiki.

"Mr. Speaker, it is a pleasure to honor this leader of culture and arts in Hawaii.

"Thank you."

Representative Case then rose to speak in support of the resolution, stating:

"Like the previous speaker, I wish to welcome and congratulate all of the honorees, but I'm particularly rising to speak about Beatrice Kapua'o'kalani Krause, who is a tremendous and fascinating person. I had the benefit earlier in the session to introduce another fascinating and interesting person who I described as a Renaissance woman, and I think Ms. Krause certainly qualifies and certainly illustrates equally all of the qualities of such a person. I'm grateful for being able to recognize Ms. Krause because, whether she likes it or not, she is sometimes referred to as the person who has lived the longest in Manoa Valley. I believe, Ms. Krause, you've lived in Manoa for something like 75 years now as just part of your long and distinguished life. We hold her in great affection in Manoa.

"She is being recognized today, Mr. Speaker, primarily for her accomplishments in her professional field, where she was the first woman to receive a graduate degree in agriculture from the University of Hawaii and is one of our foremost experts on ethno-botany. And the qualifications for this award are, in part, being a trailblazer, and I quote: 'Women who have broken through a gender barrier into a traditionally male occupation, or who have overcome unusual challenges or obstacles.' Ms. Krause has certainly served in that capacity throughout her professional career.

"But I really think of her as being a trailblazer of a much broader category -- somebody who has contributed very much to volunteerism, somebody who has supported many, many interesting and good community projects. And one thing that she has left with me, from various talks she's given on the history of Manoa Valley, is a real feeling that the land is alive, that the land has a life. It was Justice William Douglas, as I recall, who many decades ruled in a very seminal opinion that trees have standing, the legal right to bring claims in court, and, of course, many people thought that was kind of ridiculous at the time. But I think of Bea Krause as someone who has believed that all her life, has blazed a mental trail in that direction, and has educated many of us along the way.

"So I congratulate and thank you very much for both your Manoa community and your state, Ms. Krause.

"Thank you."

Representative Kahikina then rose in support of the resolution, stating:

"I congratulate all of our honorees. And I'm also standing and giving honor to the 'walking encyclopedia', Mrs. Beatrice Krause. I met her years back with Eric Enos up at Kaala Farm, the Opelo Project, where I was the coordinator of the Nanakuli Youth Agriculture Project, and kupuna, along with Don Anderson, up at Lyon Arboretum, where we used to take the kids every weekend for close to five-six years that I was with Eric. And I continue -- and they're still going up there. In fact, we got all our taro from Beatrice and Don Anderson, and we had it all labeled -- somewhere over 350 varieties.

"And it's an honor to be standing here because I knew Bea when she was able to scale Waianae Valley with me. Believe me, just like when the Queen visited King Solomon and someone asked: 'What you thought about the King? And she said: 'The half was never told.' And I believe it's relevant to Bea because I think the half has never been told.

"I remember the story that you told us, and we haven't shared this with anybody. But if you want to know the real reason how we got mosquitos in Hawaii, here's the 'encyclopedia' -- ask her. I will let her explain to you and you can get upset about it.

"But, Ms. Krause, from all the keiki o ka aina from Waianae, Eric Enos, Lani Burgess, and all of us: we love you, and it's an honor to honor you here today. Congratulations."

Representative Yoshinaga then rose in support of the resolution, stating:

"Mr. Speaker, I'm very honored to stand before this body as a former six year member of the YWCA Board of Directors and it's a worthy organization, and I want to congratulate the 'Y' for a successful Leaderluncheon.

"And I'm also very pleased to introduce two colleagues, Mrs. Rose Nakamura, who is a well deserving recipient of the YWCA Leaderluncheon Award. And on behalf of Representative Saiki and myself, I just would like to share a little bit about the reasons for her being an honoree today.

"Mrs. Nakamura is the Founding Administrator of Project Dana, a volunteer caregivers program designed to help the frail and elderly to live independent lives with dignity. Since the beginnings of Project Dana in 1990, Mrs. Nakamura has worked hard to recruit and enlist over 500 volunteers for this project at the Moiliili Hongwanji Mission and has provided for the overall supervision and training of these volunteers who provide over 45,000 hours, assisting the frail and elderly in services, such as home visits, transportation to medical appointments, grocery shopping, religious services, housekeeping tasks, hospital and care home visits, and much more.

"In keeping with the program, Mrs. Nakamura also performs the demanding task -- and I think that is an overwhelming task, in and of itself -- with matching volunteers with elderly clients, and she remains the overall quality control person for Project Dana; she is its heart and soul. A seasoned veteran of unselfish giving, Mrs. Nakamura has been caring for people all of her life. She has a sound commitment to improving the quality of life for those individuals whom she comes into contact with. Her caregiving efforts have been recognized by the Jefferson Award Program, and other citations include the Rosalind Carter Volunteer Caregiving Award, the First Lady's Outstanding Volunteer Award, and she has been named as the Regional Facilitator by the Robert Wood Johnson Foundation. In addition to all of the foregoing, Mrs. Nakamura is also the first woman to have served as President of the Moiliili Hongwanji Mission's Board of Directors in its 90 year history. I'd say she's a trailblazer.

"Because of the steadfast dedication, Project Dana has become an effective and humane organization recognized by many local agencies in dedicated work to serving the elderly. She has made a significant impact in our community and hopefully -- my father is still at home and he's mobile so he has not had the need for these type of services -- but her contribution, in this field, leaves a legacy that we can all be proud of. She is a noted model for compassionate caregiving and has been a bright example of one who gives freely of her time and energy to the frail and elderly of her society. I'd like to congratulate Mrs. Nakamura and many more years of continued service.

"Aloha."

Representative Arakaki then rose in support of the resolution, stating:

"Mr. Speaker, I'm also very pleased and honored to recognize those who are being honored by the Leaderluncheon. I do work as a Health Planner for Kapiolani Health and as such, my work requires that I focus on the future and look at how we can improve the health care for the people of Hawaii, especially for women and children.

"But I'm always reminded and am always appreciative of those who were the foundation, who made it possible for us to deliver good health care. And it starts with Queen Kapiolani, and her motto was 'kulia ikanuu' -- to strive for the highest. And indeed, she was one who 'walked the talk' because over a hundred years ago, she was instrumental in establishing a maternity hospital, focusing on the health of Hawaiian women and infants. And to this day, Kapiolani Medical Center for Women and Children remains the only hospital in the State specializing in maternity and infant care. And in fact, is designated as a level three Perinatal Center for the Pacific Basin. Kulia ikanuu -- to strive for the highest.

"With the merging of Kalikeokalani Children's Hospital in 1976, Kapiolani Medical Center became a center for excellence for health care for children and adolescents as well. The acquisition of Pali Momi in 1989 and the recent establishment of Kapiolani Health Hawaii has meant the provision of health care excellence for all ages, sex and segments of Hawaii's communities, but it is in the area of women's and infants and children's health at Kapiolani Medical Center that many families in Hawaii are familiar with, recording 3500 births a year, 36,000 outpatient clinic visits, and 39,000 emergency room visits.

"Kapiolani Medical Center for Women and Children has also pioneered a unique center just for the women of Hawaii. The Kapiolani Women's Center addresses the special needs of women's health, both during and after the childbearing years, designed by women for women, the Women's Center operates on the philosophy that women can and should take greater control of their health. Preventing illness and maintaining women's health is especially important in Hawaii, which has one of the highest percentages of working women in the nation.

"At this time, Mr. Speaker, I also wish to acknowledge and honor the memory of a good friend and one of the pioneers in Hawaii's health care, Mr. Dick Davi, who recently passed away. Kapiolani Medical Center for Women and Children stands as his legacy and his vision to provide the very best in health care for the women of Hawaii. And while we may miss Dick Davi and his leadership, we are indeed fortunate to have leaders such as Kapiolani's Chief Executive Officer, Fran Hallonquist. She has been in charge of both Kapiolani and Pali Momi Medical Centers for the past few years, and is an excellent example of a woman in what is traditionally a man's world. It is only appropriate that she and leaders such as Willow Morton, who is with us, would provide direction to an organization that focuses on women's health.

"Queen Kapiolani would have been proud of these women and their ability to carry out the legacy of kulia ikanuu -- to strive for the highest. So I stand in recognition in honoring the works of Kapiolani Medical Center for Women and Children.

"Thank you."

Representative Ward then rose in support of the resolution, stating:

"Mr. Speaker, in commending all of the workers, I wanted to single out also Rose Nakamura because some of you know I have an Asian bias, and I want you to know that some of the reason for that is because of her. Twenty-five years ago, she was the Program Officer at the East-West Center for my wife and myself. I want to thank her for her nurturing and her training and the model that she's been as an internationalist. She's not only active locally, but internationally she's very well known. She's a lady who has been an expert in cross-cultural understanding, she's a lady who is really unfazed, and quiet and effective, as she was even unfazed when my father-in-law cut off my wife's scholarship because she was going to marry me, a haole, Rose announced to my wife, unfazed, and to this day, that's 26 years later of marriage, because of her presentation and her savoir faire, things have gone very well.

"Mr. Speaker, lastly, she is not only a role model to my wife and myself but for all of us, in terms of age and beauty. She looks exactly today, as she did when she was our Program Officer in 1970; she hasn't changed at all. So for Rose, keep up the good work and for all of you, thank you for making Hawaii a better place to live.

"Thank you."

Representative Hiraki then rose in support of the resolution, stating:

"First, my sincere congratulations to St. Andrew's Priory; it's Board of Trustees; Headmaster, Dr. Steven Bean; Principal, Kathleen Carstensen, and faculty and students for receiving this distinguished award.

"Founded in 1867, when educational opportunities for girls were pretty limited, today St. Andrew's Priory School provides girls in grades kindergarten through twelve with a college preparatory education, and prepares them for a lifetime of learning. The teachers and administrators at St. Andrew's Priory are committed to using innovative and creative teaching methods to elevate the consciousness of girls and women about their role in the world community.

"As many of my colleagues already know, St. Andrew's Priory is located in my district. However, I know that it's an excellent school since my mom graduated from that school. So it's indeed a pleasure to extend to St. Andrew's Priory my sincere best wishes and congratulations."

Representative Stegmaier then rose in support of the resolution, stating:

"In particular to recognize the YWCA of Oahu, especially one of its projects, the Fernhurst, which is a residential home for women. About 20 years ago, Fernhurst provided a caring, protective environment for my sister Luli who, despite having a severe mental illness -- paranoid schizophrenia -- was welcomed with open arms by the Fernhurst staff and stayed at Fernhurst during a critical period in her life. In addition to thanking the leaders who are being honored by the YWCA for their contribution to girls, women and their families. I want to pay special tribute, a personal tribute, to the organization of the YWCA of Oahu for its contribution to my sister.

"Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 229 was adopted, with Representatives Chang, Goodenow, Ito, Jones, Menor, Nakasone and Pendleton being excused.

Certificates of Recognition and floral leis were presented to the honorees.

At 12:17 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

H.R. No. 230, entitled: "HOUSE RESOLUTION HONORING AND RECOGNIZING EDITH CAMPOS FOR HER YEARS OF SERVICE AND DEDICATION TO THE HAWAII STATE HOUSE OF REPRESENTATIVES UPON HER RETIREMENT," was jointly offered by Representatives Say, Okamura and Marumoto.

Representative Say moved that H.R. No. 230 be adopted, seconded by Representative Okamura.

Representative Say rose to speak in support of the resolution, stating:

"As members of the Hawaii State Legislature, our duty is to serve our State and our communities, expend our time and energy, both privately, to the best of our ability so that ultimately and ideally, the well being of everyone in Hawaii can be assured. However, in our intent to accomplish our goals, we so often overlook those individuals who quietly go about making it possible for us to effectively conduct the State's business.

"Mr. Speaker, it can be justifiably said that those who serve as staff members here at the Legislature are the main reasons why we are able to carry out our agenda from day to day. Our honoree this afternoon is one of the most diligent, dedicated individual's who has continuously provided the support network so essential to our operations.

"Edith Campos can be considered a true representative of that caliber of an employee whose length and productivity service, every administrator and co-worker cherishes and holds in the highest regards. Throughout her 38 years that she was with the House of Representatives, her friendly, pleasant demeanor complimented the efficiency and commitment with which she handled her tasks. There is no doubt that an army of friends and well wishers could provide endless testimony about her. We, here in the House, appreciate her productivity and diverse legislative career which began prior to statehood in 1958, serving continuously in various capacities thereafter, from the First through the Eighteenth State Legislatures under Speakers Elmer Carvalho, the late Tadao Beppu, the late James Wakatsuki, Henry Peters, the late Richard Kawakami, Danny Kihano, and you, Joseph Souki.

"As a typist in a typing pool, as a secretary to Representative David McClung from 1958 to 1959 and then as a stenographer, assistant records clerk, chief records clerk and clerical supervisor of the Chief Clerk's Office from 1960 to her retirement in December of 1996. In addition to her dedication to her duties at the Capitol, Edith has also faithfully fulfilled her duties as a wife, as mother, grandma, a lay woman Eucharist Minister, and member of the prayer group at St. Anthony's Catholic Church. And she is highly respected by all her peers in the community and beloved by all who know her.

"Mr. Speaker, it is with great pride that I introduce to this honorable body, Edith Campos, a truly praise-worthy individual who has contributed so much to the successful accomplishments of all of our objectives. As I am, apparently, the most senior member of this body, I would like to offer Edith my personal regards and thanks for her many years of service since she has been with the House

of Representatives, even longer than my tenure here, and that is quite a long time.

"Mr. Speaker, may I now request that my colleagues join me in expressing to our honoree, Edith, our sincere gratitude and mahalo for all of her unselfish contributions to this body over the years. Edith, would you please stand to be recognized?"

"Mr. Speaker, accompanying Edith are her two beautiful daughters, Ms. Pam McCredie, that we always see, and Sharon Gabriel," and asked them to stand to be recognized.

"Thank you very much."

Representative Marumoto then rose in support of the resolution, stating:

"I've known Edith for so many years, ever since I've been in the Legislature, and we know that she is a fixture here. In fact, I think more than a fixture, I think she's an institution and we will really miss her if she retires. But I'm sure she'll be back to keep an eye on us.

"We've watched her daughters grow up and become beautiful young women, and I remember way back when they used to dance for the Don Ho show and I don't think many people knew that. That was in their past, but they were there under the very watchful eye of their father, Tommy Campos, who also worked for Don, and that was many, many years ago. We have also seen her grandchildren multiply and grow into healthy youngsters. In fact, one of them even was a shadow here in the Legislature recently.

"But we just want to let you know, Edith, that we love you and we will miss you, but come back and make sure that we do our work -- okay?"

"Thank you."

Representative Okamura then rose in support of the resolution, stating:

"Edith Campos was one of the first people I ever came in contact with here at the Legislature. I, as a student and fresh from Hilo, had the opportunity to work here in 1969 when the building first opened, and Edith was one of the first people that I came in contact with, and she's been always very helpful to me since. Always with a very pleasant smile and willingness to help out and I certainly do appreciate that, Edith.

"Members, one of the reasons why we're honoring Edith today is because she is the longest serving staff person ever in the Hawaii State Legislature. Many of us think that it's Mr. Funaki but she beats Mr. Funaki by a few years.

"One of my most memorable experiences with Edith is, a few years back when the Legislature was going through the Convention Center controversy, when we selected the International Marketplace as the site initially. That evening, that whole night here, was like pandemonium, and there were hundreds of people here, and it was almost like war going on. You had to be here to experience it, and Edith was in the Conference Room at the time, and she was the person from the Clerk's Office to receive the bills. And I had to escort her back to the Clerk's Office, but we never got there. We couldn't get there and so I escorted her to. . . I believe we ended up in the Finance Committee which was locked, and we had to literally pound ourselves into that office. But I know Edith was petrified about that night, and she was even barefooted that night when I escorted her. But I just want

to let you know, Edith, that I was just as scared as you were.

"But I do appreciate all your help, and retirement seems very becoming on you. You look even more beautiful and relaxed now. So the best of luck to you, and again, mahalo."

Representative Kanoho then rose in support of the resolution, stating:

"For about ten years, we exchanged pleasantries all the time and I thought there was something very special about Edith. Although I knew her brother, I had to ask her whether Joe -- I always thought Joe was much older than Edith -- but she indicated that Joe was the baby of the family. It was only upon reading the House Resolution just a few minutes ago, did I discover the reason why she is so special. She was born on Kauai and we all know the people born on Kauai are very special.

"And Edith, I just want to join in with the others to express our thanks and our very best wishes and God's blessing to you, and for much health and happiness and long life.

"Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 230 was adopted, with Representatives Ahu Isa, Chang, Halford, Herkes, Hiraki, Jones, Menor, Morihara, Nakasone, Pendleton, Takamine and Yamane being excused.

A Certificate of Recognition and floral leis were presented to the honoree, Mrs. Edith Campos.

At 12:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

APPOINTMENT OF CONFEREES

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

S.B. No. 5, SD 2, HD 1:

Representatives Tom, Chair; Herkes, Yamane and Whalen.

S.B. No. 26, HD 1:

Representatives Stegmaier/Tom/Kawakami, Co-Chairs; Morita and Moses.

S.B. No. 35, SD 1, HD 1:

Representatives Menor/Tom, Co-Chairs; Garcia, Yamane and Aiona.

S.B. No. 37, SD 1, HD 2:

Representatives Herkes/Jones/Say, Co-Chairs; Abinsay and McDermott.

- S.B. No. 58, SD 1, HD 1:**
Representatives Stegmaier/Kawakami, Co-Chairs; Morita, Tarnas and Halford.
- S.B. No. 130, SD 1, HD 2:**
Representatives Hiraki/Tom, Co-Chairs; Takumi, Yamane and Whalen.
- S.B. No. 135, SD 1, HD 2:**
Representatives Santiago/Menor, Co-Chairs; Cachola, Lee and Whalen.
- S.B. No. 138, SD 1, HD 3:**
Representatives Santiago/Menor/Kawakami, Co-Chairs; Kahikina and Fox.
- S.B. No. 141, SD 1, HD 1:**
Representatives Menor, Chair; Cachola, Lee, Yoshinaga and Whalen.
- S.B. No. 147, SD 1, HD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- S.B. No. 152, SD 2, HD 1:**
Representatives Menor/Tom, Co-Chairs; Herkes, Yamane and Pendleton.
- S.B. No. 161, SD 1, HD 1:**
Representatives Arakaki/Stegmaier, Co-Chairs; Morita, Santiago and McDermott.
- S.B. No. 165, SD 2, HD 1:**
Representatives Santiago/Tom/Menor, Co-Chairs; Yamane and Thielen.
- S.B. No. 175, HD 1:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Tarnas and Meyer.
- S.B. No. 202, SD 1, HD 1:**
Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- S.B. No. 208, SD 1, HD 2:**
Representatives Herkes/Say, Co-Chairs; Kawakami, Suzuki and Fox.
- S.B. No. 226, SD 1, HD 1:**
Representatives Menor, Chair; Case, Garcia and Whalen.
- S.B. No. 242, SD 1, HD 2:**
Representatives Tom/Say, Co-Chairs; Jones, White and Whalen.
- S.B. No. 251, SD 1, HD 2:**
Representatives Santiago/Kawakami/ Co-Chairs; Kahikina and Fox.
- S.B. No. 252, SD 1, HD 2:**
Representatives Arakaki/Say, Co-Chairs; Kahikina, Kawakami and Pendleton.
- S.B. No. 257, SD 2, HD 2:**
Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- S.B. No. 262, SD 1, HD 1:**
Representatives Yonamine/Nakasone, Co-Chairs; Hiraki, Suzuki and Marumoto.
- S.B. No. 263, SD 2, HD 1:**
Representatives Santiago/Menor, Co-Chairs; Kahikina, Saiki and Whalen.
- S.B. No. 286, SD 2, HD 2:**
Representatives Tom/Say, Co-Chairs; Herkes, Yamane and Whalen.
- S.B. No. 293, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 305, SD 1, HD 1:**
Representatives Tom, Chair; Cachola, Jones, Yamane and Thielen.
- S.B. No. 373, HD 1:**
Representatives Yoshinaga/Tom, Co-Chairs; Goodenow, Yamane and Thielen.
- S.B. No. 375, HD 2:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Hamakawa and Meyer.
- S.B. No. 377, SD 2, HD 2:**
Representatives Santiago/Tom, Co-Chairs; Stegmaier, Yamane and Pendleton.
- S.B. No. 382, SD 1, HD 1:**
Representatives Hiraki/Tom, Co-Chairs; Takumi, Yamane and Whalen.
- S.B. No. 388, SD 2, HD 2:**
Representatives Morihara/Menor/Tom/Say, Co-Chairs; and Halford.
- S.B. No. 426, SD 1, HD 2:**
Representatives Takai/Say, Co-Chairs; Ahu Isa, Kahikina and Halford.
- S.B. No. 497, HD 2:**
Representatives Santiago/Say, Co-Chairs; Lee and Pendleton.
- S.B. No. 512, SD 2, HD 2:**
Representatives Santiago/Menor, Co-Chairs; Cachola, Saiki and Kawanakoa.
- S.B. No. 538, SD 3, HD 1:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Morita and Ward.
- S.B. No. 623, SD 2, HD 1:**
Representatives Say, Chair; Nakasone, Suzuki and Marumoto.
- S.B. No. 633, SD 2, HD 2:**
Representatives Herkes/Takamine, Co-Chairs; Ito, Kanoho and Aiona.
- S.B. No. 647, SD 1, HD 2:**
Representatives Herkes/Tom, Co-Chairs; Ito, Yamane and Whalen.
- S.B. No. 653, SD 2, HD 2:**
Representatives Santiago/Arakaki/Tom, Co-Chairs; Yamane and Pendleton.
- S.B. No. 656, SD 1, HD 3:**
Representatives Santiago/Menor/Kawakami, Co-Chairs; Kahikina and Fox.
- S.B. No. 680, SD 1, HD 1:**
Representatives Menor, Chair; Lee, Yoshinaga and Kawanakoa.
- S.B. No. 681, SD 2, HD 1:**
Representatives Menor/Tom, Co-Chairs; Lee, Yamane and Aiona.
- S.B. No. 717, SD 2, HD 2:**

- Representatives Tom/Say, Co-Chairs; Jones, White and Whalen.
- S.B. No. 718, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 727, SD 2, HD 1:**
Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Moses.
- S.B. No. 817, SD 1, HD 1:**
Representatives Stegmaier, Chair; Morihara, Morita and Moses.
- S.B. No. 818, SD 1, HD 1:**
Representatives Menor/Tom, Co-Chairs; Case, Yamane and Kawananaoka.
- S.B. No. 823, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 831, SD 2, HD 2:**
Representatives Tom/Say, Co-Chairs; Cachola, Yamane and Whalen.
- S.B. No. 835, SD 1, HD 1:**
Representatives Santiago/Menor, Co-Chairs; Cachola, Lee and Aiona.
- S.B. No. 843, SD 1, HD 2:**
Representatives Herkes/Say, Co-Chairs; Ahu Isa, Suzuki and Marumoto.
- S.B. No. 846, SD 1, HD 2:**
Representatives Santiago/Menor/Tom, Co-Chairs; Yamane and Kawananaoka.
- S.B. No. 870, SD 2, HD 2:**
Representatives Hiraki/Tom, Co-Chairs; Jones, Takumi and Marumoto.
- S.B. No. 871, SD 2, HD 3:**
Representatives Herkes/Suzuki/Cachola/Menor/Chang, Co-Chairs; Aiona and Whalen.
- S.B. No. 927, SD 1, HD 2:**
Representatives Santiago/Say, Co-Chairs; Kahikina, Suzuki and Marumoto.
- S.B. No. 938, SD 1, HD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- S.B. No. 941, SD 1, HD 2:**
Representatives Tom/Say, Co-Chairs; and Kawakami.
- S.B. No. 944, SD 2, HD 2:**
Representatives Yonamine/Say, Co-Chairs; Nakasone, Suzuki and Marumoto.
- S.B. No. 952, SD 1, HD 1:**
Representatives Menor, Chair; Cachola, Lee, Saiki and Whalen.
- S.B. No. 969, HD 2:**
Representatives Morihara/Tom/Chang, Co-Chairs; Morita and Moses.
- S.B. No. 986, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 989, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Yamane, Yoshinaga and Whalen.
- S.B. No. 991, SD 2, HD 2:**
Representatives Hiraki/Tom, Co-Chairs; Case, Yamane and Whalen.
- S.B. No. 1016, HD 1:**
Representatives Jones/Hamakawa/Abinsay, Co-Chairs; Chang and Fox.
- S.B. No. 1018, SD 1, HD 2:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Kanoho and Thielen.
- S.B. No. 1032, SD 2, HD 2:**
Representatives Arakaki/Santiago/Menor/Tom/Kawakami, Co-Chairs; Yamane, Fox and Pendleton.
- S.B. No. 1064, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 1069, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 1082, SD 1, HD 2:**
Representatives Yoshinaga/Menor/Say, Co-Chairs; Morihara and Kawananaoka.
- S.B. No. 1089, SD 2, HD 2:**
Representatives Yoshinaga/Kanoho, Co-Chairs; Goodenow, Tarnas and Meyer.
- S.B. No. 1113, SD 1, HD 1:**
Representatives Menor/Tom, Co-Chairs; Yamane and Whalen.
- S.B. No. 1114, SD 1, HD 1:**
Representatives Menor, Chair; Herkes, Yamane and Whalen.
- S.B. No. 1116, SD 1, HD 1:**
Representatives Menor/Tom, Co-Chairs; Saiki, Yamane and Aiona.
- S.B. No. 1153, SD 2, HD 1:**
Representatives Menor, Chair; Herkes, Saiki, Yoshinaga and Kawananaoka.
- S.B. No. 1160, SD 1, HD 3:**
Representatives Yoshinaga/Hiraki/Kanoho, Co-Chairs; Goodenow and Thielen.
- S.B. No. 1191, SD 1, HD 1:**
Representatives Menor, Chair; Garcia, Yamane and Whalen.
- S.B. No. 1197, SD 1, HD 1:**
Representatives Hiraki/Tom, Co-Chairs; Takumi, Yamane and Thielen.
- S.B. No. 1242, SD 1, HD 1:**
Representatives Yonamine, Chair; Case, Suzuki, Yamane and Marumoto.
- S.B. No. 1264, SD 1, HD 1:**
Representatives Tom/Say, Co-Chairs; Jones, White and Whalen.
- S.B. No. 1266, SD 2, HD 2:**
Representatives Tom/Menor/Say, Co-Chairs; White and Marumoto.
- S.B. No. 1267, SD 1, HD 1:**

- Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 1268, SD 2, HD 2:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Whalen.
- S.B. No. 1277, SD 1, HD 1:**
Representatives Tom, Chair; Jones, Yamane, Yoshinaga and Whalen.
- S.B. No. 1279, SD 1, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 1285, SD 1, HD 2:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Marumoto.
- S.B. No. 1286, HD 1:**
Representatives Tom, Chair; Herkes, Jones, Yamane and Whalen.
- S.B. No. 1293, SD 1, HD 1:**
Representatives Yonamine/Say, Co-Chairs; Case, Nakasone and Moses.
- S.B. No. 1316, SD 2, HD 1:**
Representatives Say, Chair; Suzuki and Marumoto.
- S.B. No. 1385, HD 1:**
Representatives Garcia/Ito, Co-Chairs; Saiki and Ward.
- S.B. No. 1421, SD 2, HD 1:**
Representatives Say, Chair; Nakasone and Ward.
- S.B. No. 1428, SD 1, HD 1:**
Representatives Herkes/Tarnas, Co-Chairs; Ahu Isa, Goodenow and Thielen.
- S.B. No. 1464, SD 1, HD 1:**
Representatives Arakaki/Say, Co-Chairs; Chang, Kawakami and Fox.
- S.B. No. 1472, SD 2, HD 2:**
Representatives Say, Chair; Chang, Nakasone and Marumoto.
- S.B. No. 1487, SD 1, HD 1:**
Representatives Menor, Chair; Herkes, Lee, Saiki and Aiona.
- S.B. No. 1506, SD 1, HD 1:**
Representatives Yonamine/Menor/Say, Co-Chairs; Nakasone and Marumoto.
- S.B. No. 1522, SD 1, HD 1:**
Representatives Menor, Chair; Cachola, Herkes, Lee and Aiona.
- S.B. No. 1533, HD 1:**
Representatives Menor, Chair; Herkes, Lee, Saiki and Whalen.
- S.B. No. 1535, SD 1, HD 2:**
Representatives Menor/Tom/Kanoho, Co-Chairs; Yamane and Ward.
- S.B. No. 1553, SD 1, HD 1:**
Representatives ARakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Pendleton.
- S.B. No. 1554, SD 1, HD 2:**
Representatives Arakaki/Tom, Co-Chairs; Saiki, Yamane and Whalen.
- S.B. No. 1560, SD 1, HD 2:**
Representatives Santiago/Menor/Tom, Co-Chairs; Yamane and Aiona.
- S.B. No. 1571, SD 1, HD 2:**
Representatives Tom/Say, Co-Chairs; White, Yamane and Ward.
- S.B. No. 1581, SD 2, HD 2:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Kanoho and Meyer.
- S.B. No. 1588, SD 1, HD 2:**
Representatives Santiago/Tom, Co-Chairs; Hiraki, Lee and Pendleton.
- S.B. No. 1589, SD 2, HD 1:**
Representatives Santiago/Tom, Co-Chairs; Lee, Yoshinaga and Thielen.
- S.B. No. 1599, SD 1, HD 1:**
Representatives Tarnas/Menor, Co-Chairs; Morihara, Saiki and Thielen.
- S.B. No. 1618, HD 1:**
Representatives Hiraki/Say, Co-Chairs; Nakasone and Marumoto.
- S.B. No. 1619, HD 2:**
Representatives Hiraki/Tom, Co-Chairs; Yamane, Yonamine and Marumoto.
- S.B. No. 1621, HD 1:**
Representatives Hiraki/Tom, Co-Chairs; Takumi, Yoshinaga and Moses.
- S.B. No. 1624, HD 2:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Morita, McDermott.
- S.B. No. 1625, HD 2:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Morita and Ward.
- S.B. No. 1628, SD 2, HD 2:**
Representatives Stegmaier/Kawakami, Co-Chairs; Goodenow, Takai and Ward.
- S.B. No. 1631, SD 2, HD 2:**
Representatives Arakaki/Stegmaier/Kawakami, Co-Chairs; Morihara and Moses.
- S.B. No. 1632, SD 2, HD 2:**
Representatives Saiki/Kawakami, Co-Chairs; Lee and Pendleton.
- S.B. No. 1636, SD 2, HD 1:**
Representatives Morihara/Chang, Co-Chairs and Ward.
- S.B. No. 1683, SD 1, HD 2:**
Representatives Morihara/Chang, Co-Chairs; Ahu Isa, Takai and Meyer.
- S.B. No. 1714, HD 1:**
Representatives Menor, Chair; Case, Herkes, Lee and Aiona.
- S.B. No. 1766, SD 1, HD 1:**
Representatives Tom, Chair; Jones, Yamane, Yoshinaga and Whalen.
- S.B. No. 1773, SD 2, HD 2:**
Representatives Yoshinaga/Say, Co-Chairs; Goodenow, Hamakawa and Meyer.
- S.B. No. 1794, SD 1, HD 2:**

Representatives Santiago/Kawakami, Co-Chairs; Kahikina, Saiki and Pendleton.

S.B. No. 1802, SD 2, HD 1:

Representatives Say, Chair; Ito, Kawakami and Marumoto.

S.B. No. 1806, SD 2, HD 2:

Representatives Cachola/Chang, Co-Chairs; Abinsay, Ahu Isa and Ward.

S.B. No. 1874, SD 2, HD 2:

Representatives Arakaki/Kawakami, Co-Chairs; Kahikina and Fox.

S.B. No. 1879, SD 2, HD 2:

Representatives ARakaki/Santiago/Kawakami, Co-Chairs; Abinsay and Pendleton.

S.B. No. 1891, SD 1, HD 2:

Representatives Cachola/Say, Co-Chairs; Chang, White and Meyer.

S.B. No. 1901, SD 1, HD 1:

Representatives Menor, Chair; Cachola, Herkes, Lee and Whalen.

S.B. No. 1919, SD 1, HD 2:

Representatives Kanoho/Say, Co-Chairs; Ito and Marumoto.

S.B. No. 1943, SD 1, HD 2:

Representatives Hiraki/Ito, Co-Chairs; Nakasone, Takumi and Marumoto.

S.B. No. 1948, SD 1, HD 1:

Representatives Menor, Chair; Cachola, Lee and Whalen.

S.B. No. 1951, HD 2:

Representatives Herkes/Say, Co-Chairs; Suzuki and Marumoto.

we'd like to ask you to donate that to the Foodbank Food Drive. Mr. Speaker, we will be victorious this year."

Representative M. Oshiro: "Just a reminder -- today is the deadline to file your income tax returns."

Representative Thielen: "Folks, we'd better focus on the economy."

ADJOURNMENT

At 12:45 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 16, 1997. (Representatives Ahu Isa, Chang, Halford, Herkes, Hiraki, Jones, Menor, Morihara, Nakasone, Pendleton and Takamine were excused.)

ANNOUNCEMENTS

Representative Tarnas rose and requested waiver of the 48-hour hearing notice requirement for the purpose of conducting a public hearing with decision making to follow on Senate Concurrent Resolution No. 90, SD 2, on Thursday, at 10:00 a.m., in Room 312, and the Chair "so ordered."

Representative Thielen rose and stated:

"There are ten days left, Mr. Speaker, to get the economy moving. I think we all ought to get our act together, and let's help the economy.

"Thank you, Mr. Speaker."

Representative Arakaki rose and stated:

"Actually, there are only four days left, and that's for the Foodbank Food Drive. Hopefully that will get our economy moving, too. At least they'll take care of the hungry.

"Just a reminder that the Sergeant-at-Arms will be collecting donations this Friday but before that, we're having a Foodbank Food Drive display contest, and we'll have judges making their rounds on Thursday at noon, so we need to find out which of your offices will be entering the contest. Also, we're encouraging all the offices to fast for lunch, either on Thursday or Friday. I think we can all afford to fast and whatever you save from fasting,

FIFTY-SECOND DAY

Wednesday, April 16, 1997

The House of Representatives of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:45 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Rabbi Morris Goldfarb, resident scholar at Temple Emanu-El.

Representative P. Oshiro was recognized and he asked the members of the House and audience to join him for a moment of silence for the late Deolinda Borge, the Speaker's mother-in-law, who passed on recently.

The Speaker then thanked the members of the House and audience.

The Roll was called showing all members present with the exception of Representatives Cachola, Morihara, Okamura, Pendleton, Stegmaier, Takai and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First Day was deferred.

GOVERNOR'S MESSAGE

Gov. Msg. No. 186, transmitting copies of the 1996 State Certified Arbitration Program ("SCAP") Report, was received and announced by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 703 through 705) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 703, returning House Bill No. 1839, HD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on April 15, 1997.

Sen. Com. No. 704, informing the House that the President has, on April 15, 1997, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 35, SD 1, HD 1:
Senators Bunda/M. Ige, Co-Chairs; Matsunaga and Anderson.

S.B. No. 130, SD 1, HD 2:
Senators Kawamoto/Sakamoto, Co-Chairs; Kanno and Slom.

S.B. No. 165, SD 2, HD 1:
Senators Metcalf/Levin/Matsunaga, Co-Chairs; and Slom.

S.B. No. 242, SD 1, HD 2:
Senators Chumbley/Matsunaga/Fernandes Salling/Fukunaga, Co-Chairs; Sakamoto and Anderson.

S.B. No. 286, SD 2, HD 2:

Senators Matsunaga/Chumbley/Fernandes Salling/Fukunaga, Co-Chairs; McCartney, Metcalf and Anderson.

S.B. No. 293, SD 1, HD 1:
Senators Matsunaga/Chumbley, Co-Chairs; McCartney and Anderson.

S.B. No. 373, HD 1:
Senators Levin/Metcalf, Co-Chairs; Tam and Slom.

S.B. No. 377, SD 2, HD 2:
Senators Metcalf/Levin/Chumbley, Co-Chairs; and Slom.

S.B. No. 382, SD 1, HD 1:
Senators Kawamoto/Sakamoto, Co-Chairs; Kanno, Tam and Anderson.

S.B. No. 647, SD 1, HD 2:
Senators Matsunaga/Chumbley, Co-Chairs; McCartney, Sakamoto and Anderson.

S.B. No. 680, SD 1, HD 1:
Senators Bunda/D. Ige/M. Ige, Co-Chairs; Aki, Matsunaga, Solomon and Anderson.

S.B. No. 681, SD 2, HD 1:
Senators Bunda/D. Ige/M. Ige, Co-Chairs; Aki, Kanno and Matsunaga.

S.B. No. 717, SD 2, HD 2:
Senators Matsunaga/Chumbley/Fernandes Salling/Fukunaga; Co-Chairs; McCartney and Anderson.

S.B. No. 718, HD 1:
Senators Matsunaga/Chumbley, Co-Chairs; Sakamoto and Anderson.

S.B. No. 831, SD 2, HD 2:
Senators Chumbley/Matsunaga/Fernandes Salling/Fukunaga, Co-Chairs; McCartney and Metcalf.

S.B. No. 835, SD 1, HD 1:
Senators Metcalf/Levin/Baker, Co-Chairs; and Slom.

S.B. No. 846, SD 1, HD 2:
Senators Levin/Metcalf/Matsunaga, Co-Chairs; and Slom.

S.B. No. 991, SD 2, HD 2:
Senators Kawamoto/Sakamoto/Chumbley/Matsunaga, Co-Chairs; and Slom.

S.B. No. 1069, SD 1, HD 1:
Senators Chumbley/Matsunaga, Co-Chairs; McCartney, Metcalf and Anderson.

S.B. No. 1153, SD 2, HD 1:
Senators Bunda/D. Ige/M. Ige, Co-Chairs; Aki, Matsunaga, Solomon and Anderson.

S.B. No. 1160, SD 1, HD 3:
Senators Sakamoto/Kawamoto, Co-Chairs; and Anderson.

S.B. No. 1197, SD 1, HD 1:
Senators Kawamoto/Sakamoto/Chumbley/Matsunaga, Co-Chairs; and Slom.

S.B. No. 1264, SD 1, HD 1:

- Senators Matsunaga/Chumbley/Fernandes Salling/Fukunaga, Co-Chairs; McCartney and Anderson.
- S.B. No. 1266, SD 2, HD 2:**
Senators Chumbley/Matsunaga/Fernandes Salling/Fukunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1268, SD 2, HD 2:**
Senators Chumbley/Matsunaga/Fernandes Salling/Fukunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1277, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; McCartney, Metcalf and Anderson.
- S.B. No. 1286, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1571, SD 1, HD 2:**
Senators Metcalf/Levin, Co-Chairs; and Slom.
- S.B. No. 1588, SD 1, HD 2:**
Senators Metcalf/Levin/Chumbley, Co-Chairs; and Slom.
- S.B. No. 1589, SD 2, HD 1:**
Senators Metcalf/Levin/Matsunaga, Co-Chairs; and Slom.
- S.B. No. 1618, HD 1:**
Senators Sakamoto/Fernandes Salling/Kawamoto, Co-Chairs; Taniguchi and Slom.
- S.B. No. 1619, HD 2:**
Senators Sakamoto/Kawamoto, Co-Chairs; and Slom.
- S.B. No. 1621, HD 1:**
Senators Kawamoto/Sakamoto, Co-Chairs; Aki and Kanno.
- S.B. No. 1632, SD 2, HD 2:**
Senators Bunda/M. Ige/Fernandes Salling/Fukunaga, Co-Chairs; Ihara, Taniguchi and Anderson.
- S.B. No. 1794, SD 1, HD 2:**
Senators Metcalf/Levin, Co-Chairs; and Slom.
- S.B. No. 1943, SD 1, HD 2:**
Senators Kawamoto/Sakamoto, Co-Chairs; Aki, Kanno and Anderson.
- Sen. Com. No. 705, informing the House that the President has, on April 15, 1997, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills:
- H.B. No. 1, HD 1, SD 1:**
Senators D. Ige, Chair; Aki and Slom.
- H.B. No. 2, HD 2, SD 1:**
Senators D. Ige, Chair; Metcalf and Slom.
- H.B. No. 65, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 345, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 350, HD 1, SD 1:**
Senators Fernandes Salling/Fukunaga, Co-Chairs; M. Ige, Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi and Anderson.
- H.B. No. 472, SD 1:**
Senators Fernandes Salling/Fukunaga, Co-Chairs; M. Ige, Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi and Anderson.
- H.B. No. 582, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Chun Oakland.
- H.B. No. 939, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 1049, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 1196, HD 2, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 1216, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Slom.
- H.B. No. 1390, HD 1, SD 2:**
Senators Fernandes Salling/Fukunaga, Co-Chairs; M. Ige, Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi and Anderson.
- H.B. No. 1450, SD 1:**
Senators D. Ige, Chair; Solomon and Slom.
- H.B. No. 1451, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Solomon.
- H.B. No. 1645, HD 1, SD 2:**
Senators Baker/D. Ige, Co-Chairs; Taniguchi and Slom.
- H.B. No. 1854, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Taniguchi.
- H.B. No. 1858, SD 1:**
Senators Baker/D. Ige, Co-Chairs; Metcalf and Slom.
- H.B. No. 1864, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Chun Oakland.
- H.B. No. 1893, SD 1:**
Senators Baker, Chair; Chun Oakland and Slom.
- H.B. No. 1894, SD 1:**
Senators Baker/D. Ige, Co-Chairs; Kanno and Slom.
- H.B. No. 1899, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; and Chun Oakland.
- H.B. No. 1900, HD 1, SD 1:**
Senators Baker/D. Ige, Co-Chairs; Taniguchi and Slom.
- H.B. No. 1902, SD 1:**
Senators Baker, Chair; Chun Oakland and Slom.
- H.B. No. 2060, HD 1, SD 1:**
Senators Fernandes Salling/Fukunaga, Co-Chairs; M. Ige, Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi and Anderson.
- At this time, the following introductions were made to the members of the House:
- Representative Arakaki, on behalf of Representative Say and himself, introduced Mr. Phillip Yadao, a successful businessman and developer in the Philippines; his wife, Dr. Carol Salonga Yadao; and nephew, Joey Salonga.
- Representative Kawanakoa introduced Mr. Jerry Kuroiwa, a constituent of his.

ORDER OF THE DAY**COMMITTEE REASSIGNMENTS**

Senate Bill No. 286 was re-referred jointly to the Committee on Judiciary and the Committee on Public Safety and Military Affairs, then to the Committee on Finance.

House Resolution No. 191 was re-referred to the Committee on Human Services and Housing, then to the Committee on Finance

The following Senate Concurrent Resolutions were re-referred to committee by the Speaker:

S.C.R.
Nos.

- 2 Committee on Judiciary
- 78 Committee on Education, then to the Committee on Finance
- 116 Jointly to the Committee on Judiciary and the Committee on Consumer Protection and Commerce
- 163 Committee on Finance
- 198 Committee on Finance
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**INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)**

The following resolutions (H.R. Nos. 231 and 232 were announced by the Clerk and the following action taken:

H.R. No. 232, entitled: "HOUSE RESOLUTION HONORING THE TAX FOUNDATION OF HAWAII," was offered by Representative Meyer.

Representative Meyer moved that H.R. No. 232 be adopted, seconded by Representative Marumoto.

Representative Meyer rose to speak in support of the resolution, stating:

"Yesterday was April 15th, so many of us had taxes on our minds. Today, we're here to honor an organization that has its focus on taxes all year long.

"Since 1953, the Tax Foundation of Hawaii, a private non-profit, non-partisan, educational organization has encouraged efficiency and economy in government, and has always encouraged the establishment of an ethical tax system that would promote economic growth and stability for our State.

"The Tax Foundation of Hawaii is often mistaken for a government agency. They publish a number of reports every year, including Government in Hawaii, a handbook of financial statistics; The Legislative Review, a two-part summary reviewing measures approved by us, the Senate, and not vetoed by the Governor. And last but not least, the Legislative Tax Bill Service, which analyzes all tax measures introduced by the Legislature. We've worked closely with the Foundation over the years. Just a telephone call away, the Foundation has an amazing

collection of data relating to government finances and taxation.

"The Foundation has been active in helping the public understand how their taxes are raised and how they are used. The fact that the Foundation is a private organization contributes mightily to its objectivity and independence. They perform an invaluable service to the people of Hawaii. They receive all their funding from corporate and individual members. Their officers and board of directors are community leaders and busy executives who give unselfishly of their time.

"During the session, Lowell Kalapa, President and Secretary of the Foundation, spends countless hours here at the Capitol, testifying on bills related to taxation, and trying to sway the opinion of many legislators. Unfortunately, due to a scheduling conflict, he cannot be with us today. He is truly a treasure trove of knowledge. Lowell has served the Foundation for over 23 years and has the great ability of making the complicated understandable to all who listen to him. He is truly gifted, and we regret that he cannot be here with us today. All of us in the Legislature have worked closely with Lowell and appreciate the contribution he makes.

"We are here today to recognize the outstanding leadership from the Foundation. We are most fortunate to have with us some of the outstanding business leaders who serve as officers and directors of the Foundation.

"Mr. Speaker, I would like to introduce these individuals. First is Gene Burk, who serves as the Board Chair, and in his private endeavors, he is the Regional Director of Purchasing at the Sheraton Hotels in Hawaii and Japan; second is Ed Wong, Manager of Alexander and Baldwin's Tax Department; third, we have Mildred Hayden, Second Vice-President of the Foundation and Vice President and CEO of Theo H. Davies, Ltd.; fourth is Lon Okada, who's a manager of taxes with Hawaiian Electric Industries; and lastly, is Martin Jaskot, President and CEO of Theo H. Davies, who I had the pleasure of having lunch with when his company sponsored me at their table for luncheon at the Ilikai.

"We wish the Foundation many more productive and successful years in the future, and if you would all remember, it is not tax-supported so any contributions would be most appreciated. Thank you."

Representative Marumoto then rose to speak in support of the resolution, stating:

"My commendations to the Tax Foundation. It is an institution which has provided expertise on a subject which confounds us all -- taxes. Taxes -- we can't live with them and we can't live without them. It is a complex area which affects each individual and each business in Hawaii. So tax policy is important to our government, our economy, and all our lives.

"For decades, the Tax Foundation has provided the Legislature, as an expert witness, not as a lobbyist, with clear and concise information. It has simplified complex tax bills for us and guided us towards a sane tax policy. And had we followed more of its advice, we would not be living in the 'tax hell' which some of us have labeled Hawaii in recent years.

"My kudos to the executive directors that I have known -- Fred Bennion and Lowell Kalapa -- and to the many dedicated and knowledgeable people who have served on the board. I'd like to single out Marty Jaskot, who is CEO of Theo H. Davies, because he and the rest here have worked very hard on behalf of the Tax Foundation, raising money and fighting for its continued existence.

"I can only wish all of you great success in the future, and I do hope that there is a future for this much needed non-profit institution. Congratulations, you deserve the commendation today, and we thank you for your good advice in the past, and we need more in the future.

"Mahalo and aloha."

Representative Kawanakoa then rose to speak in support of the resolution, stating:

"I'd be remiss if I didn't stand and take a few moments just to express my appreciation to the Tax Foundation of Hawaii. I'm a young legislator; there's a lot to learn here. There's a lot of my colleagues that when we came to the Legislature, we turned to the Tax Foundation of Hawaii to give us some insight. And I'm very appreciative of the Board members who have continued the good work of the Tax Foundation.

"I'd also like to single out Lowell Kalapa, its Executive Director. He personally has been a mentor for myself, and a guiding light to help me understand many of the difficult problems that we face here at the Legislature. I think that without his advice and his understanding, I would still be completely in the dark. As it is, I have a glimpse, I guess, I'm beginning to understand what is couched in the Tax Foundation of Hawaii, and I would only wish that we will continue to support their good work and use the information that they provide us.

"Thank you, Mr. Speaker."

Representative Thielen then rose in support of the resolution, stating:

"I'm sorry Lowell Kalapa wasn't able to be here with us today. He is always available and willing to give his time to explain very difficult financial issues to members that seek his help. The Tax Foundation itself has been a wonderful resource to our State, and I certainly hope that it will be able to continue to survive.

"When we look at what was stated in a recent newspaper article -- that when we look at the percentage of income that goes to pay taxes, Hawaii is at 36.3 percent. That's exceeded only by New York and Connecticut. But when they look at just State and local taxes alone, Hawaii ranks higher than anyone else in the tax burden on our residents, and that's 13.4 percent of income going to pay those taxes. If Lowell were here, he might have stated the same words that were quoted in the newspaper article, that he had said that now with the new user fees and government filing fees, all that trickles down to really being higher taxes in the end as the costs are passed on. And I quote him: 'Businesses don't pay taxes, they just pass it on to their customers, or if they can't, they go out of business.' I think Lowell Kalapa is absolutely correct in his statement.

"Today, I'd like to specifically recognize Lon Okada, and Lon is the Tax Manager of Hawaiian Electric Industries. He oversees their tax planning and their compliance requirements of the diverse subsidiaries of HEI. He has over 18 years of experience in tax management, having previously worked for Hawaiian Electric Company and Coopers and Lybrand.

"He has rather distinguished academic credentials. He's a certified public accountant. He graduated magna cum laude from the University of Southern California -- my colleague, Representative Kawanakoa's alma mater, as well. And that was for his undergraduate work, and then he earned his law degree at Hastings College of Law.

"Thank you for being with us and allowing us to honor you today."

Representative Ward then rose in support of the resolution, stating:

"I, too, cannot be silent on taxes. I wish to add a few words not because it's taxes and tax day, but because we owe a debt of gratitude to the Tax Foundation and to the Executive Director.

"Mr. Speaker, they have served as a mirror for our identity. They have been the unpaid Marion Higa who gives the other side of the story -- the objective analysis -- of what we do as policymakers in terms of tax.

"We have a debt of gratitude to the possibility of the demise of the Foundation. I would encourage in my words to thank you, to do as much entrepreneurial scammering as you can, to make sure Lowell stays with us, that you stay with us, so the objective tax policies of the State can be maintained. It's the even keel we need -- you've been an invaluable resource for doing that.

"Thank you, Mr. Speaker."

Representative Ahu Isa then rose in support of the resolution, stating:

"Mr. Speaker, it gives me great pleasure to honor Mr. Edward W.T. Wong. Mr. Wong is the Director of Tax at A&B Hawaii, a subsidiary of Alexander and Baldwin, and has served on the Board of Directors of the Tax Foundation of Hawaii since 1984. He is also a graduate of our own University of Hawaii. Mr. Wong joined A&B in 1977 as Senior Tax Accountant, and he began his career in 1973 in the Tax Division at Peat Marwick. He is also the current President of the Hawaii Chapter of Tax Executive Institute, a national organization dedicated to the development of sound tax policies for the benefit of both government and taxpayers. He is also a member of the American Institute of CPAs in the Hawaii Society of CPAs.

"And I thank you, Mr. Wong, for serving so faithfully on the Board of the Tax Foundation of Hawaii, and also to the other Board members.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 232 was adopted, with Representatives Cachola, Menor, Morihara, Nakasone, Okamura, Pendleton, Say, Stegmaier, Takai and Takamine being excused.

Certificates of Recognition and floral leis were presented to the honorees.

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

Upon reconvening at 12:16 o'clock p.m., the following late introductions were made to the members of the House:

Representative Takumi, on behalf of Representatives Takai, Yonamine and himself, introduced Cheryl Inouye, the 1997 Spelling Bee Champion, daughter of James and Susan Inouye, and an eighth grader at Highlands Intermediate School. "Her perspicaciousness is not innate. It took hours of excogitating to expexegretically assay the epenthetic nature of etymology. Frankly, I don't know what all this means, but I said it to help Cheryl as she prepares for the Scripps Howard National

Spelling Bee to be held in Washington D.C. in May. She was accompanied by her mother.

Representative Thielen introduced Admiral Archie Clemins and his wife, Marilyn, saying

"Admiral Clemins was honored on the floor of the Senate today, and I didn't want the House members to miss having the opportunity to also wish him our aloha.

"He's responsible for the world's largest combined fleet command, encompassing 102 million square miles, and more than 190 ships and submarines, 1500 aircraft, and 200,000 sailors and marines.

"Thank you for being here Admiral, and thank you for doing your wonderful work on behalf of the defense of our nation."

Accompanying Admiral and Mrs. Clemins were Capt. Keith Arterburn, Commander-in-Chief of the U.S. Pacific Fleet Public Affairs Office. "He's been with CINCPAC Fleet since 1994, and has been responsible for several international events and media coverage of the Navy in the Pacific," and his wife, Fran; Lieutenant Commander William Jeffrey Alderson, Pacific Fleet Public Affairs Media Branch Head; Lieutenant Gil Mendez, Public Affairs Officer; Ms. Polly Charbonneau, Pacific Fleet Public Affairs Community Relations Branch Head; and Ms. Jerry Moore, Public Affairs Community Relations Specialist for the U.S. Pacific Fleet, and "who enabled a number of us to be able to ride on the Henry Young Jackson submarine, and also on the Kitty Hawk Aircraft Carrier, and be catapulted off successfully to return to our shores.

"Thank you, Mr. Speaker. The next time we take a jet and land on an aircraft carrier, I hope you will join us. It's an incredibly wonderful experience."

Representative Moses then rose and stated:

"I have to correct something that my colleague just said. You don't land on an aircraft carrier -- that's a controlled crash. I know that, being a retired marine and naval flight officer, and commend our brothers and sisters here, and say that I have nothing but fond memories of my tours. And on behalf of all veterans of Hawaii and the world, thank you very much for the job you do."

H.R. No. 231, entitled: "HOUSE RESOLUTION COMMENDING HAWAII'S SMALL BUSINESS AWARD WINNERS," was offered by Representative Herkes.

Representative Herkes moved that H.R. No. 231 be adopted, seconded by Representative Ahu Isa.

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

"All House members, this session I've had the privilege and pleasure of serving as your Chair of the House Committee on Economic Development and Business Concerns, a task which has proven, at times, to be both challenging and rewarding and even disappointing.

"Today, as I stand before you, it's one of the more rewarding moments because I have the opportunity and privilege to express my personal congratulations to the Small Business Award recipients and to preface today's presentations with just a few short words.

"When you stop to think about it, small business represents a lot of things. Small business is the essence of our free enterprise system, small business is the backbone of our State's economy. Small business is the realization

of the entrepreneurial of dreams and that, presently, small business, with its limited resources, capital and personnel is usually the first to succumb and fall victim to the hardships befallen upon us during difficult economic times. I am no stranger to small business, and I admire those that exercise the entrepreneurial spirit; that is, the backbone of this State's economy.

"Having said that, I think it's only appropriate, this afternoon, we honor our awardees for their successes, accomplishments, and survival in this very competitive business world. But even more important, we join together to honor our awardees for their philanthropic spirit, for overstepping the boundaries of their daily business routines, to take the time and make the effort to give something back to their communities and those who are less fortunate than themselves.

"Having met and exceeded these criteria, the Honolulu District Office of the Small Business Administration has selected recipients for the following categories: The Small Business Person of the Year, the Small Business Exporter of the Year, the Young Entrepreneur of the Year, the Accountant Advocate of the Year, the Financial Services Advocate of the Year, Media Advocate of the Year, Minority Small Business Advocate of the Year, Veteran Small Business Advocate of the Year, and Women in Business Advocate of the Year.

"So without further adieu, Mr. Speaker, I want to get on with the presentations. Before I call upon the awardees' Representatives to make the formal introductions, I would just like to say something about Jon de Mello.

"A few months ago, I called Jon and said: 'What are you doing with your dad's Jack de Mello's wonderful music and the sounds of Emma Veary, where those of us enjoyed it so much in the late 60s and early 70s?' And he said: 'Well, one by one, we are taking them and putting them on CDs, and my dad is very pleased with the quality of the product.' So I ran down to Borders this morning, and I bought 'Jack de Mello Presents the Best of Emma,' and I must admit that I put it on my computer and played and listened to Emma singing the Kamehameha Waltz. It gave me chicken skin and brought some tears to my eyes. It's a wonderful, wonderful CD. I hope you all buy it, and I hope you keep up taking Jack's music and putting it on CDs. I thank you very much for that.

"And now, Mr. Speaker, I've elected to call upon Representative Ken Hiraki to present the Small Business Person of the Year."

Representative Hiraki rose and stated:

"I would like to congratulate all the honorees here this afternoon, but I'd like to say a few words about one of our honorees," and asked Mr. de Mello to stand.

"Not many people can take credit for spreading the Hawaiian culture and music throughout the world. This year's Small Business Person of the Year, Mr. Jon de Mello, I believe can honestly make that claim. A talented artist and musician himself, his company, the Mountain Apple Company founded in 1974, has revived the Hawaiian music industry through his promotion and distribution of Hawaii's music to local residents, visitors, and even reaching out over the Internet. In fact, sales outside the U.S. accounted for over 39 percent of the total sales in 1995.

"While keeping true to the artists he represents, he has also managed to double his revenues for the last three years. The Mountain Apple Company maintains 13 full-time employees on a daily basis, and well over 200 people

for production and singing, instrumentalists, staging, dancers and others, through the course of the year.

Mountain Apple Company's contributions to our economy and our major industry, which of course is tourism, through the perpetuation and promotion of Hawaiian culture, music and arts are indeed very, very significant. Jon de Mello is a uniquely innovative business person who has virtually revived an entire industry. His business acumen, his deep concern for those he represents, his integrity and success, make him an outstanding representative of the small business community here in Hawaii.

"It is with respect and sincere appreciation of his achievements that I extend my congratulations to Mr. Jon de Mello, Small Business Person of the Year.

"I would like to call upon Representative Gene Ward to present the Small Business Exporter of the Year."

Representative Ward rose and stated:

"I have the honor of following the introduction of the soldiers who protect our nation, to commend these soldiers who protect our economy. They hire 85 percent of our people, only 15 percent work for the government. They have 70 percent of the new jobs that they create, and the innovative and creativeness of our nation rests with the small business community.

"But I want to single out one which, to my way of thinking, is really the most important, even though all are important, but as a nation we've likely had, and that is in international trade, Mr. Speaker. I've served as the Chair of the International Trade Delegation that went to the White House Conference on Small Business. I was convinced that as the data came out, that those countries that are jumping and succeeding in Asia, 50 percent of the economy is related to exporting. Ours is only in the 30 percent now. We have not raised up exporters because we've had so many blessed large markets and large populations.

"But there's a young man here who struck out and went beyond the shores of Hawaii, and he would be greatly encouraged, probably to get a GTE tax break, to continue his exports. But he is a young man who I'm going to call initially, Mr. Pictures Plus, because if you've ever -- like my wife -- gone to the Pearl City, the Waikiki, the Lahaina or the Navy Exchange on Kauai, you will see a manufacturer, a wholesaler, and a retailer of picture frames which, when he was in Japan, Mr. Speaker, as all entrepreneurs have in common, that kind of look over the environment for opportunities, he saw a number of art galleries that he could have his products put into. And he is now, for many people, having a tourist customer which otherwise is unusual for people with picture frames, but he's able to do it at cost, and they can have their things framed and sent to their homes.

"As a result of this innovative approach, he's had close to a million dollars in sales not only in Japan, but also Australia, Brazil, and many other countries in the Asia-Pacific region. For his savvy entrepreneurial skills in the export arena, he's not only been Export Man of the Year for Hawaii, but also for Arizona, Nevada, Guam and California. Also, Mr. Speaker, he is a second generation winner in that he won the Young Entrepreneur of the Year Award by the Small Business Administration in the past. So this is his second strike in Pictures Plus.

"If he will stand. He also serves as one of my constituents -- Mr. Kent Untermann. Kent, congratulations to you.

"Now, Mr. Speaker, if I may, I now call upon Representative Fox to present the Young Entrepreneur of the Year Award."

Representative Fox rose and stated:

"It's my pleasure to introduce the Young Entrepreneur of the Year, John C. Lee," and asked John to stand.

"John is a resident of nearby Kapahulu. At just 26 years of age, John C. Lee is an accomplished entrepreneur and president of two companies, generating millions in revenue. JCL International brokers U.S. products ranging from sweets to beef jerky in Japan, while JJJJ, Incorporated, a retail outlet for high end women's cosmetics and handbags, is among the highest grossing retail outlets in the Waikiki Trade Center.

"Lee's competitive edge may be his ability to build relationships to enhance business opportunities. His fluency in English, Japanese, and Korean has opened doors to successful long term relationships. His business philosophy is based upon top-notch customer service, reliability and trust.

"Since starting his business operations in 1993, Lee has increased his revenues well over 100 percent, creating a multi-million dollar business with growth potential and 10 new jobs. The young entrepreneur claims a conservative approach to his planning, considering carefully each strategic move such as retail location and lease commitments, fashion trends, and market fluctuations that impact on the local economy. Lee is already well-seasoned in the import/export trade, and promises to be involved in the new emerging markets of the Asia Pacific region.

"Let us express our appreciation for the work of John C. Lee.

"I now call upon Representative Chris Halford to present the Accountant Advocate of the Year."

Representative Halford rose and stated:

"I would like to specifically acknowledge the Accountant Advocate of the Year, John Kreag," and asked John to stand.

"John Kreag is the Senior Manager for Deloitte and Touche on Maui, and is an active and strong advocate for a wholesome business environment on the Valley Isle. And as we all know, the island of Maui has the strongest economy in the state of Hawaii. He is known for his commitment to provide high quality professional service for small business clients. He goes beyond the standard compliance functions of the accounting profession by providing insightful and timely business recommendations, and he assists in the implementation of these suggestions. Mr. Kreag is an able advisor whose involvement with clients is ongoing rather than simply when tax deadlines approach.

"John Kreag has been active in monitoring and promoting legislation to reduce financial and regulatory requirements for small business, including critical issues such as workmen's compensation and auto insurance reform, beach liability reform, issues related to education, tourism and economic diversification.

"In key leadership roles, John has devoted many hours of service to the Maui Chamber of Commerce, Maui Economic Development Board, and the Maui Hotel Association. His support for the welfare of the island is

balanced by the commitment to preserve Maui's quality of life, beauty, and aloha spirit.

"Thank you very much.

"Mr. Speaker, could I call on Representative Terrance Tom to present the Financial Services Advocate of the Year."

Representative Tom rose and stated:

"Mr. Speaker, I'm extremely proud to make the presentation speech on the Financial Services Advocate of the Year to Randy Havre, who incidentally happens to live in the beautiful Kaneohe-Ahuimanu district, which I represent," and asked Randy to stand.

"With an extensive background in small business, Randy is able to bring a unique perspective and practical advice to the small operations that seek his help in finding capital. I think we're all looking for capital, including the State, so Randy, your job is well cut out for you. He is a general partner in the venture capital firm, Keo Kai Hawaii, which he started in 1991 as the first of four funds created by the Hawaii Strategic Development Corporation. Since that time, Keo Kai has invested in eleven companies from a wide range of industries, and creating or saving approximately 125 jobs. The mark of Randy's financial and management expertise can be found really in the pudding, in the growth and promise of companies like Alii Brewing, Maui Juice Company and Neugenesis.

"I'd like all of you to please give a nice hand to Randy Havre.

"At this time I'd like to call upon Representative Kawakami to present the Media Advocate of the Year Award."

Representative Kawakami rose and stated:

"Mr. Speaker and fellow colleagues, it is my pleasure to introduce the entrepreneurial couple from the Garden Island, both of whom are friends of mine, and have made a name for themselves," and asked Peter and Jane McClaran to stand.

"Peter and Jane, they're young and vibrant journalists, they created a refreshing new publication called the Kauai Business Report which debuted in 1995. It is recognized for its well written and informative articles covering the island's small businesses, industries, the economy, and the people behind them. Its circulation has ballooned to over 16,000, reaching almost 1/3 of the households by direct mailing, and bringing a new source of information on business to the general public.

"The Kauai Business Report stays close to the pulse of Kauai's critical economic issues by careful researching and reporting situations directly affecting businesses, a reflection of the education and the experience of this fine couple. Peter served as the sports editor for the Garden Island News before moving to Washington, D.C. to serve as the press secretary for then Congressman Dan Akaka for six years, while Jane, in her own right, has proven her experience from USA Today.

"Some of the reports have covered such issues as the controversial North Shore boating, liquor licenses in residential neighborhoods, taxes, as well as the post-Iniki economic impact on our island, small business and politics, and the impact of hotel closures on the Garden Island.

"Thank you, Mr. Speaker, and I would like for you all to give a round of applause for Jane and Peter McClaran, the Media Advocates for the Year.

"And now, Mr. Speaker, may I call on Representative Eric Hamakawa to present the Minority Small Business Advocate of the Year."

Representative Hamakawa rose and stated:

"Can I have Mr. Derek Kurisu stand, please?"

"Derek Kurisu, who serves as Executive Vice President for KTA Super Stores on the Big Island, is an involved and informed member of the Big Island community, whose concerns about future quality of life in Hawaii, the unique cultural groups that define us, and the economic and social impact of the closure of sugar plantations, required that he take action. He committed his time, resources, and knowledge to creating a positive opportunity for many displaced local and minority workers.

"Just a few years ago, Mr. Kurisu devised a creative program to develop, promote and distribute locally made products which falls under the label, Mountain Apple Brand. This group of former plantation workers and small-scale lease farmers, the majority of whom represent the Filipino, Portuguese, Japanese, Chinese, and Hawaiian ethnic groups, is still growing today.

"With KTA providing direct sale locations, Mr. Kurisu launched the private label, Mountain Apple Brand, for foods grown, processed or manufactured in Hawaii by 41 minority businesses, representing a mix of over 207 individual items. Attractively packaged with the colorful logo, the merchandise ranges from dry flowers to milk, to honey and haupia. His efforts with his unique organization have created over 400 jobs in the last two years in an area where unemployment has been pushing 10 percent.

"Mr. Kurisu is answering an important call for Hawaii's entrepreneurs and leaders to apply their skills and talents to create economic mechanisms that will help all island residents, including minorities, create a lifestyle with dignity and financial security.

"We are proud to honor him today as Hawaii's Advocate for Minority Businesses.

"Mr. Speaker, I'd like to call upon Representative Ezra Kanoho to present the Veteran Small Business Advocate of the Year."

Representative Kanoho rose and stated:

"It is indeed my pleasure to present the 1997 SBA Veteran of the Year, Lieutenant Colonel William T. Honjiyo who is also a personal friend," and asked Bill to stand.

"Bill's twenty years of military experience is paired with his warm aloha spirit to make him a champion of his fellow veterans on Kauai. By providing business owners with professional advice, he has made a major difference in the financial success of small business operations. He is particularly skilled in areas where real estate transactions such as lease, leasehold improvements, and other contractual terms are important to the future growth and cash flow. As a result of his concentrated efforts on their behalf, five veteran-owned firms are operating successfully at Kukui Grove, and another four at other locations on Kauai.

"Mr. Honjiyo also volunteers time and expertise in protecting the rights of his comrades at arms. As president of the Kauai's Vietnam Veterans Association, he reaches out to fellow vets and has shaped an informal advisory group to assist them. An extremely high percentage of the services he provides to the community are related to veterans issues and veteran-owned business, but he doesn't lose sight of the 'big picture' of small business success.

"Bill is a graduate of the University of Hawaii with a BBA in marketing. He retired from the Army in 1979 with the rank of Lieutenant Colonel. He also served as a Director for the Hawaii Visitors and Convention Bureau, and has worked to waive visas for visitors from Korea, all while lobbying for veterans causes that have had direct impact on the State's economy.

"Bill, please accept our thanks for your good work and our congratulations on this well deserved recognition.

"May I call on Representative Quentin Kawanakoa to present the Women in Business Advocate of the Year"

Representative Kawanakoa rose and stated:

"It's my great honor and pleasure to announce or to introduce to this body the 1997 Women in Business Advocate of the Year, and that's Ms. Signe Godfrey," and asked Signe to stand.

"Mr. Speaker, I know that Ms. Godfrey is the owner and president of the Olsten Staffing Services doing business as S&R Personnel Services, Inc., and in her own right she is 'a successful business person'. But more importantly, Ms. Signe Godfrey helps in the larger community by helping other small business owners, other women struggling to own their own businesses, and to run them in our economy.

"Ms. Godfrey, in her roles as business owner, mentor and volunteer, daily demonstrates her commitment to women as business owners. Even in her tenth year of business, she still takes time -- Ms. Godfrey constantly makes time for other women business owners and start-ups who may seek advice on the challenges they face in running their own businesses.

"And, Mr. Speaker, as the husband of a new woman business owner that is currently in her first year of a small business, I know those questions are many and the advice is invaluable from a senior colleague in small business. So I would finally just like to congratulate Ms. Godfrey on all of her work and in her capacity to help others in our community to make, I guess, our business and our small business for women a dream -- their dream -- a reality.

"For those things, I'd like to ask everyone to recognize Ms. Godfrey now.

"Thank you."

At this time, Representative Herkes introduced Mr. Andrew Poepoe, District Director of the SBA, and Jean Sawyer, Assistant Director for Business Development, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 231 was adopted, with Representatives Cachola, Jones, Morihara, Nakasone, Okamura, Pendleton, Say, Stegmaier, Takai and Takamine being excused.

Certificates of Recognition and floral leis were presented to the honorees.

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

The House of Representatives reconvened at 12:55 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 1698 and S.B. No. 1336:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1836) recommending that S.C.R. No. 26, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Garcia and carried, the report of the Committee was adopted and S.C.R. No. 26, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was referred to the Committee on Finance, with Representatives Cachola, Hiraki, Jones, Morihara, Morita, Nakasone, Okamura, P. Oshiro, Pendleton, Say, Stegmaier, Takai, Takamine and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1837) recommending that H.R. No. 191, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.R. No. 191, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO RETAIN AND OPERATE THE OPEN DOORS PROGRAM AS A PROGRAM SEPARATE AND DISTINCT FROM WELFARE PROGRAMS," was referred to the Committee on Finance, with Representatives Cachola, Hiraki, Jones, Morihara, Morita, Nakasone, Okamura, P. Oshiro, Pendleton, Say, Stegmaier, Takai, Takamine and Yonamine being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1838) recommending that H.R. No. 80, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative M. Oshiro, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.R. No. 80, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO RESEARCH ISSUES INVOLVING WELFARE RECIPIENTS WHO ARE FORCED TO STAY IN ABUSIVE RELATIONSHIPS BECAUSE OF WELFARE REQUIREMENTS," was referred to the Committee on Finance, with Representatives Cachola, Hiraki, Jones, Morihara, Morita, Nakasone, Okamura, P. Oshiro, Pendleton, Say, Stegmaier, Takai, Takamine and Yonamine being excused.

ANNOUNCEMENTS

Representative Yamane rose and requested waiver of the 48-hour hearing notice requirement to hear Senate Concurrent Resolution Nos. 2 and 116, and the Chair "so ordered."

Representative Lee then rose and stated:

"This week, there's been a rather wonderful event which occurred, and my colleague from Mililani, Representative Ron Menor, and his wife Pat, have become the parents of twin boys, Anthony and Andrew, and I think congratulations are in order from the members of the House."

Representative Menor, in response, stated:

"I really appreciate the recognition. First of all, let me express my appreciation to my colleague to the right, from Mililani, and I appreciate the fact that the notification has been given by a person who has a nursing background because I may definitely need her help over the next few weeks.

"Thank you very much, and I appreciate your recognition.

Representative Goodenow then rose and stated:

"I just want to announce that the second part of our program of feeding the homeless is underway tonight -- 5:30 to 7:30 at IHS. Representative Sam Aiona, Galen Fox, Marilyn Lee, Hermina Morita, David Pendleton, Michael White and myself will be there. If staff can come too, it's a good way to show your support. It was a very good experience -- the one we had at River of Life where you, Mr. Speaker, attended. If you can't make it, you could also maybe donate. They'll take food, clothing items, household items, or a check, and you can get those things to my office or Representative Arakaki."

Representative Thielen then rose and stated:

"Today, we had two very fitting floor presentations, Mr. Speaker; one to honor the Tax Foundation, which may have to shut its doors, and the other to honor small business. Many small businesses, unfortunately, wouldn't be able to participate because they've had to shut their doors.

"We have nine days to get the economy moving, and that's the major issue before us. Let's get to work, members."

ADJOURNMENT

At 1:03 o'clock p.m., on motion by Representative M. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 17, 1997. (Representatives Cachola, Hiraki, Jones, Morihara, Morita, Nakasone, Okamura, P. Oshiro, Pendleton, Say, Stegmaier, Takai, Takamine and Yonamine were excused.)