

## FORTY-EIGHTH DAY

Tuesday, April 13, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 10:10 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Romy M. Cachola, after which the Roll was called showing all members present with the exception of Representatives Ahu Isa, Arakaki, Goodenow, Menor, Okamura, P. Oshiro, Takamine and Takumi, who were excused.

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

## GOVERNOR'S MESSAGE

Gov. Msg. No. 203, transmitting copies of the 1999 Report to the Governor on Workforce Development, prepared by the Hawaii State Workforce Development Council, pursuant to Section 202-2, Hawaii Revised Statutes, as amended, was received and announced by the Clerk and was placed on file.

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 482) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 482, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills on April 9, 1999:

S.B. 59, SD 1, HD 1, entitled: "RELATING TO PUBLIC CONTRACTS";

S.B. 550, SD 2, HD 1, entitled: "RELATING TO EDUCATION";

S.B. 590, SD 1, HD 1, entitled: "RELATING TO RESTRAINING AND PROTECTIVE ORDERS";

S.B. 889, SD 1, HD 1, entitled: "RELATING TO THE JUDICIARY";

S.B. 901, SD 2, HD 1, entitled: "RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND";

S.B. 921, HD 1, entitled: "RELATING TO DISTRICT COURT";

S.B. 1021, HD 1, entitled: "RELATING TO CLINICAL LABORATORY PERSONNEL";

S.B. 1048, SD 2, HD 1, entitled: "RELATING TO FOSTER BOARDING HOMES";

S.B. 1049, SD 2, HD 1, entitled: "RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS";

S.B. 1058, SD 2, HD 1, entitled: "RELATING TO RECOVERY OF MEDICAL PAYMENTS";

S.B. 1142, SD 2, HD 1, entitled: "RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES";

S.B. 1143, HD 1, entitled: "RELATING TO CORPORATIONS";

S.B. 1156, SD 2, HD 1, entitled: "RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS";

S.B. 1274, HD 1, entitled: "RELATING TO PUBLIC SAFETY"; and

S.B. 1638, SD 2, HD 1, entitled: "RELATING TO EDUCATIONAL OFFICERS".

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

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

<u>S.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
4	Committee on Human Services and Housing
45	Committee on Judiciary and Hawaiian Affairs
56	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
58	Committee on Culture and the Arts, then to the Committee on Finance
85	Committee on Finance
111	Committee on Health, then to the Committee on Consumer Protection and Commerce
112	Jointly to the Committee on Health and the Committee on Labor and Public Employment, then to the Committee on Finance
161	Jointly to the Committee on Labor and Public Employment and the Committee on Economic Development and Business Concerns
163	Committee on Tourism
168	Committee on Transportation, then to the Committee on Finance
182	Committee on Public Safety and Military Affairs, then to the Committee on Finance
186	Committee on Education

## INTRODUCTION OF RESOLUTION

The following resolution (H.R. No. 251) was announced by the Clerk and the following action taken:

H.R. No. 251, entitled: "HOUSE RESOLUTION CONGRATULATING LAVERNE FERNANDES MOORE AND TERESA A. DIAZ, RECIPIENTS OF THE 1999 FRIEND OF ADULT EDUCATION AWARD," was jointly offered by Representatives Ito, Abinsay, Arakaki, Cachola, Chang, Garcia, Goodenow, Hiraki, Kahikina, Kanoho, Leong, McDermott, Morihara, M. Oshiro, P. Oshiro, Santiago, Say, Souki, Stegmaier and Takai.

On motion by Representative Ito, seconded by Representative Takai and carried, H.R. No. 251 was adopted,

with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

Representative Ito introduced Ms. Laverne Fernandes Moore and Ms. Teresa Diaz, recipients of the Friends of Adult Education Award presented by the Hawaii State Adult and Community Education Advisory Council, for their exceptional teamwork and partnership advocating and promoting adult education in the state of Hawaii.

Representative Ito then introduced the following guests in the gallery: Mr. John Aki, PCNC Director; Mr. Herbert Okawa of the Kaimuki Community School for Adults; Mr. Liberato Viduya of the Farrington Community School for Adults; Mr. Steve Miyasato of the McKinley Community School for Adults; Mr. Paul Pladera of the Office of Community Services; Mr. John Collins, Adult Education teacher, and his Citizenship Class students; Ms. Alice Kealoha, President of the Oahu Retired Teachers' Association; and Mrs. Dottie Drumeller, aunt of Ms. Laverne Moore.

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

Upon reconvening at 10:31 o'clock a.m., Representative McDermott was permitted a late introduction and he introduced Ms. Betty Tatum, a constituent of his.

#### SUSPENSION OF RULES

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura were excused.)

#### UNFINISHED BUSINESS

##### S.B. No. 484, SD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 484, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL PROPERTY," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1669 and S.B. No. 676, SD 1, HD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 676, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1670 and S.B. No. 1071, SD 1, HD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1071, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1703 and S.B. No. 176, HD 2:

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

Committee was adopted and S.B. No. 176, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1704 and S.B. No. 700, SD 2, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 700, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1705 and S.B. No. 798, SD 2, HD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 798, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

##### Stand. Com. Rep. No. 1706 and S.B. No. 825, SD 2, HD 2:

Representative Case moved that the report of the Committee be adopted and S.B. No. 825, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"I personally am very pleased that a bill on this subject is still alive and moving through the process. I have only one concern, and that's with the part of the bill that deals with civil rights. I have some concern that in the wording of this bill: 'for any employer or labor organization to refuse to hire or employ, or to bar or discharge from employment, or withhold pay, demote or penalize a lactating employee because an employee breastfeeds or expresses milk at the workplace.'

"For purposes of this paragraph, the term 'breastfeeds' means the feeding of a child directly from the breast. I just have a little concern that this might create unwanted and unneeded litigation.

"Thank you, Mr. Speaker."

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

"I am happy to see that we are taking steps to allow mothers to breastfeed or express milk at the workplace.

"Breastfeeding provides benefits to the baby, mother and society. Benefits for the baby includes significantly less allergies, diarrhea and ear infections; less asthma, meningitis and urinary tract infections, protection against Sudden Infant Death syndrome, diabetes, skin problems and other illnesses; and help in developing the baby's brain.

"Benefits for the mother include earlier recovery from childbirth and return to pre-pregnancy weight and lowered risk of ovarian and breast cancers.

"Benefits for the economy and society include savings not spent to purchase formula; reduction in healthcare costs; less time-off for parents tending to sick babies; and strong bonding and the development of healthy children for our future generation.

"As you can see, these are significant benefits for the baby, parents and the future of Hawaii. Again, I applaud the Legislature for encouraging breastfeeding in the workplace.

"Thank you, Mr. Speaker."

Representative Catalani then rose in support of the bill and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Catalani's remarks are as follows:

"This is an important measure for both employers and employees. This measure allows employers to provide time for mothers to breastfeed or express milk. It does not mandate this practice by law. The benefit to employers are: (1) employees are willing to return to work, sometimes earlier than taking the full time allotted by the family leave law; and (2) employees are more satisfied with their jobs and feel like they are also taking care of their child.

"The concern raised by employers regarding the violation of employment discrimination laws if an employer does not provide time to breastfeed or express milk, can be properly addressed through administrative hearings or an administrative process. Through the administrative process, an employer can provide evidence that under the best of circumstances, time or space cannot be accommodated without great expense. An employer can provide evidence that she/he attempted to provide time or space to breastfeed or express milk, but the accommodations did not satisfy the needs of the mother. Therefore, the employer may not be in violation of the employment discrimination law."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 825, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BREASTFEEDING," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1707 and S.B. No. 1091, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1091, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Third Reading by a vote of 45 ayes, with Representatives Abinsay, Ahu Isa, Cachola, Kahikina, Menor and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 484, 676, 1071, 176, 700, 798, 825 and 1091 had passed Third Reading at 10:36 o'clock a.m.

**Stand. Com. Rep. No. 1708 and S.B. No. 1270, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1270, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1709 and S.B. No. 605, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 605, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Morita rose and asked the Clerk to register an aye with reservations for her (the Chair "so ordered"), saying:

"I hope that the language from Senate Draft 1 can be reinstated. 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. 605, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Third Reading by a vote of 46 ayes to 1 no, with Representative McDermott voting no, and Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1710 and S.B. No. 1212, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1212, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1711 and S.B. No. 570, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 570, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECTS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1712 and S.B. No. 585, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 585, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1713 and S.B. No. 830, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 830, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"This bill presents admirable traits that we should be prompt in paying our health insurance providers. Maybe we should be promptly paying our wholesalers, our retailers, and everybody else in the State that are in the private industry and government. Why we are passing a law for prompt payment, but which I think the government will have problems making payment, is the question. Maybe we should have statutes to have prompt payments on everybody.

"Thank you, Mr. Speaker."

Representative Goodenow then rose in support of the bill with reservations, stating:

"I would just like to note that if there is a problem, it seems that the commissioner can deal with those specific instances. And in the vast majority of cases, there is no problem. Those are my reservations.

"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. 830, SD 1,

HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1714 and S.B. No. 1018, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine 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 THE DRUG FORMULARY," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1715 and S.B. No. 1079, SD 1, HD 3:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1079, SD 1, HD 3, pass Third Reading, seconded by Representative Yonamine.

Representative Thielen rose to speak against the bill, stating:

"Mr. Speaker, this bill will increase the membership of the Permit Process Task Force. I disagree with the underlying Permit Process Task Force concept anyway, but this in addition is adding 'salt to the wound.'

"Mr. Speaker, this bill will expand the task force and will make it a total of ten people from the government, four from the construction industry, and two from the public. There is no environmental representation, and there is no representation from OHA.

"I think that really is not a good way to set up this task force. It leaves out two very important segments of our community -- the environmental groups and OHA.

"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. 1079, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Schatz and Thielen voting no, and Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1716 and S.B. No. 1101, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1101, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

**Stand. Com. Rep. No. 1717 and S.B. No. 1140, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1140, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Menor, Okamura and Santiago being excused.

At 10:39 o'clock a.m., Representative Whalen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:40 o'clock a.m.

The Chair directed the Clerk to note that S.B. Nos. 1270, 605, 1212, 570, 585, 830, 1018, 1079, 1101 and 1140 had passed Third Reading at 10:41 o'clock a.m.

**Stand. Com. Rep. No. 1718 and S.B. No. 1145, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1145, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Marumoto rose in opposition to the bill, stating:

"This bill has to do with the DCCA Compliance Resolution Fund, and so it creates a special fund. It's not so much that this one single bill is a problem, but there seems to be a plethora of special funds being created this year and the past couple of years.

"These special funds increase fees and indeed raise their own fees in the departments, and it really ends up being an additional tax on the people of the State. It's raising funds without going to the Legislature and these programs and personnel can benefit by raising fees to continue and expand their own programs. They don't come under the harsh scrutiny of the Legislature as much as other programs that are general funded.

"So just because of the sheer number of these new funds and super funds, I will be voting no on several of them. Individually, yes -- they're user funds, they're self-sufficient programs. But when I see a lot of the money going into the general fund, then I can only assume it is a fundraising measure. 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. 1145, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Halford, Marumoto and Pendleton voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1719 and S.B. No. 1158, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1158, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1720 and S.B. No. 1279, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1279, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1721 and S.B. No. 1282, SD 2, HD 2:**

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



Committee was adopted and S.B. No. 1282, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1722 and S.B. No. 1294, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1294, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Goodenow rose and asked that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Goodenow's remarks are as follows:

"I fully support Medicare Part B membership requirements, but it may be premature to stipulate a contribution cap of \$43.80. I would like to note that Social Security raised the premium from \$43.80 to \$45.50 per month and action is already being taken by the Health Fund Board of Trustees to increase retiree reimbursement effective July 1, 1999 accordingly."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1294, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1723 and S.B. No. 1470, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1470, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Meyer rose to speak in opposition to the bill, stating:

"This is a bill that calls for salary increases for legislative staff as well as the Ombudsman, State Auditor, and the Legislative Reference Bureau. I believe we have such serious problems with revenue, we in this body are going to have to make many very difficult decisions.

"Over the last four years our expenses have continued to climb, not dramatically but they are not going down, they are going up, but our revenues have dropped. So it's a very difficult challenge that we face, and it just seems the very worst possible time to give salary increases. The budget that we passed in March didn't have sufficient funding to meet the collective bargaining contracts that the Governor already negotiated.

"So with those things in mind, I probably will be popping up more than once to speak against any kind of pay increases, or additional employees being hired.

"Thank you, Mr. Speaker."

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

"I concur with my colleague who just spoke that this is the worst possible time to be granting raises. I know this comes as a shock to some people in this building, but Hawaii has been in a recession for about a year now. And I think the primary thing that this body should do is to, with all reasonable speed, move to enhance our economy, not to compound spending to further degrade the economic woes that we've all been faced with. And I think this is the worst time in the world for raises. I think that we have to get our house in order, so to speak, and cut government and reduce the size and scope so that we can reduce taxes to get our economy going.

"Thank you, Mr. Speaker."

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

"We appreciate the remarks of the previous Representatives to curtail the costs of government. However, it must be realized that the employees of our legislative agencies have not received the increases and did not receive increases previously when others in the same category did.

"This bill merely positions ourselves -- the government, the Legislature -- in a position to provide appropriate increases. We find the funds to provide other employees with increases. 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. 1470, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Auwae, Leong, Marumoto, Meyer and Rath voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1724 and S.B. No. 1481, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1481, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC.," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1725 and S.B. No. 680, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 680, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"When counties control firecrackers and the State controls aerial fireworks, then something is awry. When the problem is health, safety and noise, and those issues are not addressed, then something is amiss. When the counties are charged with setting the minimum number of firecrackers one can purchase and the State says that minimum must be 1800 single units, then something is fishy. When the State licenses the importation and sale of aerial fireworks, then penalizes its citizens for possessing, setting off, purchasing the same, then we feel like we're in Kaneohe State Hospital.

"When the Police Department and the Fire Department plead for a ban on all fireworks because anything less they say is unenforceable and the House of Representatives ignores them, then we have become too arrogant.

"When dozens of citizens not in an organized lobby, but rather individuals come forward and tell us of the adverse effects of fireworks on their health and we don't listen, then we don't deserve their vote.

"When we gleefully take cigarette money -- the settlement money -- but create clouds of noxious smoke of our own, then we don't care about people's health, we care about money.

"When we are readying ourselves for potential problems with the Y2K situation, and the National Guard, the police, the

firefighters and all essential workers are on call New Year's Eve and we do nothing to mitigate the quantity of fireworks, then we are at fault if fireworks exacerbate the Y2K problems.

"If we celebrate New Year's Eve in dry Diamond Head Crater without a fireworks' ban, then we are asking for trouble. At the minimum, we should outlaw aerials because of the fire hazard.

"I again call for the prohibition of the importation, storage, sale, possession, and setting off of common consumer aerial fireworks before this New Year's Eve. There's plenty of room for improvement in this bill and compromise with the Senate version. I ask the conferees to seek a reasonable solution before we have a holocaust in Honolulu. Thank you."

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

"Mr. Speaker, I rise with reservations on Senate Bill 680, Standing Committee Report 1725.

"Mr. Speaker, I rise in support but I have strong reservations that this bill could backfire in our faces. I am very concerned that both the Honolulu Police and Fire Departments have opposed. . .

At this point, Representative Souki rose and asked for a recess and at 10:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:59 o'clock a.m., the Chair stated:

"Representative Auwae, and for the members of the House, it is the request of the Chair that when you address the House, you look at the Chair's position in addressing this House. Representative Auwae, you may proceed."

Representative Auwae thanked the Chair and continued, stating:

"I am very concerned that both the Honolulu Police and the Fire Departments have opposed this measure.

"The police have raised concerns about being able to enforce the county-issued firework permits and the Fire Department has testified that in the past the issuance of these kinds of permits have actually increased the usage of fireworks rather than curtailed the usage.

"The Fire Department has also expressed their concern that the county governments could be exposed to liability lawsuits if this legislation does not address the minimum life and health conditions that need to be adhered to before an individual is allowed to purchase a \$5 permit.

"I am not disputing that something must be done to regulate or restrict the excessive use of fireworks. Fireworks-related stats from New Year's Eve 1998 show that there were 20 fireworks-related injuries and more than 40 people were treated at hospitals around the State for respiratory problems aggravated by the smoke. In addition, damages to residential structures exceeded five hundred thousand dollars.

"Health related problems coupled with the costs of structural damage is a serious concern. However, merely passing the buck to the counties to impose a \$5 permitting fee and requiring the police to enforce it may do more to clog up City Hall and our courts than it will to clear the air of noise and smoke.

"Mr. Speaker, I am choosing to support this bill, however. I feel that as a legislative body we have more work to do to fully address this issue. Imposing a \$5 permitting fee and then expecting the police to enforce something that they have publicly opposed makes me stop and think twice about the potential ineffectiveness of this bill. However, it may just be

the jumping off point we need to make a change for the better. We must do something more to protect the public. I cannot just sit around and wait for Hawaii to go up in smoke.

"Thank you, Mr. Speaker."

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

"I look at this issue as a public health issue, similar to that of tobacco smoke and secondhand smoke, and for that reason I am going to rise with reservations, and I would like to ask that the words of the previous two speakers be entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only)

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

"Mr. Speaker, out in our community, from my viewpoint anyway, there's a wider range of opinions regarding the use of fireworks in light of the past New Year's Eve that we just experienced. On one end of the spectrum we have those who feel that because of health, safety and other reasons, that the use of fireworks should be banned. On the other end of the spectrum, there are individuals who enjoy the use of fireworks, or even if they do not use fireworks, they enjoy having fireworks on New Year's Eve to celebrate the New Year's, the coming year and the like. So we have the wide range of opinions in between two ends of the spectrum -- one to ban, one to do nothing and to allow the present State law to proceed as is, and to allow pretty much the use of fireworks within the time specified in our law.

"What this bill intends to do, Mr. Speaker, is to strike a balance -- to find some common ground in between these two extremes, to address the unregulated and increased use that we have experienced this past year's Eve in fireworks. But also to allow the use of fireworks by anyone in some regulated form which, with this bill, will be less than what we have experienced in the previous New Year's Eve. And that is what this bill seeks to do -- to strike a balance, to find some common ground in between where we can proceed on and to satisfy, hopefully, both ends of the spectrum. And that's for common fireworks.

"I am confident, Mr. Speaker, that with this bill emerging into law that the use of fireworks, first off, will be minimized. It will be less than what we had in previous years. And I think this will be a very great first step on our part anyway to regulate the use, to lessen the use with regulation, but to continue the use of common fireworks.

"The second issue that this bill addresses is that of aerial fireworks. And for the subject of aerial fireworks, this bill seeks no compromise. Our present State law bans the use of aerial fireworks unless you have a license. And that license, Mr. Speaker, is issued, to my knowledge, only for special events -- Magic Island events, Aloha Tower events. Aside from that, without a license, our present law bans the use of aerial fireworks.

"Our present law also, Mr. Speaker, bans the importation of aerial fireworks without a license. And that importation, Mr. Speaker, pursuant to the license, to my knowledge, is only for these special events that I referred to previously. That is our present law.

"What this bill seeks to do is to further enhance our present law by banning possession of aerial fireworks. So if you import aerial fireworks, you possess them -- it's a crime with this bill. If you purchase aerial fireworks from someone, you have it in your home, it's a crime. With that, I truly believe, Mr. Speaker, that it will give our law enforcement officials the tools necessary to just enhance the enforcement of this part of the law. And I think that with this bill, we will see a great

curtailment in the use of aerial fireworks if not the elimination totally, but at least a great curtailment of aerial fireworks in the future. That is what this bill seeks to do, Mr. Speaker -- seek common ground for the common use of fireworks and to enhance the prohibition of aerial fireworks, and I fully support this and ask for your support also, Mr. Speaker. Thank you."

Representative Marumoto then rose and stated:

"Mr. Speaker, I rise again in short rebuttal.

"I do hope the Judiciary Chairman is correct in that the importation of aerial fireworks will be curtailed except for public display. However, I do not see that clearly delineated in the measure. We would like to see more clarification of this. I do think this is a serious problem. The Representative from Waianae did bring up the liability issue, and I certainly hope that the State or the county is not liable for any damages.

"So, hopefully, we can work out something reasonable. I am very hopeful, and for the sake of our health I hope this measure succeeds. Thank you."

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

"Before I begin to specifically address certain points, I would like to say. . . I wouldn't maybe use the word 'holocaust', but certainly there is a lot of sympathy for people with asthmatic problems or other problems that have trouble with smoke. There's no question that that has not been a very important part of the considerations.

"But the reason that I support this bill so strongly is that it is based on the principle of home rule. And I think that is very correct in this instance. First of all, emergency and fire services are under county administration. The police, the enforcement, are under the counties. And to address one of the concerns brought earlier about the police, that's certainly why the authority should be with the City and the County Councils, because they are the ones that have the contact with the police on enforcement matters, so it is very appropriate.

"I would like to point out too, and this has been addressed by the previous speaker, whose words I would like to have inserted into the Journal as my own as well (the Chair 'so ordered'). But as far as import is concerned, it already is illegal to import. The problem again with that is enforcement. It has nothing to do with our laws prohibiting the transportation or import of these materials.

"You know, the only issue that was difficult for me was the cap. You know, under the home rule argument, you'd say, hey, we shouldn't even tell the county what to do. But because of the very significant religious and cultural special issues that we here in Hawaii have to look at seriously, this at least preserves their right to participate in, albeit a very small way. Beyond that, let the counties regulate.

"So I really applaud the efforts of the Chairs of Judiciary and Finance on this measure. Thank you."

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

"Just to express my admiration of the Judiciary Chair. Over the years, I have found him to be very balanced, reasonable, clear thinking, and I would just like to commend the stricter stance of the Senate as the Chair of Judiciary leads our effort in negotiating a final bill towards the end of the session.

"Thank you, Mr. Speaker."

Representative Whalen then rose to speak in support of the measure, stating:

"There was a comment earlier about not knowing about banning aerial fireworks, and I draw your attention to page 2, lines 11 through 14, which clearly now creates an offense for possessing the aerial fireworks which, as was earlier noted, was not illegal, which now is. And then on page 3, lines 16 through 19 describe the penalty section.

"And also, there was an earlier comment about the permit describing a minimum size, thus requiring people to buy a certain amount whether they want less or not. That's not the way the law reads. The law reads that the counties have to have this minimum size permit so that they can't say, okay, we'll give you permit to buy one firecracker. Okay, give us another five dollars so you can buy another firecracker. Okay, give us fifteen dollars so you can buy three firecrackers. The idea was so it'll be a reasonable balance, as the Judiciary Chair has already described. If someone wants to buy less, they're certainly within their means to do so.

"And I note, Mr. Speaker, I was not here on Oahu on New Year's Eve. I heard it was pretty bad. For those of you in this House who want to go someplace nice on New Year's Eve, come to Kona. It's beautiful. People pop firecrackers, there's no smoke. It's a wonderful place to be. And I say that in a joking way, but to remind people that this is certainly not the size of Texas, but we have a big State and what's good for Oahu isn't always necessarily good for the Neighbor Islands.

"Thank you, Mr. Speaker."

Representative Souki then rose and stated:

"Mr. Speaker, I wish to speak in favor and slightly rebuttal to the previous speaker from Kona.

"The smoke from Kona, which they don't have any, all goes to Maui, so please be careful.

"Thank you very much, Mr. Speaker."

Representative Morihara then rose to register an aye with reservations and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Morihara's remarks are as follows:

"Mr. Speaker, I would like to note my support with reservations.

"I commend this effort as a step in the right direction in reducing the overuse of fireworks. This past New Year's clearly demonstrated the massive amounts of fireworks and ensuing hazards of fire and pollution.

"My reservations are based on two things:

(1) The potential for creating a secondary market of those permitted to buy to those who are not. This bootleg market would be large and unenforceable; and

(2) The potential fire and health hazard. Coming from an area where we have a history of droughts and brush fires, the threat is ever present."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 680, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Catalani and Luke voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1726 and S.B. No. 1144, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1144, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Pendleton rose to speak against the bill, stating:

"Mr. Speaker, this issue is certainly not as 'hot' as the previous measure we just discussed, but I wouldn't want something of this import to be left in the smoke.

"This particular Senate bill, Mr. Speaker, is a very short Senate bill actually. It's just one page, and all it does is modify HRS 241-7. But the purpose of this bill, as set forth, Mr. Speaker, in the Standing Committee Report, is to provide the Division of Financial Institutions with the flexibility to regulate and deal with the constantly changing and complex financial institution industry environment without being constrained by the fluctuations in the General Fund. That's basically a quotation from the Standing Committee Report.

"Mr. Speaker, the reason why I oppose this particular measure. . . I understand it originally had a 40 percent allocation out of the franchise tax going directly to this particular special fund. And now that allocation, that particular number, has been taken out and left blank. But my concern and the reason why I oppose this measure is because I think that although the purpose is good, we need this particular fund. I think that it's important for us as a Legislature to hold on to our jurisdiction over the monies that are raised by the various taxes our State levies and to allocate appropriately. We're the group that has to look at the whole 'laundry' list of priorities. We're the body of decision makers that have to make the tough decisions about how much money do we give to our schools, therefore, how much money left can we give somewhere else. And we're the group that needs to make those difficult decisions. So I think those concerns rise the level of me opposing this measure.

"As I just quoted from the Standing Committee Report, it says that the purpose of this bill is to provide flexibility so that they are not constrained by the fluctuations of the General Fund. Mr. Speaker, if we earmark, say five percent, ten percent or forty percent, as the original version set forth, there still may be fluctuations in that particular franchise tax. There is no guarantee as to how much the franchise tax weighs this. Again, the franchise tax is dependent on the performance of those institutions which pay the franchise tax. The performance of those institutions is dependent on the overall economy, and there's no guarantee. The franchise tax itself may bring in less revenue in future years so even though the percentage, whatever percentage we may put into that blank, even though that percentage may remain the same, the actual dollars going into this revolving fund may also fluctuate.

"So this bill doesn't quite address the question of fluctuation in the General Fund. But what it does do is it takes away some of our money, granted it's only a few million dollars, it's not a very large amount, but a few million dollars still is important, and it should be for us to have the say as to what priorities this State should have. So, Mr. Speaker, for those reasons I rise in opposition to this particular bill. Thank you."

Representative Meyer then rose in opposition to the measure, stating:

"I just have a few comments. By automatically diverting the funds from the General Fund to the Financial Institution Examiners' Revolving Fund, this creates a situation where the revolving fund won't have to compete with any other funds for programs for operating unless that's what they want.

"But by directing funds into the revolving fund, the Legislature makes a dangerous assumption that these funds will not be necessary for other programs and services. Given the downturn in our economy, I question whether this is wise.

"I have some other comments that I would like inserted into the Journal (the Chair 'so ordered'), but for these reasons, I will be voting no. Thank you."

Representative Meyer's remarks are as follows:

"Mr. Speaker, perhaps the most reprehensible aspect of this bill is its intent to circumvent the constitutional spending ceiling. Since the funds are automatically being removed from the General Fund, the expenditure of those funds will never be subject to the spending ceiling. Given that the fees collected under the bank franchise excise tax have always been a General Fund receipt, this bill runs counter to the intent of the ceiling which was to give the public the opportunity to evaluate whether or not government spending was getting out of hand. Expenditures from the revolving fund will never be counted against the ceiling.

"Apparently, the underlying purpose of this bill is to avoid a planned substantial hike in fees paid by financial institutions for the examination functions. Although I don't support higher fees, I don't like it when government tries to take away accountability in order to avoid higher fees.

"Without accountability, who is to say that the fees diverted to the revolving fund are appropriate to cover the cost of the examination functions. This is why we have the appropriations process -- to give lawmakers oversight and the means to hold government accountable for those expenditures. Diverting funds as in this bill avoids oversight and accountability.

"We, as lawmakers, should feel insulted by this bill!"

Representative Rath then rose in opposition to the bill, stating:

"I ask that the comments of the two previous speakers be placed in the records as if they were my own," and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1144, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Fox, Halford, Marumoto, Meyer, Pendleton and Rath voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1727 and S.B. No. 1163, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1163, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Moses rose to speak against the bill, stating:

"I rise in opposition to this bill for two reasons. First, the job of the Public Safety Department is public safety. This bill jeopardizes public safety. It releases onto the streets people who should be locked away from the public. If you don't believe me, look on page 3 of the bill, paragraph (e), where the State of Hawaii says, if anything goes wrong under this bill, the State is not liable. Even the original authors of the bill were not confident of what they were doing.

"Second, this bill keeps postponing the inevitable. That is, it keeps us from facing the truth about our need to build new prison space. Why haven't we backed the Governor and built that new prison on the Big Island yet? It's always because of bills like this that mask the real solution to overcrowding.

"Mr. Speaker, this bill has made us numb and blind, as we have been since 1993, and I think it is about time we stop it. Thank you."

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

"We have had about a one-third drop in the crime rate since 1996, and one very significant reason for that drop in crime rate is we've had a Director of Public Safety who has not released people who are dangerous, in spite of the fact that this law was on the book. Now we're asking to extend the law because the new Director of Public Safety is requesting that permission.

"I am extremely concerned that extending the law will result in the change of policy that will release people back on the streets who endanger the community. So is the Prosecutor of the City and County of Honolulu who has spoken strongly against the extension of this law. Let's be really clear of what we're doing if we vote for this law. We're voting to put criminals back on the street. Vote no.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I served on the Prison Population Reduction Commission and this issue was discussed at great length. The type of people that we are talking about are those people that don't pose a threat to the community who cannot raise bail. So we're talking about those individuals that don't have the resources. The ones that are wealthy -- they post bail and they're out. These are the ones that don't have the resources to post bail, and that's the type of person that gets released under this law. Thank you."

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

"Mr. Speaker, this measure is an unfortunate necessity during these times of prison overcrowding. Those of my colleagues who are nervous about the implications of this bill have to remember that no pre-trial inmate -- let me repeat, no pre-trial inmate -- will be eligible under this bill for release that has been denied bail, that has been charged with, convicted of, or is on parole for a serious or violent crime, has been found to be mentally defective or mentally incapacitated, was arrested and convicted of three or more counts of contempt of court within the twelve-month period immediately preceding, or was charged with a Class C felony or misdemeanor offense involving risk to public safety as determined by the Director. These numerous criteria should, as much as possible, limit this program's application to only those people least likely to be a danger to the public. So I urge my colleagues to support this measure.

"And, Mr. Speaker, since it was raised as a point relative to this measure, let me just assure my colleagues across the aisle or even those on this side, that your Chairman of Public Safety and Military Affairs is committed to building the proposed medium security facility on the Big Island. There has been some nervousness on the part of some of my colleagues as to my intention with regard to that proposal.

"This proposal that is before us is by no means an attempt to derail that project. I know there is another measure that is coming before the conference committee with a provision that is interpreted as an attempt to derail the prison, but let me assure my colleagues that this measure, together with any others that have some nexus with regard to the proposed medium security facility, are by no means an attempt to take us off the position of your Chairman. We will build that prison. We will designate the site of that prison this year. And in spite of the article on the front page of this morning's paper, it will come with a full complement of staff.

"Thank you, Mr. Speaker."

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

"Because of the assurances given by the Chairman of the Public Safety Committee, I feel confident in supporting this measure.

"I do want to point out that in the testimony of the Prosecutor's Office, a report of the Public Safety Department to the Legislature found that four out of every ten pre-trial detainees who were released under the Emergency Release Program were revoked. They point out that over three-quarters of these detainees were revoked because of their failure to appear. So it's not as though it's a perfect program, but so far the public has been saved from any danger. And because of the vigilance of the people making those decisions, I would reserve the right to vote against this measure if it comes back at the end of session, should there be some kind of a further stall in those decisions to build the prison to provide more bed space.

"Thank you, Mr. Speaker."

Representative Fox, in rebuttal, stated:

"I listened to the remarks of the Chairman of the Public Safety Committee, and from what he says, a criminal who is a career thief, who is not arrested more than twice in the previous twelve months, may be released to go back to committing property crimes. That's the big problem we have in Hawaii -- thieves who commit property crimes again and again and again. And what it took us to have the fourth highest rate of crime in the country was basically based on property crimes. While people may not consider these crimes violent, they really do violate the people who are victimized by these crimes, and we should be very concerned about property crimes in 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. 1163, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRE-TRIAL INMATES," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Fox, Halford, Leong, Marumoto, McDermott, Moses, Pendleton and Rath voting no, and Representatives Ahu Isa and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 1145, 1158, 1279, 1282, 1294, 1470, 1481, 680, 1144 and 1163 had passed Third Reading at 11:20 o'clock a.m.

**Stand. Com. Rep. No. 1728 and S.B. No. 27, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 27, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1729 and S.B. No. 40, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 40, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Leong, McDermott, Meyer and Rath voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1743 and S.B. No. 528, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 528, SD 2, HD 1,



entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1744 and S.B. No. 664, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 664, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1745 and S.B. No. 951, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 951, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1746 and S.B. No. 1050, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1050, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1747 and S.B. No. 1130, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1130, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1748 and S.B. No. 1504, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1504, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1749 and S.B. No. 1086:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1086, entitled: "A BILL FOR AN ACT RELATING TO BOATING PENALTIES," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 27, 40, 528, 664, 951, 1050, 1130, 1504 and 1086 had passed Third Reading at 11:22 o'clock a.m.

**Stand. Com. Rep. No. 1750 and S.B. No. 716:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 716 pass Third Reading, seconded by Representative Yonamine.

Representative Rath rose and asked for a potential conflict ruling, saying that his son-in-law is President of a fishery company that is a lessee in NELHA, and the Chair ruled "no conflict."

Representative Rath then spoke in support of the bill, stating:

"I think this is a good measure allowing the commercial activities. This is one of the areas where the government has placed funds for businesses to take advantage of our wonderful ocean enterprises. I believe that allowing some commercial activity there is something that should have been done a long time ago, and I'm fully supportive."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1751 and S.B. No. 942, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 942, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1752 and S.B. No. 663, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 663, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1753 and S.B. No. 737, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 737, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1754 and S.B. No. 738, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 738, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1755 and S.B. No. 1088, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1088, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1756 and S.B. No. 1216:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO BICYCLING," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.



**Stand. Com. Rep. No. 1757 and S.B. No. 1403:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1403, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1758 and S.B. No. 1151, SD 1, HD 1:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1151, SD 1, HD 1, pass Third Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I do have some reservations and hope that the language from the SD 1 can be reinserted. Thank you."

Representative Schatz 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 the report of the Committee was adopted and S.B. No. 1151, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 716, 942, 663, 737, 738, 1088, 1216, 1403 and 1151 had passed Third Reading at 11:24 o'clock a.m.

**Stand. Com. Rep. No. 1759 and S.B. No. 588, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 588, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDERS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1760 and S.B. No. 635, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 635, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Catalani rose to speak against the bill, stating:

"Mr. Speaker, let me start by stating that I am not against drug testing. However, I have a few problems with this particular measure.

"First, I don't believe that future employees should provide a sample to the employer's designee, who is usually going to be the personnel officer. This designee is not an unbiased person. If hired, this employee will still have to face this person on a regular basis.

"Second. Employers can use an independent lab to do this pre-employment drug testing. These tests at the independent labs cost on average forty dollars. Why should we allow employers to sacrifice individual liberties and dignities to save a mere forty dollars.

"Third. This measure does not ensure the quality of a confirmatory test if this kit is positive. Usually, labs split the sample to perform the confirmatory test on the same untampered sample. This measure does not provide for that.

"Fourth. This measure also does not require a medical disclosure form which is a form to indicate why the sample may test positive if a person is taking certain prescribed medication. And it also would provide why a confirmatory test is necessary in this person's case.

"Fifth. There are no assurances that this kit would be used for all employees. I haven't received any assurances that employers would test all employees, including the President of the company, if hired, or just minimum wage employees.

"Sixth. This kit does not test for alcohol, as we learned from the manufacturer. However, this measure still contains soap, the testing for alcohol with this kit.

"Seventh. There is no provision in this measure for a drug cut-off level. This is a determination at which there could be a positive, or a level that there would be a positive test.

"For these reasons, I encourage all of our members to vote against this measure. Thank you."

Representative Pendleton then rose in strong support of the measure, stating:

"Mr. Speaker, this measure is designed to allow for and enable on-site screening tests -- on-site screening tests which take into account both the privacy concerns as well as the due process rights of prospective employees.

"I think all of us who work or are employed in Hawaii, we work with other people. And everyone in Hawaii works with other people and comes in contact with other people. All we have to do is read the newspapers or watch television and we see the prevalence of illicit drug use and we see the dangers of that -- people being injured, harmed, even killed because of the drug use. And this State Legislature is taking a strong stand to find a reasonable and balanced way to make sure that people who go to work, who come in contact with other employees, are provided with a safe environment. Employers can't read the minds of prospective employees. They need to take reasonable steps to make sure that the people they hire are following the laws of the State and are not putting other people at risk or in jeopardy.

"Mr. Speaker, I direct this body to look at the first page of this particular Senate bill -- Senate Bill No. 635. The concerns of the Representative from Kaneohe are duly noted, but I think those concerns are properly addressed in this measure. Under Section 1, it says: 'Every employer using a substance abuse on-site screening test for pre-employment screening shall administer the test according to the United States Food and Drug Administration package insert that accompanies the substance abuse test, and shall adhere to any applicable on-site screening drug test guidelines adopted by the United States Food and Drug Administration.' Those guidelines, I think, are sufficiently well-thought through and well-designed to address the privacy and due process rights, and at the same time make sure that these screening devices catch those people who shouldn't be in those kinds of environments, putting their co-employees at risk. For those reasons, Mr. Speaker, I stand in strong support of this measure. 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. 635, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Catalani, Morita and Takumi voting no, and Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1761 and S.B. No. 823, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 823, SD 1, HD 2,

entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1762 and S.B. No. 1032, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1032, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"This bill is so important I think that had we passed a bill similar to this ten years ago, the Hawaii State Hospital wouldn't be in the kind of difficult position it's in today. When a person is involuntarily committed to the State Hospital for reasons of criminality or incompetence, he can sometimes be violently destructive to himself, to the staff, and other patients if he is not properly medicated. At present, such a patient can refuse medication, subsequently he is not getting better, cannot be discharged, and he may be dangerous. The staff have had their hands literally tied behind their backs.

"This bill will correct the dilemma by requiring such patients to accept appropriately prescribed medications that are geared toward their unique situation. There will be interdisciplinary clinical review panels to authorize the involuntary administration of psychiatric medication for appropriate patients.

"This legislation includes an appeals process to a second party appointed by the Director and further appeals to the Circuit Court if needed, so there's lots of protection there for the patient.

"The bill does not leave serious health care decisions to the whims of patients who may not be competent, or may be dangerous without medication. This bill protects the identified patient, the other patients, and the staff, so I certainly hope that we get it passed this year.

"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. 1032, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1763 and S.B. No. 1149, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1149, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"Like my colleagues, I support the part of the bill that makes the penalties more reasonable. They were quite high before. Unfortunately, this bill sets a double standard as to costs and attorney's fees in cases brought to enforce the wage laws. If the Department of Labor and Industrial Relations wins, then the employer must pay their cost and attorney's fees. However, if DLIR loses, they do not have to pay the costs and attorney's fees of the employer. This seems unfair. An employer should be reimbursed when DLIR brings a case they cannot prove.

"Thank you, Mr. Speaker."

Representative Meyer then rose in support of the bill with reservations, stating:

"I just wanted to say that I felt that this was such an important issue based on the publicity that we heard from the case that was taken to court where Metcalf Construction was fined \$159,600 for a \$465 mistake. So we could see that this demonstrates how punitive the existing law was and how out of whack. This was a mistake that anybody could have made. When they found out, they were ready to pay what they owed. It had to do with people being given time off to vote on election day, and so this is a very needed bill.

"But this other part of it where it makes a very unlevel playing field, where the Department of Labor and Industrial Relations has it all going their way, and if they win the employer pays. If the employer wins, the employer still pays.

"Thank you, Mr. Speaker."

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

"It is pretty much for the same reasons as to the one-sidedness of it. While I agree that the penalty should be reduced, which happens in this bill, nonetheless we have the Department of Labor and Industrial Relations and they can go take action, and there is absolutely no downside consequences if they do not prevail. I think that just causes them to want to go again, and again and again, because there is no downside. So you can actually wind up with them being driven towards frivolous lawsuits that really don't have any merit.

"And for the business community, the construction industry in particular, this is very scary as we saw in the Metcalf case, where action is taken again and again without any concern for any kind of financial burden should they lose. I think that we shouldn't be passing laws that are that blatantly one-sided. After all, they say fair is fair. So that's my opposition.

"Thank you, Mr. Speaker."

Representative Catalani then rose in support of the measure, stating:

"I would just like to address the Department of Labor and Industrial Relations' portion of this bill. The Director of Labor I think has a primary purpose to ensure that workers are paid wages due to them and that those wages are paid in a timely manner. Many workers do not have the resources to pursue collection of their wages, and in turn they turn to the Department of Labor for assistance. The Director may bring legal action on behalf of the workers to collect these unpaid wages.

"Under the current law, it is clear that the Director is not required to pay the filing fees or other costs incurred in pursuing these collection of unpaid wages. The clarification in this bill is that the attorney fees and costs for the opposing party cannot be assessed by the Director. And this is necessary to ensure that the courts will not assess attorney fees and costs against the Director when the Director fails to prevail. If the attorney fees and costs continue to be assessed against the Director of Labor, the Director will not be able to afford to pursue and enforce these wage laws and get as many cases as are currently pursued.

"This amendment would benefit workers by allowing the Department of Labor to continue to assist them when they are unable to hire a private attorney to collect their unpaid wages. Thank you."

Representative Whalen then rose in support of the bill with reservations, stating:

"Mr. Speaker, regarding this issue the words referred to by the last speaker was the sovereignty issue of the State, in that the State can't have things against them unless they allow it. That was the clarification language. But hand in hand with that is the State operating as a sovereign State. Here, what the State is doing in taking on the role as a private attorney suing an employer on behalf of the employee is not a sovereign function of the State. It's basically an advocate of one party versus another. And the statement that if, as was the case, the State was ordered to pay the attorney's fees and costs because they lost so the State came running in here, the Department came running in saying: quick, change the law, we don't want to have to pay. I would like to note that you don't pay unless you lose. And normally, you don't pay unless you lose badly. In other words, you had a bad case and you shouldn't have brought it before the court. So if the Department is not able to afford to pursue these cases, it tells us that they are pursuing a lot of bad cases against the employers that they are losing.

"Mr. Speaker, this is the point entirely that many of the speeches I've given on this floor, we keep talking about trying to make an employer business friendly State, yet time and time again we take little nips and bites out of the employers from their behind that most people don't see, yet it all adds up to a very hostile State towards the employer.

"Like many Representatives here, I also feel for employees and when they are not paid appropriately when they should be. I have no problem with employers who wrongfully withhold wages and are not paying people the way they should be, let's nail them, I agree. The rights of our employees count, and we need to defend them. But at the same time, the employers are just as important to this State as the employees. Without employers, there would be no employees, and the State would just be hiring everybody, which is maybe the way we're going, which is not the solution to our economic problems, Mr. Speaker.

"For those reasons, I have some reservations. Thank you."

Representative Pendleton then rose in support of the bill with reservations and asked that the Clerk note his reservations, and also asked that the remarks of the Representatives from Kona and South Kohala be inserted into the Journal as though they were his own, and the Chair "so ordered." (By reference only)

Representative Rath rose in rebuttal to the Representative from Kaneohe, stating:

"Basically, this wage law enforcement covers predominantly prevailing wages of non-union contractors. The little Davis-Bacon Act, of course, requires that all contractors, whether union or non-union, pay prevailing wages in this State and is similar in most all states. As a consequence, what happens is, the unions 'paw' over those public records and look for anomalies and then they go get DLIR tactics to tack on.

"What this does, by removing any consequences for DLIR, is that it turns DLIR into the union's 'pit bull' to go after non-union contractors, and that's where my opposition comes. So I just wanted to point that out.

"Thank you, Mr. Speaker."

Representative Catalani then rose in rebuttal, stating:

"For the record, in that particular case the Department did not lose entirely. Actually, the violation still stood. It was just the monetary damages that were dismissed. So in actuality, the employer did commit a violation and was cited for that violation. Thank you."

Representative Yoshinaga then rose in support of the measure, stating:

"I would like to speak to the Chapter 104 penalty provisions of this bill.

"This issue of Chapter 104 penalty reform began at the beginning of this session and it was a contentious issue. But our Committee believed it was worth our effort to see if all parties involved could reach a consensus on new language. It's been a long process and many drafts have been passed back and forth between the building trades, union representatives, the independent contractors, and the Department of Labor and Industrial Relations. There is now broad agreement that with these amendments, we can bring positive reform to the Chapter 104 penalties that have been alluded to in prior discussions.

"These amendments in this bill represent the best of our legislative process. They represent consensus building, compromise, and the willingness to sit down and discuss problems.

"This bill creates step penalties which could amount to very large fines for blatant violators; however, modest penalties for the very small human mistakes. I believe that this bill is a win for our session if we can convince our counterparts in the other house. Thank you."

The Chair then stated:

"Before moving on, Representative Rath, please accept my apologies for my inferior hearing. 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. 1149, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Rath voting no, and Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1764 and S.B. No. 20, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 20, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1765 and S.B. No. 102, SD 3, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 102, SD 3, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I just want to say 'thank you' to the Chair for adding the Consumer Advocate to the panel that will be setting the rates. I appreciate the Chair's sensitivity to the concerns that were expressed regarding the rate setting, et cetera.

"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. 102, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1766 and S.B. No. 131, SD 3, HD 3:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 131, SD 3, HD 3, pass Third Reading, seconded by Representative Yonamine.

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

"I have spoken on this issue many times before so I am not going to repeat myself. However, I just want to point out, first of all, I want to thank the Committees on Consumer Protection and Commerce, Labor and Finance for keeping this measure alive. But it has been somewhat of a frustrating experience, having worked on long-term care issues for over a dozen years now.

"Basically, many of the things that we proposed have been rejected. The advocates came to us with many proposals. We rejected I think mostly all of them, and as a result of that they threw the ball in our court and said, since you don't like the ideas that we as advocates provide, why doesn't the Legislature come up with a plan. And that was the reason why the Joint Legislative Committee on Long-term Care Financing was established, and we have been working on the issue for the past year and a half.

"Basically, the bill, as originally introduced, was a result of that work and although we are passing this bill on Third Reading, what it does is basically extends the Committee, which I am grateful for, because I think it is also a message that we need to go back to the drawing board, so to speak, and kind of rework or work on this measure again. And it is frustrating because, you know, everyone I talked to, all my colleagues, all agree it's a critical issue -- long-term care. They all agree it's an issue of concern to their constituents and to their communities, and yet, we can't seem to develop consensus, and now we are told to go back and study it even further. It's sort of like, you know, you see a tsunami coming and saying, well, let's go down to the beach and take a closer look at it and see whether we should take action or not. This tsunami is coming and we all acknowledge that. We all acknowledge, especially here in Hawaii, how important our elderly and caring for them is. However, I think somehow we need to develop the political will to do something to take action. And I know the cry is always, 'there is not enough money'. But then everybody has to realize it's costing us anyway, and the costs are going to escalate every year we wait.

"And so I just want to take this opportunity to really, I guess, throw the ball into our colleagues' court and say, if you have any suggestions, if we can take any action this session, I would like to hear from you before we go to conference, or even during conference and see if we can take some positive steps and not just study the issue again. But even if we do end up just studying it more, I still need to have your input, colleagues, because I really feel this is really an urgent issue that we cannot set aside any more. So that's my plea, 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. 131, SD 3, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

**Stand. Com. Rep. No. 1767 and S.B. No. 178, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 178, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTHY START," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Menor and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 588, 635, 823, 1032, 1149, 20, 102, 131 and 178 had passed Third Reading at 11:48 o'clock a.m.

At 11:48 o'clock a.m., Representative Pendleton asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:50 o'clock a.m., Representative Pendleton was permitted a late introduction and he introduced a group of students from St. John Vianney School. They were accompanied by their teachers, Ms. Julia Watson and Ms. Virginia Klein.

**Stand. Com. Rep. No. 1768 and S.B. No. 1026, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1026, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1769 and S.B. No. 1102, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1102, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1770 and S.B. No. 1607, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1607, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1771 and S.B. No. 1635, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1635, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

Representative Goodenow's remarks are as follows:

"I am very concerned about this measure. The bill as written is supportable. I am concerned, however, that if this becomes a vehicle to provide funding in light of a Heely negotiated settlement or non-settlement, it may not fully get the support of the beneficiaries of the trust during the frantic course of the next two weeks. I agree that this option must remain open, but I cannot support a 'cap' concept without OHA's full support. If there is not mutual support than I can only support returning to Act 304 and letting 329 sunset."

Representative Kahikina then rose in support of the bill with reservations, stating:

"My kupunas or elders, when sharing their mana'o with me, would speak to me in two forms, Mr. Speaker. One was a reality level, and the other was a kau'na or a hidden message or a hidden meaning, a metaphoric level. And it is at this level that I would try to express my reservations of this said bill.

"Mr. Speaker, everyone here cannot say that they do not know the history of the unlawful overthrow of the monarchy of Hawaii, and that is the hidden, outstanding Public Trust issue that we are dealing with this measure, Mr. Speaker.

"Historically, Mr. Speaker, the Hawaiian people have always tried to participate in the political decisions that determine the fate of their special relationship to the Public Trust Lands. Too often, as in the past, the final decision of the future use of the Public Trust Lands is made by outside of the Native Hawaiian community. Although the joint committee may appoint members from the Native Hawaiian community, their appointment is not from the Native Hawaiian community except for the Office of Hawaiian Affairs, Mr. Speaker, which is elected by Native Hawaiian people. So that's my reservations, Mr. Speaker.

"Historically, as we all know, the inventory of this ceded lands, the lands were ceded by a joint resolution of annexation to the United States of America. You know, Mr. Speaker, I was very excited when I learned about the ku'a, the Hui Aloha Aina, the anti-annexation petition of 1897 to 1898. You know why, Mr. Speaker? On page 143, there is inserted a man named Keahi Kahikina. He was seventeen years old, Mr. Speaker. That was my grandfather. My grandson that was just born will carry his name so that he will remember the involvement of what this kau'na is all about to inventory these Trust Lands. You know when it was enacted, that we had over four million acres -- all the way extending to Palmyra Islands.

"Mr. Speaker, in the bill itself, I would like to make mention that the Governor, the President of the Senate, you Mr. Speaker, of course the Office of Hawaiian Affairs are Native Hawaiians so we'll leave them out, but the Chief Justice will appoint a representative to represent Native Hawaiians. Auwe, Mr. Speaker, for treating wards of the Court -- the Native Hawaiians -- like this.

"Again, Mr. Speaker, this bill also talks about the Auditor serving as administrative support of the joint committee -- the kau'na, the hidden meaning. Is the joint committee controlling the Auditor? Because we want an independent auditor to do this assessment. You go down the line, it says to get a database of all lands within the public land trust and currently subject to Section 5(f) of the Admission Act. Wouldn't we want to comply with the Auditor, that in 1986 the Auditor said that including all public lands within the Public Trust would be consistent in keeping with the Trust concept. They dated it back to the annexation of Hawaii. But we are only going to do the current, so those are my reservations.

"And then finally, this is the last, Mr. Speaker, the match on the dollar for dollar basis by the Office of Hawaiian Affairs. Mr. Speaker, it's like I stole your land, then years later we are going to dispute the land that I stole from you, but we're going to identify what land I stole from you, and on top of that I'm going to charge you one dollar for every dollar I spend to find out what land I stole from you. And these are the hidden meaning behind this bill. But we need the bill because it does identify those lands. It's the vehicle that may be the funding vehicle that will resolve the OHA discussions with the Governor. So, therefore, Mr. Speaker, I support this bill with these reservations. Thank you."

Representative Kahikina then requested that additional remarks on this bill be inserted into the Journal, and the Chair "so ordered."

Additional remarks by Representative Kahikina are as follows:

"Inventory ceded lands ceded through the Joint Resolution of Annexation to the United States of America of the Public Land Trust, 5(f) of the Admissions Act, which we don't know the total amount but approximately 1.6 million acres were returned to the State since the admission of the State in 1959. The

historical facts leading to the unlawful overthrow of the Hawaiian monarchy, drawing attention to the 1993 Apology Resolution and the Native Hawaiian Education Act of 1994 -- Congress has explicitly acknowledged the special relationship that exists between the United States and the Native Hawaiian people. Congress confirmed in the Apology Resolution that Native Hawaiians are an indigenous people and that United States military and diplomatic support was essential to the success of the 1893 overthrow of the Hawaiian Monarchy and that this aid violated 'treaties between the two nations and international law.'

"Among other findings were that the wrong done to the Native Hawaiian people included 'the deprivation of the rights of Native Hawaiians to self-determination.' The findings in the 1994 Native Education Act reconfirm the 'Native Hawaiians are a distinct and unique indigenous people,' that the kingdom of Hawaii was overthrown with the assistance of officials of the United States, that the United States had apologized for 'the deprivation of the rights of Native Hawaiians to self-determination,' and that 'Congress affirmed the special relationship between the United States and the Native Hawaiians' through the enactment of the Hawaiian Homes Commission Act, as amended 1921, the 1959 State of Hawaii Admission Act, and other statutes. Native Hawaiians expressed the concern of perpetuating this attitude of not allowing Native Hawaiians to participate in political decisions. It should be our intent that the Native Hawaiians be given the political status of opportunity to participate in representation on the panel to determine Trust Lands resolutions and request that they be appointed to the Panel."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1635, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Arakaki and Luke voting no, and Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1772 and S.B. No. 1136, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1136, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF OSTEOPATHY," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1773 and S.B. No. 1127, SD 1, HD 3:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1127, SD 1, HD 3, pass Third Reading, seconded by Representative Yonamine.

Representative Goodenow rose and asked that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Goodenow's remarks are as follows:

"I support the concept of the creation of a revolving fund to cover the expenses of the Department of Commerce and Consumer Affairs. Last year a similar proposal was discussed with a cap of \$350,000. Now the Commissioner is asking for \$1.1 million. Until more information can be provided for by the Commissioner's office as to how these funds will be expended, I cannot vote without reservations. In addition, the bulk of this assessment should not be shouldered by only two or three health plans but be more fairly distributed."

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



"This Act creates another special fund. It removes from legislative oversight another piece of the budget. Our duty to the taxpayers and the voters is to require every agency and program be accountable to us for every dollar they get and every dollar they spend. Special funds like this are an abdication of our constitutional responsibility.

"The Insurance Commissioner wants to use the money in the fund to hire more people that we cannot afford. Our vote to approve this bill will increase the cost of health insurance, which will be passed on to the customers -- the voters.

"The fee schedule set in the bill seems to displease everyone which might mean we did a great job. It could also mean we have failed miserably. The large insurers think they will be paying more than their fair share and smaller insurers think that the minimum annual fee of \$10,000 is too much. Perhaps we should take more time to see what is right and reasonable.

"Thank you, Mr. Speaker."

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

"Contrary to the prior speaker's statements, this self-revolving fund, we don't have one now. The Insurance Commissioner does not have the resources right now to handle the monitoring, the regulation of the health insurance health providers. This is probably. . . public health is probably the biggest issue for the next ten/twenty years in this State and in the Nation, and we have to give our Insurance Commissioner the resources to regulate them. And this is the only thing available right now. If we don't set up good staffing. . . and for those of you who haven't been through the Insurance Department, I urge you all to go. It's like a dungeon. We have to allow the Insurance Commissioner the resources to regulate the health providers and health insurers, and for anyone who disagrees with that, I would be happy to talk to them personally.

"Thank you, Mr. Speaker."

Representative Case then rose on a point of information and asked:

"Would the Representative from Makakilo please clarify that he was addressing Senate Bill 1127?"

Representative Moses answered:

"Yes, that is correct, Mr. Speaker. It's Standing Committee Report 1773 and Senate Bill 1127."

Representative Case thanked the Chair.

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

"The Insurance Commissioner, there's no question, is empire building on a big scale. He may not like his current offices, but he is out to crowd them as much as he can. The estimate for the cost of this measure last year was \$350,000, but he came into the Finance Committee and told us, 'No, no, it's going to cost \$1.2 million.'

"What I don't understand, Mr. Speaker, is, in tough times if we want to start up some new government function, why don't we figure a government function to shut down and get the money from there instead of coming to the Legislature for more money. Or in this case, hitting up HMSA and Kaiser big time to pay for the operation. Who pays the money that goes to HMSA and Kaiser? It's us -- it's the people of Hawaii.

"Thank you, Mr. Speaker."

Representative Rath then rose in opposition to the bill and asked that the comments of the Representative from Waikiki

and the Representative from Kapolei be recorded in the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1127, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 39 ayes to 9 noes, with Representatives Auwae, Fox, Halford, Leong, Marumoto, Meyer, Pendleton, Stegmaier and Rath voting no, and Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1774 and S.B. No. 194, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 194, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"I would like to pay tribute to the people who put this bill together. It does an excellent thing. It provides both the tax cuts for the long-term care that the Senate talked about -- that's for the insurance policies that you take out for long-term care. It provides it as a deduction rather than a credit. But that's fine, that's what the federal law does. And it also provides a deduction for actual long-term care expenses which have heretofore been missing from the measures that have been coming across this floor.

"So it's an outstanding exchange, and I think we should all be happy that two years later, but finally we're bringing State law in conformity with the deductions that are already available on our federal tax forms.

"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. 194, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1775 and S.B. No. 223, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 223, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1776 and S.B. No. 238, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 238, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.

**Stand. Com. Rep. No. 1777 and S.B. No. 994, SD 2, HD 3:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 994, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO DEPENDENT ADULT AND ELDER ABUSE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Moses and Okamura being excused.



The Chair directed the Clerk to note that S.B. Nos. 1026, 1102, 1607, 1635, 1136, 1127, 194, 223, 238 and 994 had passed Third Reading at 12:02 o'clock p.m.

**Stand. Com. Rep. No. 1778 and S.B. No. 1057, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1057, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1779 and S.B. No. 1139, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1139, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1780 and S.B. No. 1300, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1300, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1781 and S.B. No. 1238, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1238, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1782 and S.B. No. 5, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 5, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Abinsay rose in support of the measure and asked that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Abinsay's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of S.B. 5, SD 2, HD 2. The purpose of this bill is to provide agricultural loans to qualified farmers who export crops and livestock. It also adds provisions so that we can assist farmers affected by State eradication programs by allowing them access to low interest loans. Mr. Speaker, although the Department of Agriculture already has made, and continues to make loans to farmers growing various agricultural exports such as coffee, macadamia nuts, Hawaiian foliage and tropical flowers -- there is still much to be done to help the farmers in the area of financing. This bill would facilitate the rehabilitation and recovery of those farmers who may lose a substantial income due to various pests and efforts to eradicate and contain these pests.

"Mr. Speaker, farmers in economically depressed areas can also benefit from this bill as we have incorporated appropriations amounting to \$2.5 million from the Agricultural Revolving Fund to make available to them in the form of loans. This appropriation does not affect general funds, Mr. Speaker. In the past year, \$2 million was released to qualified farmers. These low interest loans have proved instrumental for many agricultural operations. The Department was overwhelmed by the response from the farmers, and according to the Department's report, the funds were expended two days after applications were accepted. On the Big Island, thirteen loans were made totaling over \$1 million. And in Kauai, a total of four loans were given in the amount of \$456,400. These kinds of loans are needed, Mr. Speaker, to encourage farmers to expand operations to meet export potential and help farmers in targeted areas of high unemployment

"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. 5, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1783 and S.B. No. 1131, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1131, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1784 and S.B. No. 1421, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1421, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in support of SB 1421 SD1, HD2, Standing Committee Report Number 1784, because it is a taxpayer protection bill. The purpose of this bill is to allow the courts to grant probation in tax evasion cases.

"Current laws do not give courts the option to place tax evaders on probation. Presently defendants in a tax evasion case can be fined or imprisoned or both. The fine may be more or less than the amount of taxes out of which the government was cheated. If the fine is less, then the government is obviously losing out.

"Mr. Speaker, SB 1421 SD1, HD2, will allow the courts to maintain jurisdiction over taxpayers to ensure that payments of back taxes due are remitted to the State. This does not preclude the implementation of the other options such as fines and imprisonment. In fact, because any combination of those consequences, including probation, may be assessed, SB 1421 SD1, HD2, successfully augments the range of existing options to make the process of both penalizing tax evasion and recouping unpaid monies more flexible and efficient.

"In regards to imprisonment, Mr. Speaker, generally we do not want precious and limited prison space occupied by these white-collar, non-violent criminals. They will spend a very short time behind bars anyway, so imprisonment is not

necessarily effective if the defendant saved, as it were, millions of dollars which should have been paid in taxes. A white-collar criminal may very well chance a year in the poky to save \$5 million. But we want to effectively recoup the monies owed the government.

"SB 1421 SD1, HD2, can be effective because it will allow a judge to use probation as a tool to assure full restitution of all tax monies owed. In this way this bill is a boon to our taxpayers. Tax rates are what they are in part because so many do not pay their fair lawful share.

"I introduced House Bill 727 this session on this very topic. It did not make it out of the House Finance Committee, and so I am happy this Senate companion bill is moving forward.

"Thank you, Mr. Speaker, for this opportunity to speak in support of SB 1421 SD1, HD2."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1421, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

**Stand. Com. Rep. No. 1785 and S.B. No. 949, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 949, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Souki being excused.

The Chair directed the Clerk to note that S.B. Nos. 1057, 1139, 1300, 1238, 5, 1131, 1421 and 949 had passed Third Reading at 12:03 o'clock p.m.

At 12:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:12 o'clock p.m.

**Stand. Com. Rep. No. 1786 and S.B. No. 1462, SD 1, HD 2:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1462, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"I feel that it is slightly inadequate and I think it's in need of an amendment. I don't know whether it's too late in the session but I hate to see something laid over until next year. It's just so far away.

"I have reservations because we just undertook a massive recount of last year's election and as we found, while the machine was definitely out of kilter in the 44th House district and several were defective, we also learned that the company providing the machines was selected on a non-bid basis.

"During the public hearings on the resolution calling for the recount, we learned that the Elections Office had failed to promulgate the necessary rules and regulations for election procedures. This was four years after their existence. Also, that office allowed Democratic candidates to view the ballots after the election but not Republican ones. There were so many grave doubts cast upon the procedures during the election -- the absentee ballots mailed to the wrong districts, absentee ballots mailed in large quantities -- that it seemed obvious to many of

us that they need someone or somebody to maintain closer supervision of the Office of Elections in order to preserve the confidence of the general public in the electoral process. It seems to me that the most obvious place to provide that supervision is with the Election Appointment Panel itself.

"You know, when we had the recount we established an Ad Hoc Elections Oversight Committee. It worked very well. We need to establish some oversight over the Elections Office now in order to prevent a reoccurrence of last fall's confusion.

"The measure before us, Senate Bill 1462, merely extends the life of the Office of Elections and the Elections Appointment Panel for two years. It appears as if we have learned absolutely nothing from the mistakes of the past election. It is necessary to amend the measure to give the Elections Panel some additional duties and oversight powers.

"Therefore, Mr. Speaker, I can only support this bill with these reservations. 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. 1462, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1787 and S.B. No. 1082, SD 2, HD 2:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1082, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Meyer rose to speak in opposition to the bill, stating:

"This bill creates another new special fund earmarking tax revenues to a specific program. We as legislators should not give our stamp of approval to these automatic funding mechanisms. If this practice becomes any more pervasive, there will soon be no funds left for the Legislature to appropriate.

"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 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives Marumoto, Meyer and Pendleton voting no, and Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1788 and S.B. No. 1147, SD 2, HD 2:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1147, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Moses rose to speak in support of the measure with reservations, stating:

"I have reservations about the bill because I know it can be made better. In its present form, it makes a lot of sense by bringing Hawaii into compliance with the requirements of the Federal Workforce Investment Act of 1998, but it stops there. When it comes to saying who is to be on the Council to monitor and advise about the workforce, the bill goes out of political whack.

"I think it's good that the House and Senate will each have two members on the Workforce Council, but I don't think that it's wise that the bill doesn't specify that these members be

bipartisan. I don't need to tell you nor the people of Hawaii what deals a one-party state can make. But my problem is that the bill perpetuates this kind of one-party thinking and behaving, I might add, and it's not good public policy. The more we can make things bipartisan, the better the people of Hawaii will be served.

"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. 1147, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1789 and S.B. No. 1544, SD 2, HD 2:**

On motion by Representative M. Oshiro, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1544, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1790 and S.B. No. 1475, SD 1, HD 2:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1475, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

Representative Ito's remarks are as follows:

"The purpose of this bill is to improve the efficiency of the School-to-Work Opportunities Pilot Project by transferring the administration of the School-to-Work Opportunities Pilot Project from the Hawaii School-to-Work Opportunities Executive Council to the Department of Education.

"Transferring the power to the Department of Education will allow the Executive Council to concentrate its efforts on reforming education, developing the State's workforce, and stimulating economic development.

"The School-to-Work Program has provided a needed service to our community by preparing students for productive employment, by diversifying their learning and promoting responsible citizenship.

"In addition, the program has been vital in partnering businesses with educators for the creation of internships, mentoring ventures, and other opportunities for Hawaii's youth to gain practical experience that will enable them to become productive members of Hawaii's workforce.

"This bill in amended form clarifies that the Executive Council's plan of work shall be carried out through task groups and organized around collaborative School-to-Work initiatives.

"Furthermore, the Department of Education will provide major staff services for the Executive Council, and the task group services may come from State agencies whose mandates also benefit from School-to-Work initiatives.

"Mr. Speaker, I strongly support these amendments by the House Finance Committee, as it further works toward the goal of improving the efficiency of the School-to-Work opportunities Pilot Project.

"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. 1475, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Fox voting no, and Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1791 and S.B. No. 1046, SD 3, HD 2:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1046, SD 3, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"I am proud to present this revised bill to this body and to thank the Chair of Finance for his Committee's support. With this bill, your Committees on Labor and Public Employment and Finance, organized labor, and the administration continues to fashion a plan to modernize Hawaii's now outdated Civil Service System.

"The language of this revised bill establishes a panel whose duty it will be to formulate an orderly and fair transition from Hawaii's present antiquated Civil Service System to a modernized public workforce. This panel in this measure has specific guidelines and specific target dates within which to implement change. The panel is being asked to study all Civil Service chapters as well as any other applicable chapters. We have expanded the issues of work for this panel which is very broad and allows for maximum creativity and flexibility.

"This bill creates a specific panel that is manageable in number and can be held accountable for its work. In this way, I believe Hawaii will enter the 21st century with a modernized Civil Service System, but modernized in a way that will not threaten those who operate within it. The Governor's proposal initially was visionary, but as I said before many times, such a vision cannot be implemented with a sweep of a hand.

"This revised measure expedites the process by asking the Director of Human Resources and Development to submit legislative proposals by November 15th of this year. Furthermore, it sunsets these Civil Service chapters after such replacement legislation is passed next year. This revision is a constitutionally correct first start for Civil Service.

"This bill represents, Mr. Speaker, our best efforts to provide our civil servants, as well as the people of Hawaii, with this 'fresh start' into the new millennium, and remove the burden from our civil servants and allow them to perform their jobs with dedication and efficiency.

"Thank you very much, Mr. Speaker."

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

"Mr. Speaker, in the State-of-the-State message, the Governor gave us a real challenge. He wanted a Civil Service revolution, and to get the revolution under way he recommended what was called the 'fresh start' -- get rid of all the Civil Service laws by July 1, 2000, and work within that time frame to get something done.

"Now, it's not with a bang but with a whimper. Quoting from Section 4 of the bill: 'Effective June 30, 2000, these various chapters, the Hawaii Revised Statutes, and other applicable chapters are repealed; provided that the Legislature has adopted replacement legislation.' In other words, if we

don't do our job, nothing changes -- not with a bang, but with a whimper.

"Thank you, Mr. Speaker."

Representative Rath then rose in support of the bill with reservations, and asked that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Rath's remarks are as follows:

"The original purpose of this bill was to sunset Civil Service to provide a force majeure to correct a flawed and inefficient system. This bill has been eviscerated to the point that it holds no better weight than a simple resolution. This is simply to placate the public and does nothing. It is a joke."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1046, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1792 and S.B. No. 1501, SD 3, HD 3:**

Representative M. Oshiro moved that the report of the Committee be adopted and S.B. No. 1501, SD 3, HD 3, pass Third Reading, seconded by Representative Yonamine.

Representative Fox offered the following amendment to S.B. No. 1501, SD 3, HD 3:

"SECTION 1. Senate Bill No. 1501, S.D. 3, H.D. 3 is amended by deleting Part III, sections 17 and 18 and replacing it with the following:

### PART III

SECTION 17. The purpose of this Act is to establish provisions for charter schools and to modify teacher seniority rights so that teacher-organized and teacher run schools will not have team teachers displaced by those with greater seniority.

SECTION 18. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

#### "PART . NEW MILLENIUM CHARTER SCHOOLS

**§ 302A- Findings and purpose.** The legislature finds that Hawaii's public school system has been operating as one statewide district since statehood. The legislature further finds that the expansion of the public schools has outgrown the ability of the system to provide the flexibility for individual schools to develop and implement innovative instructional and administrative frameworks which best serve the needs of their students.

Charter schools enable educators to do this by injecting local control and limited competition into the public system. Teachers, administrators, or local associations can organize to create autonomous, performance-oriented schools. Charter schools offer a middle alternative between the current public education and private schools, making specialized education accessible to more students.

The purpose of this bill is to:

- (A) increase learning opportunities for students;
- (B) encourage the use of different and innovative teaching methods;
- (C) increase student learning;
- (D) establish new forms of accountability for schools;
- (E) create new professional opportunities for teachers and educators, including the opportunity to be responsible for the learning program at the school site; and
- (F) create a mechanism for legislative approval and funding of charter school proposals.

**§302A- New millenium charter schools; application; requirements; immunity; exemptions; renewal of**

**application; reprisal.** a. An applicant seeking to establish a new millenium charter school, hereinafter referred to as a charter school, shall submit a written application to a proposed sponsor as prescribed in subsection c of this section. The application may include a mission statement for the charter school, a description of the charter school's hiring policy, the name of the charter school's applicant or applicants and requested sponsor, a description of the charter school's facility and the location of the school, a description of the grades being served and an outline of criteria designed to measure the effectiveness of the school.

b. The sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school pursuant to this article.

c. The sponsor of a charter school may be either the board of education, the University of Hawaii, or a county government subject to the following requirements:

(1) An applicant for a charter school may submit its application to the board, which shall either accept or reject sponsorship of the charter school within ninety days. An applicant may submit a revised application for reconsideration by the board. If the board rejects the application, the board shall notify the applicant in writing of the reasons for the rejection. The applicant may request, and the board may provide technical assistance to improve the application.

(2) The applicant may submit the application to the University of Hawaii or to the appropriate county government. The University of Hawaii or the appropriate county government may approve the application if the application meets the requirements of this article and may approve the charter if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school. The University of Hawaii may approve up to twenty-five, and the appropriate county government may each approve up to five, charter schools each fiscal year. If the University of Hawaii or the appropriate county government rejects the preliminary application, that body shall notify the applicant in writing of the reasons for the rejection and of suggestions for improving the application. An applicant may submit a revised application for reconsideration by the University of Hawaii or the appropriate county government. The applicant may request, and the University of Hawaii or the appropriate county government may provide, technical assistance to improve the application.

(3) Fingerprint checks for applicants of a charter school shall be conducted prior to the issuance of a charter.

(4) All noncertificated personnel shall be fingerprint checked.

d. The board has no legal authority over or responsibility for a charter school sponsored by the University of Hawaii or the appropriate county government.

e. The charter of a charter school shall ensure the following:

(1) Compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance. The department of education shall publish a list of relevant rules, regulations and statutes to notify charter schools of their responsibilities under this paragraph.

(2) That it is a nonsectarian in its programs, admission policies and employment practices and all other operations.

(3) That it provides a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve, except that a school may offer this curriculum with an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts performance arts or language arts.

(4) That it designs a method to measure pupil progress toward the pupil outcomes adopted by the state board of education.

(5) That, except as provided in this article and in its charter, it is exempt from all statutes and rules relating to schools, governing boards and school districts.

(6) That it is subject to the same financial requirements as a school district. A school's charter may include exceptions to the requirements of this paragraph that are necessary as determined by the board of education or University of Hawaii

or the appropriate county government. The auditor may conduct financial, program or compliance audits.

(7) That it complies with all federal and state laws relating to the education of children with disabilities in the same manner as a school district.

(8) That it provides for a governing body for the charter school that is responsible for the policy and operational decisions of the charter school.

f. The charter of a charter school shall include a description of the charter school's personnel policies, personnel qualifications and method of school governance and the specific role and duties of the sponsor of the charter school.

g. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor.

h. An approved plan to establish a charter school is effective for five years from the first day of operation. At the conclusion of the first four years of operation, the charter school may apply for renewal. The sponsor may deny the request for renewal if, in its judgment, the charter school has failed to complete the obligations of the application or has failed to comply with this article. A sponsor shall give written notice of its intent not to renew the charter school's request for renewal to the charter school at least twelve months before the expiration of the approved plan to allow the charter school an opportunity to apply to another sponsor to transfer the operation of the charter school. If the operation of the charter school is transferred to another sponsor, the five year period shall be repeated. A sponsor may revoke a charter at any time if the charter school breaches one or more provisions of its charter.

i. After renewal of the charter at the end of the five year period described in subsection I of this section, the charter may be renewed for successive periods of seven years if the charter school and its sponsor deem that the school is in compliance with its own charter and the provisions of this article.

j. A charter school that is sponsored by the University of Hawaii or appropriate county government may not be located on the property of a school district unless the board grants this authority.

k. The board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee of the school district because the employee is directly or indirectly involved in an application to establish a charter school. The board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, 'unlawful reprisal' means an action that is taken by the board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an education program and:

(1) With respect to a school district employee, results in one or more of the following:

- (A) Disciplinary or corrective action.
- (B) Detail, transfer or reassignment.
- (C) Suspension, demotion or dismissal.
- (D) An unfavorable performance evaluation.
- (E) A reduction in pay, benefits or awards.
- (F) Elimination of the employee's position without reduction in force by reason of lack of monies or work.
- (G) Other significant changes in duties or responsibilities that are inconsistent with the employee's salary or employment classification.

(2) With respect to an educational program, results in one or more of the following:

- (A) Suspension or termination of the program.
- (B) Transfer or reassignment of the program to a less favorable department.
- (C) Relocation of the program to a less favorable site within the school or school district.
- (D) Significant reduction or termination of funding for the program.

l. Charter schools do not have the authority to acquire property by eminent domain.

m. The board and its agents and employees are not liable for any acts or omissions of a charter school that is sponsored by the school district, including acts or omissions relating to the application submitted by the charter school, the charter of the charter school, the operation of the charter school and the performance of the charter school.

n. A sponsor other than the board, including members, officers and employees of the sponsor, are immune from personal liability for all acts done and actions taken in good faith within the scope of their authority during duly constituted regular and special meetings.

o. The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of the University of Hawaii, or the appropriate county government from hearings conducted pursuant to this subsection are subject to judicial review.

**§302A- New millenium charter schools: financing.** a. A new millenium charter school, hereinafter referred to as a charter school, that is sponsored by the board shall receive per pupil expenditures equal to at least the average cost per pupil for the district as a whole. The uniform system of financial records shall include guidelines for determining the average cost per pupil for the district for the purposes of this section.

b. A charter school that is sponsored by the University of Hawaii or appropriate county government shall calculate a base support level, a transportation support level, a capital outlay revenue limit, and a capital levy revenue limit.

c. Notwithstanding subsections a and b of this section, the student count for the first year of operation of a charter school shall be determined initially using an estimated student count based on actual registration of pupils before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the student count to be equal to the actual average daily membership, or the adjusted average daily membership. Before the one hundredth day in session, the University of Hawaii or the appropriate county government may require a charter school to report periodically regarding pupil enrollment and attendance. A charter school shall revise its student count, base support level, transportation support level and capital outlay revenue limit. A charter school that overestimated its student count shall revise its budget. A charter school that underestimated its student count may revise its budget.

d. Notwithstanding subsections a and b of this section, the transportation support level for the first year of operation of a charter school shall be determined using an estimated transportation support level before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the transportation support level to be equal to the actual transportation support level of the charter school. Before the one hundredth day in session, the University of Hawaii or the appropriate county government may require a charter school to report periodically regarding the daily route mileage and the number of eligible students transported. A charter school that overestimated its transportation support level shall revise its budget. A charter school that underestimated its transportation support level may revise its budget.

e. The charter school and the department of education shall prescribe procedures for determining average daily attendance and average daily membership.

f. A charter school that calculated its budget during its initial year of operation pursuant to subsections c and d of this section may continue to utilize the provisions of subsections c and d of this section in each subsequent fiscal year that both of the following conditions exist:

(1) After its first year of operation, the charter school increases the number of grade levels in which instruction is offered or the number of programs that are offered.

(2) The number of pupils accepted for enrollment in the charter school increases by five or more per cent over the previous school year.

g. Equalization assistance for the charter school for the budget year shall be determined by adding the amount of the base support level, the transportation support level, the capital



levy revenue limit and the capital outlay revenue limit for the budget year as calculated pursuant to this section.

h. The state board of education shall apportion state aid from the appropriations made for such purposes to the state treasurer for disbursement to the counties for the charter school in each county that is sponsored by the University of Hawaii or the appropriate county government in an amount as determined by this subsection. The apportionments shall be as follows:

(1) On July 1, one-third of the total amount to be apportioned during the fiscal year.

(2) On October 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(3) On December 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(4) On January 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(5) On February 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(6) On March 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(7) On April 15, one-twelfth of the total amount to be apportioned.

(8) On May 15, one-twelfth of the total amount to be apportioned during the fiscal year.

(9) On June 15, one-twelfth of the total amount to be apportioned during the fiscal year.

i. Charter schools that are sponsored by the University of Hawaii shall not charge tuition, levy taxes or issue bonds.

j. The superintendent of public instruction shall furnish to the county treasurer an abstract of the apportionment and shall certify the apportionment to the department of administration, which shall draw its warrant in favor of the county treasurer of each county for the amount apportioned.

**§302A- New millennium charter schools: teachers: employment benefits.**

a. A teacher who is employed by or teaching at a new millennium charter school, hereinafter referred to as a charter school and who was previously employed as a teacher at a school district shall not lose any right of certification, retirement or salary status or any other benefit provided by law, by the rules of the board or by the rules of the board of directors of the charter school due to teaching at a charter school on the teacher's return to the school district.

b. A teacher who is employed by or teaching at a charter school and who submits an employment application to the school district where the teacher was employed immediately before employment by or at a charter school shall be given employment preference by the school district if the following condition is met:

(1) The teacher submits an employment application to the school district no later than three years after ceasing employment with the school district.

c. A charter school that is sponsored by the board or the University of Hawaii or the appropriate county government is eligible to participate in the state retirement system. The charter school is a political subdivision of the state.

**§302A- Collective bargaining: teacher seniority rights.** The employees of the new millennium charter school, hereinafter referred to as a charter school shall be subject to the collective bargaining process except that teachers at charter schools shall not be subject to the collective bargaining feature of transfer rights into schools by seniority.

SECTION 19. Section 89-9, Hawaii Revised Statutes, is amended by adding a new subsection to read as follows:

"**§89-9 Scope of negotiations.** (a) The employer and the exclusive representative shall meet at reasonable times, including meetings in advance of the employer's budget-making process, and shall negotiate in good faith with respect to wages, hours, the number of incremental and longevity steps and movement between steps within the salary range, the amounts of contributions by the State and respective counties to the Hawaii public employees health fund to the extent allowed in subsection (e), and other terms and conditions of employment which are subject to negotiations under this chapter and which are to be embodied in a written agreement, or any question arising thereunder, but such obligation does not compel either party to agree to a proposal or make a concession.

(b) The employer or the exclusive representative desiring to initiate negotiations shall notify the other in writing, setting forth the time and place of the meeting desired and generally the nature of the business to be discussed, and shall mail the notice by certified mail to the last known address of the other party sufficiently in advance of the meeting.

(c) Except as otherwise provided herein, all matters affecting employee relations, including those that are, or may be, the subject of a regulation promulgated by the employer or any personnel director, are subject to consultation with the exclusive representatives of the employees concerned. The employer shall make every reasonable effort to consult with the exclusive representatives prior to effecting changes in any major policy affecting employee relations.

(d) Excluded from the subjects of negotiations are matters of classification and reclassification, benefits of but not contributions to the Hawaii public employees health fund, retirement benefits, and the salary ranges now provided by law; provided that the number of incremental and longevity steps, the amount of wages to be paid in each range and step, and movement between steps within the salary range shall be negotiable. The employer and the exclusive representative shall not agree to any proposal which would be inconsistent with merit principles or the principle of equal pay for equal work pursuant to sections 76-1, 76-2, 77-31, and 77-33, or which would interfere with the rights of a public employer to (1) direct employees; (2) determine qualification, standards for work, the nature and contents of examinations, hire, promote, transfer, assign, and retain employees in positions and suspend, demote, discharge, or take other disciplinary action against employees for proper cause; (3) relieve an employee from duties because of lack of work or other legitimate reason; (4) maintain efficiency of government operations; (5) determine methods, means, and personnel by which the employer's operations are to be conducted; and take such actions as may be necessary to carry out the missions of the employer in cases of emergencies; provided that the employer and the exclusive representative may negotiate procedures governing the promotion and transfer of employees to positions within a bargaining unit, procedures governing the suspension, demotion, discharge or other disciplinary actions taken against employees, and procedures governing the layoff of employees; provided further that violations of the procedures so negotiated may be the subject of a grievance process agreed to by the employer and the exclusive representative.

(e) Negotiations relating to contributions to the Hawaii public employees health fund shall be for the purpose of agreeing upon the amounts which the State and counties shall contribute under section 87-4, toward the payment of the costs for a health benefits plan, as defined in section 87-1(8), and group life insurance benefits, and the parties shall not be bound by the amounts contributed under prior agreements; provided that section 89-11 for the resolution of disputes by way of fact-finding or arbitration shall not be available to resolve impasses or disputes relating to the amounts the State and counties shall contribute to the Hawaii public employees health fund.

(f) Teachers at new millennium charter schools shall not be subject to the collective bargaining feature of transfer rights into schools by seniority.

SECTION 2. Senate Bill No. 1501, S.D. 3, H.D. 3 is amended by renumbering the appropriate sections.

SECTION 3. Senate Bill No. 1501, S.D. 3, H.D. 3 is amended by replacing the term 'new century charter school' in sections 19 and 21 with the term 'new millennium charter school.'

Representative Fox moved that the amendment be adopted, seconded by Representative Pendleton.

Representative Fox rose to speak in support of the amendment, stating:

"Briefly, the amendment substitutes Part III of the bill before us -- S.B. 1501 -- which addresses the subject of new century



charter schools with proposed new millennium charter schools. If we are going to do something about charter schools, let's do something about it. And briefly, the amendment is based on the Arizona Charter School model. Arizona is a state that is considered to have a model charter school bill, so that's what you are looking at before you.

"Mr. Speaker, we heard a great deal in this session about change, about the importance of change. We also heard this morning in our prayer that words are useless unless they come from the bottom of the heart. Mr. Speaker, the Governor has talked about revolution. He has talked about an economic revolution, he has talked about a Civil Service revolution, and he has even talked about an education revolution. Instead of a lot of talk about revolution, Republicans would just like to see a little action, a little real reform. We offered the opportunity to vote for support of real campaign finance reform and the members of this body turned us down.

"We offered the opportunity to do real Civil Service reform. We had a floor amendment that would specifically put in exactly what the Governor called for. You turned us down.

"We offered the opportunity to vote for a tax cut that would directly help the people -- elimination of the general excise tax on food, medical services and rent. You turned us down.

"Today, we offer you a meaningful opportunity to reform education. It's inspired by the Governor who said that the new century charter schools are necessary. We propose new millennium charter schools. We ask that you seize the opportunity for a real reform.

"Mr. Speaker, Governor Cayetano has told us that we've actually wasted generations of the people of Hawaii with this present school system that we have. We need reform. We need public schools that work, as well as private schools, and that's where charter schools offer the opportunity.

"Mr. Speaker, many of the people in this body know personally how well the private schools work. They know it because they attended private schools, or they know it because they have children that have attended private schools. In a survey done a decade ago, reporter Richard Borreca found out that fifty percent of the people in the Legislature either went to private schools or had children in private schools. I don't think that percentage has changed about private schools. The members of the Board of Education and the employees of the Department of Education also know about private schools. It was found that one out of every eight students at Punahou is the son or daughter of a Department of Education employee. One out of every four students at Iolani from grades K through 12 is the son or daughter of a Department of Education employee.

"Mr. Speaker, the Legislature and members of the Department of Education know about private schools. Private schools work, first, because they place decision making solely at the school level. That's where all decisions are made. Second, they work because they attract students or they go out of business. Either people want to attend the school or they don't go there. So why don't we allow teachers and parents who want to operate their own public schools -- both parents and teachers who would create charter schools -- why don't we allow them to do their job effectively?

"This is how charter schools work. You have to have a multiple charter authority. You can't just depend on the Department of Education. And at all places where charter schools work, if you don't get your charter from the Department of Education or the local school board, you have another choice. You have another place where you can go to get chartered. Our bill proposes three places to get chartered -- the Department of Education, the University of Hawaii, or the respective counties. Second, you have to have maximum flexibility in governance. Our bill offers that; and third, you

have the power to run the charter school has to rest with the teachers and the parents.

"We can do this and the amendment before you does this, while protecting the principles of public school education. That's a non-sectarian education that's universally available, including for children with disabilities. We can do this while protecting the rights negotiated through collective bargaining, and the bill before you does that as well.

"The amendment offers you the opportunity to do these things and is modeled on the best charter school now working in the country -- that for Arizona. You don't need lots of money to operate charter schools. What you do need is independence.

"Now, this is your U.S. News and World Report that talks about outstanding high schools in the United States. One of these schools is the Renaissance School in Detroit. This school is in such bad shape that the children who practice musical instruments have to do so out in the hallway. There is no space, there is no separate music room. But let me tell you, the kids who attend that school, which is largely all black in the center of Detroit, are excited. They love going to their school, and 95 percent of the graduates of Renaissance School in Detroit go on to four-year universities. Mr. Speaker, this is a public school. This is the kind of school that we can have in Hawaii if we move to new millennium charter schools. . .

At this point, Representative Leong rose and yielded her time.

Representative Fox thanked the Chair and continued, saying:

"Here, the problems that you perpetuate should you instead embrace unamended language about so-called new century charter schools, with the unamended version of this bill, there will only be one chartering authority. There will be rigid rules that will protect the Department of Education's control of rules and budgets. There is a specific governing structure that takes power away from teachers and parents. They make up only two of the six components in the school.

"Besides this board composition issue, let me mention some of the other problems our proposed amendment fixes. And for this purpose, I am going to refer to the bill that is before us -- House Draft 3. On page 14 of the bill, it says the Department of Education shall control the curriculum and instructional framework of the charter school. It says that the charter schools have to be accountable in the same or equivalent manner as our old public schools. That's not what charter schools are supposed to be about. They're supposed to be able to form their own judgment on what works.

"On the next page, on page 15, it says that the charter school has to comply with the State's facilities plan. Why? Renaissance School works well with kids practicing the saxophone in the hallway. If the charter school wants to get by with less, why should that be our concern.

"On page 18 of the bill, it says that the Superintendent shall make the allocation to charter schools based on the recommendations of a panel convened by the Superintendent. How does the charter school work if the Superintendent of Education makes the decision on how they get their resources -- specific decisions?

"Then it says on page 19 that the administrative services are provided to the school by the Department. If they are, the school shall reimburse the Department for the actual costs of the administrative services in an amount that does not exceed six and one-half percent of the school's allocation. That means the charter schools are going to have to pay to continue to get services from the Department of Education. That's not what a charter school is supposed to be about.

"On page 20, it says that the charter school may be closed down if it does not meet the student performance standards set by the Department of Education. What school in Hawaii needs a student performance standard set by the Department of Education?"

"Then on page 21, it enumerates two duties that the Board of Education will continue to have in relation to charter schools, including representing the school in communications with the Governor and the Legislature. And it requires that all financial plans be submitted to the Board of Education.

"These kinds of detailed controls over charter schools are not necessary, and the amendment will free us from those kinds of controls. Let's give free 'private' schools a chance to work. For those families in Hawaii who cannot afford our current private school system, please support our amendment for new millennium charter schools.

"Thank you, Mr. Speaker."

Representative Rath then rose to speak in support of the amendment, stating:

"Mr. Speaker, there is no question or doubt in anybody's mind that our educational system in this State is a dismal mess. Even the Governor has, as the former speaker has pointed out, stated that we've lost generations. We have to stop that loss and this is the way to do it.

"Now you may wonder why I get up to speak in favor of this amendment when I know that without any question or doubt in my mind that the Majority is going to vote this down enmasse, person by person. The reason I get up is because everybody says you ought to do something. And right now, right here in this do-nothing Legislature, it is our chance to do something. So I'm speaking in favor of the amendment that we do something for our children and our children's future so that they don't become a certain class. So I ask the members to vote in favor of the amendment.

"Thank you, Mr. Speaker."

Representative Ito then rose to speak against the amendment, stating:

"The HD 3 version of the bill allows any existing public school, a program at any existing school, or any community of interested persons to form a new century charter school. The interested group would submit an implementation plan to the Board of Education. If the plan meets the requirements set forth in the bill, a written performance contract based upon the plan is drafted and executed.

"Mr. Speaker, the beauty of this bill is that it sets forth the requirements of the plan. There is little room for discretion by the Board of Education. If the plan meets the requirements, it must be accepted. Everything is clear up front to both the Board of Education and the group that wants to start the charter school. . .

At this point, Representative Rath rose on a point of order and asked: "Is the Representative speaking to the amendment or to the previous bill?"

The Chair answered: "To the amendment which is in reference to the previous bill. Yes, similar to what Representative Fox stated. Please proceed, Representative Ito."

Representative Ito thanked the Chair and continued, stating:

"On the other hand, the proposed amendments allow the Board of Education, the University of Hawaii, or the counties to sponsor a charter school. When a group makes an application to the Board of Education, the University of Hawaii, or one of

the counties, that body may reject the application, even if it meets the requirements set forth in the bill.

"A second objection to the proposed amendment is that the counties do not have any expertise in managing educational institutions. While the University of Hawaii has the Lab School, its primary mission is in higher education. I don't know whether either the University of Hawaii or the counties would be interested in sponsoring charter elementary schools.

"I acknowledge that the public schools are facing problems. So are other agencies, such as the Department of Public Safety. I would liken the proposed amendments to having interested groups submit plans for prisons to agencies like the University of Hawaii or the counties.

"Mr. Speaker, the proposed amendments would stifle efforts to create charter schools, and I urge my colleagues to reject them. Thank you."

Representative Stegmaier then rose to speak against the amendment, stating:

"Mr. Speaker, in reading over the draft that we will be voting on, I find that in fact, without precedent, this measure provides greater autonomy and flexibility to those school communities that want to establish their own schools. It is remarkable that we are giving so many school communities the opportunity to develop their own policies through the establishment of their own local school boards. That fact is that all the people who will be represented on the school board are part of that school community -- the principals, the instructional staff, the support staff. They all need to be involved in the decision making, and to exclude them means that we are excluding a very important part of the school community, especially those who will be there day to day to follow through on the implementation of the plan that is developed by the local school board. The fact is that this local school board has the opportunity to develop a plan for assessing student performance and that this plan has to be as rigorous as anything that's set up by the entire State Department of Education. The fact is that this local board will have the opportunity to develop curricula and instructional framework, and assessment mechanisms to achieve the best student outcomes.

"I believe that we can feel very proud of the new century charter schools, and I would suggest that this amendment only changes the name. Otherwise, we have a great opportunity to develop many schools that we can look at and perhaps emulate that will be given great autonomy and flexibility. The real question is whether the school communities themselves will have the staying power to put into effect such schools that will require vigilance and participation and effort and blood and sweat and tears on the part of everyone in that community to make them successful.

"I am opposed to the amendment because all it does is to change the name and make slight amendments. We have a revolutionary bill in the new century charter school's bill, and that's the one that we should support at this time. Thank you."

Representative Goodenow then rose in opposition to the amendment, stating:

"Before I address the bill specifically, I would like to ask the Representative of Waikiki if he could at some point please provide information on the source which he cited referring to the private schools.

"Secondly though, I would like to suggest that the reason why we should not support this floor amendment is that we've gone through a process. In fact, this was originally proposed, as the Representative said, from the Governor's office. And from the Governor's office, this thing got modified as we went through the system with the support on this particular issue of the Executive Branch. So you know, the Representative said

things like, we're looking for change, but here we are again with a floor amendment that was originally proposed by the Governor.

"It makes it very hard for those of us who work and support a lot of the initiatives and have gone through the process with the Executive on all the input of the stakeholders; to say that we just go right back to where we were, I think is inappropriate. And if the other side of the aisle is so devoid of creative or new ideas. . .

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

"I think the current speaker is not addressing the bill at this point, but is making comments that I think are inappropriate at this time."

The Chair asked Representative Goodenow to confine his remarks, whereupon Representative Goodenow said:

"Thank you. I will conclude my remarks, just by once again urging all to vote against this amendment.

"Thank you, Mr. Speaker."

Representative Schatz then rose to speak against the amendment, stating:

"My concern about this floor amendment and about others that have been introduced by my colleagues on the left is procedural. We did go through the Committee hearing process. The public has commented, the Department of Education has commented, and teachers have commented, students have commented. This is the way that the public gets input on our political process.

"To undermine that by introducing a floor amendment that basically guts the bill on the House floor and replaces it with an entirely different bill, I think is inappropriate procedurally.

"Thank you, Mr. Speaker."

Representative Yonamine then rose to speak against the amendment, stating:

"First, I just want to support what the previous speakers were mentioning. I wanted to make sure that for those of us who are not familiar with the law, six years ago we adopted a law to allow up to 25 schools to establish charter schools. Now, that's six years ago, so what do we have now? Two charter schools and two new century schools -- charter schools by law -- so we have four. So in the six years, I have not seen a ground swell of support, any revolutioneer's spirit in action, where people in the community level would go out and form what you would call a new millennium school, or in this case new charter schools.

"So I would just suggest that perhaps we should all, each one of us, conduct our own public information program, inform parents and members of the community, educate them about the advantages and benefits of a charter school. So if you look at it -- 240 schools -- the fact is very clear that we are not in the middle of any drastic upheaval on relook or renewal of our public school systems, because parents basically are not into the habit of getting into a charter school. That's one.

"Secondly, if you are going to spread the responsibility to the University and county governments, they themselves are financially strapped now. In the language of this bill it also calls for those entities that sponsor to go beyond the basic support, to get into things like transportation, CIP, repair and maintenance, even collective bargaining, and a lot of the necessary supplies and equipment to run the school. I'm not sure if these sponsors are able to do that. If we are doing an able job, or if we want to do our job, we should go back and

maybe look at ways of further creating demonstration or pilot programs.

"We need to still look at what we would call on the Mainland magna schools -- outstanding learning centers for academic and vocational curriculum for examples -- and this is what we need to do. But this private school idea is almost like a school by choice, Mr. Speaker, and we just need to avoid the kinds of polarizations and fears that germinate this kind of creations on the Mainland, and we shouldn't fall into that trap. Let's continue with what we have and just take advantage of them.

"Thank you, Mr. Speaker."

Representative Pendleton then rose in support of the floor amendment, stating:

"Mr. Speaker, this bill is a good bill. I think it is moving in the right direction. The floor amendment, what it does is it looks at the humble steps and the direction that the underlying bill is moving in and moves in a much more bold, expeditious manner towards that goal -- the goal of empowering parents bringing decisions down to the local school where people feel and have a vested interest in the decisions that are impacted by the choices that decision makers make. That's what this floor amendment is all about, Mr. Speaker.

"The gentleman from Pacific Palisades noted correctly that our bill a few years ago, prior to my time in this distinguished body, allowed for up to twenty-five what we call student-centered schools which are essentially charter schools. The reason why, Mr. Speaker, there are only two is because of, I guess, the position of the previous Superintendent of Education and the great number of rules and regulations and burdensome procedures that they placed upon schools in order to qualify at student-centered schools. So what if that school said, no, we don't want autonomy, we don't want flexibility, we don't want a bill to make decisions here. We don't want to be student-centered schools, as may be implied from the remarks of the gentleman from Pacific Palisades.

"The reason why only two made it through that difficult gauntlet is because it was so difficult to get through the Department of Education's regulations, and the DOE did that on purpose, Mr. Speaker. I can't read their minds, I don't have special insight into their intentions, but I can judge them by their actions. And what they did was they passed a great number of hurdles, a great number of regulations, to make it almost impossible, and that word 'impossible' is a direct quotation from the Principal of one of those student-centered schools, saying that 'the DOE doesn't want us to be autonomous. The DOE doesn't want us to have decision making ability. The DOE still wants to be able to control us. That's why they made it so difficult for us to become a student-centered school.'

"Our statutes, as was referenced by the gentleman from Pacific Palisades was very short, very clean. It was an empowering and enabling statute, but the rules and regulations that followed upon that bill made it very difficult.

"What this underlying bill does and what our floor amendment does is move in the direction of allowing more schools to be able to become student-centered schools or charter schools, whatever name or appellation you wish to apply to those schools, Mr. Speaker.

"I think a very key point in addressing that concern that the DOE can hamstring the Legislature by piling rule upon rule upon our clean statutes. The way we can address that is in this floor amendment which provides for three different avenues, and they were clearly outlined by the gentleman from Waikiki. Three different ways in which a student-centered school can become a chartered school. So if one governing body says no, we really want to be able to hold on control, we really want to be able to hold the strings. They can go to other bodies that

look to see whether or not that school qualifies to be a student-centered school.

"We also had remarks, Mr. Speaker, regarding this floor amendment in remarks in opposition to this floor amendment from the gentleman from Makiki. He stated this bill is very different from the underlying bill -- the bill that is before us. It's dramatically different. It 'guts', I believe is the word that he used, what we have here. It is very interesting to hear that description, Mr. Speaker, when we look at the words of the gentleman from Hawaii Kai which basically says, no, it's very much the same. It's the same bill, it just changes the name. Well, Mr. Speaker, my inquiry isn't perhaps this is part rhetorical.

"Which way is it? Is the bill unworthy of being supported? Is the floor amendment unworthy of support because it's similar and identical, virtually the same except for a change in the name, or is it so dramatic, so radically different that we need to vote against that? I don't think it's appropriate to try to have it both ways. I think the answer is somewhere in between those two extremes. If not identical with just a name change, it's a very bold and positive vote, but it's not a radical departure from what the underlying bill is. It's in the middle. We're trying to move from humble baby steps to be a little more expeditious, moving in the direction of empowering parents making decisions down at the local level.

"So for those reasons, Mr. Speaker, I support the floor amendment which would give dramatic but reasonable flexibility and empowerment to local decision makers. I think it's a bill which is similar to bills that have worked very successfully in other jurisdictions. It's a bill which would allow schools to be able to have multiple chartering authorities so that no one government agency can force our local schools to have to comply with some other decision making body. If we want true charter schools, this floor amendment enables that.

"Thank you, Mr. Speaker."

Representative Yonamine, in rebuttal, stated:

"First, if you want to talk about history, Mr. Speaker, you recall that when Waialae School applied to become perhaps the first charter school, the Legislature appropriated \$100,000 to enable the school to gather together a good faculty, administration, parents and people in the community then, to do that organization and planning as you alluded to. And this is the beginning of the charter school. So the Legislature has never been in opposition to any community support for a school like Waialae School. Lanikai came in, and now we have two schools.

"All I am saying is this: If there's going to be so many red tape, that's precisely one of the problems. The red tape would be in terms of rules and regulations that some of the collective bargaining laws have, and various jurisdictions have departments which have to be worked out in a chartered school. So that means, I would think that you would want the parents to be organized and someone to go in and organize it, and this is a community organization workforce. If you want to do something with parents, you can do it right now. You don't need new millennium schools, and perhaps in Windward schools. . .

Representative Pendleton rose on a point of order and stated:

"Would the gentleman address the Speaker of the House as he makes his remarks."

The Chair responded:

"Representative Yonamine, please look to the mike as you make your remarks."

Representative Yonamine answered:

"Okay, alright, sorry. Let me look at our fearless leader. I was just trying to remind our colleagues, if you want to do your work in your particular district with your particular schools, do it now. Let's get off the rhetoric, do it now. It takes a lot of hard work. Okay? And that's why we are having a hard time. That doesn't mean we're not doing our work, but parents and community people would really have to work together in order to kind of get together to form a charter school. Let's work on that. We have a lot of work to do. We should leave it at that and we can put aside Arizona, perhaps that model of the new millennium. We can put it aside now. Let's do what we have right now.

"Thank you, Mr. Speaker."

Representative Fox then rose and stated:

"First, on the question of this charter school amendment, it's basically a truth-in-advertising problem to call something charter schools when there is only one chartering authority. The basic principle of the charter school operation is you have to have competition in chartering authorities. So if you're frustrated by one chartering authority, you can go to another. That's a key point.

"Second, the Representative from Pacific Palisades referred to the problems of the counties and the University of Hawaii being able to financially support the chartered schools, this amendment does not require the counties and the University of Hawaii to support them financially. It provides an oversight responsibility to make sure that the money that is coming from the State to the chartered schools is managed correctly, and they only have to do it in terms of looking at that charter application and saying, okay, it's there, that's the right way to do it. And they have the ability. They have those kinds of skills. They don't have to be educators, but they do have to oversee a charter and make sure that it makes sense, and that's why they need the ability. If you go to the counties, I think you'll find out they're willing to do it.

"And finally, in response to the Representative from Waimanalo who asked for my sources, I already said that Richard Borreca was the source of the figures that fifty percent of us in the Legislature either went to private schools or have children in private schools. That was Borreca. The Punahou, one out of eight is the son or daughter of a DOE employee, is from a Honolulu Magazine article in 1987. It was a cover article with Punahou on the cover. And the source for the Iolani figures was the former headmaster of Iolani, Mr. Coon.

"Thank you, Mr. Speaker."

Representative Yamane then rose to speak against the amendment, stating:

"Alluding to some earlier remarks, I rise in opposition to the amendment. As the Representative of one of the only two so-called charter schools in the State, I am against this amendment.

"The other thing is, if they are going to lay blame as far as the Department of Education, maybe they should lay blame on the Board of Education because they're the bosses. They set the policy. Maybe we should do something about them.

"Thank you, Mr. Speaker."

Representative Pendleton then asked for a Roll Call vote.

The request for a roll call was put to vote by the Chair and upon a show of hands, the request was granted.

Roll call having been requested, the motion to adopt the amendment was put to vote by the Chair and failed to carry on the following show of Noes, Ayes and Excused:

Noes, 36: Representatives Abinsay, Arakaki, Cachola, Catalani, Chang, Garcia, Goodenow, Hamakawa, Herkes, Hiraki, Ito, Kahikina, Kaho'ohalahala, Kanoho, Kawakami, Lee, Luke, Menor, Morihara, Morita, Nakasone, M. Oshiro, P. Oshiro, Saiki, Santiago, Schatz, Souki, Stegmaier, Suzuki, Takai, Takamine, Takumi, Yamane, Yonamine, Yoshinaga and Say.

Ayes, 12: Representatives Auwae, Fox, Halford, Leong, Marumoto, McDermott, Meyer, Moses, Pendleton, Rath, Thielen and Whalen.

Excused, 3: Representatives Ahu Isa, Case and Okamura.

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

"My reservations are basically in three parts. In Part IV, we've reduced the ceiling for the special facilities, the State educational facilities improvement special fund, from \$90 million to \$45 million. I know that that's a fiscal move, but it also means that schools like Radford are suffering, and those issues have to be addressed, so I hope we can address some of those in conference once we see the Senate budget.

"Another area, Mr. Speaker, is where we talk about the new charter schools. The new century charter school's request for establishment and designation is that, if there is any community or any program within an existing school, it may submit a letter of intent to the Board for the establishment of a new century charter school. That may sound good in its broad terms, but I think it's kind of vague, and I think we might need to tighten that up in conference also. It doesn't really say who's going to do it. Are the people going to do it? Are the parents going to do it? It doesn't really say, so I think that needs to be tightened up.

"And one last thing, Mr. Speaker, is the makeup of the school board. Now this will be an elected school board, and I'm all for that. But it goes back to looking like SCBM, where it says six segments of the school community would be involved, and I'm all for that, too. However, I think we need to start weighing them. SCBM has had a problem and there are several segments that are union basically. I've seen the student representative on SCBM councils who's an elected student, but they sit there with their student adviser and do what they are told. So basically, you have three segments against three segments, if you're lucky. Nothing happens.

"I have been involved with SCBM since the beginning when we had the meetings in town here and established it. And I was Chair for about six years and I'm still on the SCBM Board. This is the seventh or eighth year. Nothing has ever changed, nothing has ever been done. We don't have the votes. And I agree with some of the previous speakers about getting the parents and community involved.

"But with those reservations, Mr. Speaker, I think we are moving in the right direction. This is a step forward, and I hope we can just tighten it up a little bit more in conference.

"And one point of information, Mr. Speaker. The previous speaker talked about those of us on the left. I think he is misinformed. We're on the right, and on this particular matter, we are right.

"Thank you, Mr. Speaker."

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

"First, I apologize to the members for not speaking more this morning. I know they appreciate my commentary on all these issues and I apologize.

"On 1792, Mr. Speaker, I guess new charter schools, I support the concept although I'm not all that impressed with the buzzers, whistles and bells. I think it's really basics of curriculum.

"But I cannot support this measure for two reasons. One is the health centers, and I am not going into all the particulars on that because I have done so several times already. But it just doesn't seem to make sense to me that we are going to fund health centers in seven different districts when we have schools that are literally falling apart. It just doesn't make sense to me. We're not doing the basics correctly, although I suppose you can put a health center on the campus of Radford High School so the students who cut themselves on the broken glass or termite logs falling on top of them get immediate medical attention. That would be a good idea, but I think what we need is to go back to basics, which is to fix the schools -- the infrastructure -- and then we can also deal with the process. But we have all these add-ons on this bill which I just don't think is appropriate. This isn't what the Governor sent down -- all this additional stuff.

"Now going into the Facilities and Improvements Special Fund, I appreciate the education I was given on Second Reading by some of the members of the Finance Committee as it relates to general obligation bonds and how this fund originally came up. I understand that and I respect that. This clearly is not a partisan issue, but I hope you can appreciate my position as the Representative from Radford High School -- that area. How could I possibly, possibly, vote for a measure that decreases funding for school improvements when, at the same time, standing on every street corner and rooftops saying: we need to fix these schools. So I could not do that in good conscience, and I thank you for your time."

Representative Whalen then rose to speak in opposition to the bill, stating:

"Mr. Speaker, there is a lot of good things in the bill, a lot of good direction. And surprise of all, actually it's probably not a surprise now because I mentioned before that I think we should get rid of that fund because that fund was created as a way to tuck money away when there was a lot of it instead of giving it back to the people of Hawaii.

"However, there is a concern I have in the first section of the bill about the health center. In reading the reports early on, it looked like parental involvement -- parental permission was key to it. There's a lot of potentially very influential things that could go on in these health centers, in terms of the advising, testing, medical care, et cetera, that is happening for these young people who are going through a major transition in their lives at this adolescent age.

"I note in Section 8 on page 8, it talks about the consent of the parent being required, and I thought that's great, that's what we want -- our parents involved. But if you keep reading the bill, which I did preparing for today, on page 9, Section 11, it talks about receiving this different medical care without the consent of the parent, and the contradiction in the bill is seeming to me to be pretty glaring that at one point, we say parental consent is required but later on, in the very same bill, it says for those students who receive these different services without the consent of the parent.

"And, Mr. Speaker, there's some pretty -- what I call serious issues. It's not like a Band-Aid or a bang on the head, getting stitches or stuff like that. But for someone who comes in with a sexually transmitted disease getting the testing, the treatment and whatnot, you tell me the parents don't need to know about that? Or pregnancy testing, the treatment of that -- prenatal care, family counseling, individual counseling for sexuality? These are issues that you know parents should be involved with. There are some exceptions.



"I have been involved with schools for quite sometime where the parents don't care if it's traumatic for the children, et cetera. But on its face, for the bill to say at one point we need the consent, and somewhere else you don't, and being involved with our court system and in reading a number of decisions that our courts have written, my guess is they're going to read this contradiction and say: well, it appears to me you don't need parental consent. So we're going to throw out that section of the bill. And for those purposes, Mr. Speaker, I will be voting no."

Representative Stegmaier then rose in support of the measure, stating:

"Just to once again reiterate that this is a major stride forward from student-centered schools. There will be the ability of 25 schools to set up these new century school programs, and they are extremely free of all State laws with the exception of collective bargaining, and even there, if the collective bargaining individuals, the members, the employees want to, they can set up separate agreements for themselves.

"I commend all the Committees that have been involved in this legislation. There have been significant improvements over the reviews that have taken place, and I am very strongly in support of this measure.

"My one concern is that we don't get bogged down with some of the other parts of the bill, and we try to find different vehicles for the screening as well as for the change in the amount of moneys that will be going for capital improvement projects within our schools. Thank you."

Representative Rath then rose in opposition to the bill and asked that the remarks of the Representative from South Kona be recorded as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1501, SD 3, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives McDermott, Rath and Whalen voting no, and Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

At 2:10 o'clock p.m., Representative Herkes asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:14 o'clock p.m.

**Stand. Com. Rep. No. 1793 and S.B. No. 953, SD 2, HD 2:**

On motion by Representative M. Oshiro, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 953, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1794 and S.B. No. 1024, SD 3, HD 1:**

On motion by Representative M. Oshiro, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1024, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Herkes and Souki voting no, and Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 1462, 1082, 1147, 1544, 1475, 1046, 1501, 953 and 1024 had passed Third Reading at 2:15 o'clock p.m.

**Stand. Com. Rep. No. 1795 and S.B. No. 1062, SD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1062, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARK LEASES," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1796 and S.B. No. 1641, SD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1641, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1797 and S.B. No. 1036, SD 3, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1036, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1798 and S.B. No. 1053:**

On motion by Representative Case, seconded by Representative Yonamine and carried, Stand. Com. Rep. No. 1798 and S.B. No. 1053, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," were recommitted to the Committee on Finance. (Representatives Ahu Isa, Hiraki, Kahikina and Okamura were excused.)

**Stand. Com. Rep. No. 1799 and S.B. No. 1055, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1055, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1800 and S.B. No. 1326:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LENDER EXEMPTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1801 and S.B. No. 1128, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1128, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 47 ayes,



with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1802 and S.B. No. 1261, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1261, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

**Stand. Com. Rep. No. 1803 and S.B. No. 1124, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1124, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Ahu Isa, Hiraki, Kahikina and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 1062, 1641, 1036, 1055, 1326, 1128, 1261 and 1124 had passed Third Reading at 2:17 o'clock p.m.

**Stand. Com. Rep. No. 1804 and S.B. No. 1177, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1177, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1805 and S.B. No. 1235, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1235, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1806 and S.B. No. 1307, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1307, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1807 and S.B. No. 844, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 844, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1808 and S.B. No. 1256, SD 2, HD 1:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1256, SD 2, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Kaho'ohalahala rose to speak in favor of the bill, stating:

"This bill is for the inter-island ferry for the island of Molokai. I just would like it noted that we looked at this ferry system for Molokai, specifically in terms of employment opportunities for the residents of Molokai to perhaps travel to Maui. I want to also note for the record that we have people that also depend on this transportation, and that would be the students from the high schools who participate in the Maui Interscholastic League sporting events. And also for people who need to visit doctors or simply do their shopping, this provides a mode of transportation that is a little bit cheaper than that of air fare. Today, all the students have to fly between the islands just to participate, and it becomes a problem now when we're looking at funding. So I would like to ask the support of this body to move this measure through.

"Thank you, Mr. Speaker."

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

"My concern is that no ferry operation has worked up until this time. We had Sea Flite way back -- twenty/twenty-five years ago. I truly don't know how much the State subsidized that. I traveled on it. We had a ferry that carried cars and that was on a grander scale. It could go as far as Hawaii and to all the islands, but for the time that it took, the cost saving to the consumer was just slightly cheaper than flying and the time was three to four times longer, and many people got sick. I think that lasted about five or six years and then they just took their ferry and went somewhere to the mainland.

"Then we had the famous Barbers Point ferry which I think lasted about three months. The projection by CPAs of ridership was way, way off. I think they thought they were going to have two hundred people a day. The first week, I think they had about forty. By the second week, they had twenty. They ended up with a hard core group of good seamen who could handle the water regardless of the wind conditions, and they enjoyed it. Good seafaring folks but nobody else wanted to go.

"I realize the situation on Molokai is quite different. But I guess my concern is that this calls for \$750,000. . . well, originally it was general funds, now it's special funds from the Department of Transportation. This to be matched by \$3 million of federal funds which apparently most of this will go to either a facility to dock. I'm not sure whether. . . the bill doesn't spell out as to whether this money is going to pay to build this high tech ferry.

"But I'm really concerned about operating costs. There was a ferry in Molokai that was very satisfactory. In 1997, we passed a bill along. It just got stuck in a committee in 1997. In 1998, it was still alive but we never passed it. That was for \$150,000 of State money to subsidize an existing ferry that had been very successful and really fit the bill. It did the job for the people of Molokai, it did the job for the students, but this body chose not to support that bill. That was \$150,000. Now, we're all in favor of \$750,000 so that we can get \$3 million in federal funds that none of this is going towards operating costs. So when we get all this fancy stuff in place and we don't have the ridership, we in this chamber are going to be looking at having to come up with subsidies for operating funds for a long time until somebody buys that ferry and it goes off to the mainland.

"Thank you, Mr. Speaker."

Representative Kaho'ohalahala then rose and stated:

"Mr. Speaker, I would like to make further comments.

"I think the previous speaker has indicated that the island of Molokai is quite different than other circumstances that she presented. But I think what I would like to also relay to this body is that the island of Molokai has just recently become an enterprise community, which means that they can ensure that a lot of projects that they foresee within this ten year period of which they are granted, that transportation becomes a major part of their success whether it's an economic opportunity, whether it's tourism, whether it's within their community to find other successes, that transportation is going to be a necessary mode to move people and goods. So here is one more opportunity where the community has gained that designation from the federal government. They have an opportunity to seek federal funding.

"They also put together a plan that talks about how this community envisions itself in the next ten years, and transportation has to be a part of the total equation and the total picture. So I would say while circumstances may have presented themselves differently in the past, we are looking at a new and empowered community at Molokai. And here is an opportunity, while they are planning for the next ten years as an economic community -- enterprise community -- that they now may seek other sources to help support a ferry system on their island. So we cannot fall back on their past and say, because of that there is no future in a ferry system on Molokai.

"I would also like to state that on the island of Lanai, which has a little than half the community that Molokai has in terms of population, it has a very successful ferry system. And it's what the people of Lanai rely on to move themselves and their goods between islands.

"So given the configuration of our county and our District 7, we have to find other ways of moving people and if it means trying once more, and that is what the intent of this bill is, then that is what we should be doing. Thank you."

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

"Mr. Speaker, I believe that the island of Molokai has the distinction of having the highest unemployment in the whole State, the highest poverty rate in the whole State. And just to give you some brief history of my years with Maui Economic Opportunity, Inc., during those years being difficult years to find economic opportunities for the people of Molokai, and during that period of time we looked into alternatives, and the biggest alternative then was the labor market in Maui.

"What this ferry will do is provide opportunities for young people to build careers for themselves, and go to work in Lahaina and fulfill their dreams like most of us have, which they can't do in Molokai where there's simply no economic opportunities over there. You must understand that.

"So this ferry will allow young men and women to find opportunities for themselves and for their families, and fulfill a need also through the area of Lahaina where they need a good, stable employee market. For these reasons, and for the good people of Molokai who have struggled all these years, I ask the members to please support this measure. 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. 1256, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1809 and S.B. No. 1003, SD 1, HD 1:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1003, SD 1, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Yamane rose in opposition to the bill, stating:

"Mr. Speaker, this bill is a little better over two pages, but on the first page it makes reference to penalties for employers with fifty employees or more. It makes no reference to who will monitor which employers employ fifty employees or more. It mentions that there shall be a penalty if the employer who is not monitored or make payment, and that's left blank, of a fine to be paid within the fifth day. It also makes reference to the CSEA agency who will disburse this fine to a parent -- so-called parent -- within five days after they receive it on the date of collection. I don't know what the date of collection is. It is not defined. It could be date of collection from receipt in the hands of a clerk, date of collection in a lock box, date of collection on check itself if it is postdated.

"The other concern I have is that, since when does a State agency collect and give a fine of another State agency to a parent? I mean there's some words I could use that I did use in caucus yesterday that I am told I can't use today. But my concern is -- why are we doing this? Why is the State having to fine itself and pay this fine to a parent? There is no monitoring on this bill aside from what the fine will be.

"The only good part in this bill I can find, Mr. Speaker, is on the second page, line 19, and that the intent of the bill going about it is extremely poor. Until the bill is improved, Child Support Enforcement Services. . . that one line -- that one line in the bill, is the only worthwhile thing in this bill.

"Thank you, Mr. Speaker."

Representative Kawakami then rose to speak in opposition to the bill, stating:

"Mr. Speaker, this bill relates to child support enforcement and I think there are better methods of enforcement that should be presented rather than those in this measure.

"I am particularly opposed to penalizing the CSEA when it fails to disburse child support payments because it does nothing to hold that agency accountable. The ultimate burden falls upon the State when the CSEA uses money from our general fund to pay for these penalties.

"I am a strong supporter of CSEA if it is done correctly, and I think this measure is not the thing to do. Thank you."

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

"I really need to humble myself and apologize to those who feel that there are shortcomings to this bill and there are many questions, because I agree. And maybe this bill was formulated more out of desperation but it was really to, as far as the Human Services Committee, this concern, Mr. Speaker, to address what we heard from many custodial parents about the problems they were having with the Child Support Enforcement Agency.

"Basically, they were not getting the payments on time, and as a result the parents were having a hard time and, of course, in turn the children were having a difficult time. When we inquired with the Child Support Enforcement Agency, basically they said that many of the employers, although the non-custodial parents were meeting their obligations, they were not receiving their payments on time. And we found that many of the larger employers were the culprits. And even with that, Mr. Speaker, even when payments were on time, a lot of times because of poor record keeping, bureaucratic snafus, the Child Support Enforcement Agency also sent the payments late although they were mandated within a certain time to provide these payments to the parents. So we're really at a loss. How

do we hold CSEA's feet to the fire? How do we hold them accountable? And ultimately, we as legislators, as policymakers, need to find the solution.

"So again, I would invite my colleagues, if you feel that this is not a problem, then we can just forget about this bill. But if it is a problem and if you do want to address it, we have a vehicle. And we would like to take it to conference. And again, I'm willing and open to hear any other suggestions you have to improve this, or to provide other alternatives. But I think those of us who recognize that there is a problem and that children and families are being hurt because of our failure to provide timely payments, then I think we should address it if we can.

"Thank you, Mr. Speaker."

Representative Pendleton then rose in opposition to the bill, stating:

"Mr. Speaker, I've really struggled with this particular vote because I stand strongly behind the intent -- the noble goal of this bill -- to make sure that child support is paid. We want to make sure that the agency in our State government that operates and oversees this has every incentive to do the job that they are tasked with performing. I have received numerous letters from constituents not about this bill, but about this topic, saying, hey, you know my spouse says he cut the check and he showed it to me and CSEA is sitting on it and they aren't giving us any help, and so I really want the vote to say at least I am doing something because something is better than nothing. But based on reading the bill on some of the remarks that have been made by Representatives, I find many of the measures problematic.

"I am voting no based on, I think, the fact of the bill is lacking. It's not ideal or optimal, but I am hopeful that the Chair, perhaps in conference, can bring something out of this bill. My no vote has to do with the particular way this bill tries to address the problem, not with the goal of the bill which I think is a good one.

"Thank you, Mr. Speaker."

Representative Stegmaier then rose in opposition to the measure and asked that the words of the previous speaker be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

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

Representative Goodenow's remarks are as follows:

"I support this bill; there is no question that the Child Support Enforcement Division needs much improvement. I am concerned about several provisions in the bill, including financial penalties on employers who fail to garnish wages within five days after payment is due, and even more upsetting, the concept of fining CSEA. Therefore, I support this bill with strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1003, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 29 ayes to 19 noes, with Representatives Auwae, Catalani, Fox, Halford, Herkes, Kanoho, Kawakami, Leong, Luke, Marumoto, Meyer, Morita, Moses, Pendleton, Rath, Souki, Stegmaier, Suzuki and Yamane voting no, and Representatives Ahu Isa, Okamura and P. Oshiro being excused.

At 2:25 o'clock p.m., Representative Marumoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:26 o'clock p.m.

**Stand. Com. Rep. No. 1810 and S.B. No. 1160, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1160, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1811 and S.B. No. 44, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 44, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes to 1 no, with Representative McDermott voting no, and Representatives Ahu Isa, Okamura and P. Oshiro being excused.

**Stand. Com. Rep. No. 1812 and S.B. No. 46, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 46, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED BUDGETING," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and P. Oshiro being excused.

The Chair directed the Clerk to note that S.B. Nos. 1177, 1235, 1307, 844, 1256, 1003, 1160, 44 and 46 had passed Third Reading at 2:36 o'clock p.m.

**Stand. Com. Rep. No. 1813 and S.B. No. 207, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 207, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1814 and S.B. No. 607, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 607, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1815 and S.B. No. 1155, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1155, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1816 and S.B. No. 456, SD 2, HD 1:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 456, SD 2, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Kahikina rose in support of the bill, stating:

"Just a brief comment, Mr. Speaker. The measure expends the fund to pay tuition for Native Hawaiian and Hawaiian students attending the University of Hawaii.

"Mr. Speaker, the Office of Hawaiian Affairs has that empowerment already but it's really enlightening to expend that empowerment. Also, the University of Hawaii could include Hawaiians or Native Hawaiians as defined in Section 10-2 as part of their waiver of the 250 students.

"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. 456, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1817 and S.B. No. 157, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 157, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1818 and S.B. No. 856, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 856, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Yamane rose in support of the bill with reservations, stating:

"My reservations have to do with two things. This long-term residential care -- ARCHs uniform regulation -- has long been needed, like twenty/thirty years. And finally, hopefully, this is a step in the right direction,

"My reservations are with two other parts of this bill. One, is the Personal Injury and Property Damage Compensation Fund which, when it was originally passed in the House version, only had a five dollar charge taken out of the actual operator's fund that they receive from the State. This version includes general fund appropriation, and that's my concern.

"The other thing is the Type I ARCHS licensing moratorium, which is I think basically a restraint-of-trade, and that's what this bill is calling for. I don't think that's right, like the ones who throw the baby out with the bath water, as someone has said before here, and hopefully, this ARCH uniform regulation will move through its own version.

"Thank you, Mr. Speaker."

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

"The previous speaker outlined my concerns, and I will have my remarks inserted in the Journal, and the Chair 'so ordered.;

Representative Marumoto's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of this measure, with some reservations.

"Most of the provisions in the measure are good. They attempt to consolidate and provide uniform regulation for a variety of types of care facilities, and promote parity in reimbursement for services provided.

"My reservations are directed toward the provision in the bill which requires the Department of Health to stop licensing new Type I adult residential care homes on any island that is under-utilizing ARHCs -- defined as when the number of ARCH vacancies is above 10 percent. Aside from obvious restraint-of-trade considerations, I'm concerned that the apparatus needed to constantly monitor ARCH vacancies will be monumentally cumbersome, and by its very nature, not up to date. We run the risk of a shortage of Type I facilities.

"It is my belief that most Type I care facilities that seek licensure have determined there is a need for their services. While I understand our interest in placing people in the most appropriate type of facility, I think we may go too far in restricting licensing of certain facilities until the vacancy rate in other facilities falls below ten percent. This is an arbitrary approach that loses sight of the scope of needed services and readiness to meet those needs.

"I sincerely hope that the conference committee on this measure will remove this provision. The information and referral process established by this bill is the more proper device to assess the need for various types of facilities."

Representative Meyer then rose in support of the bill with reservations and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"With a moratorium on licensing new Type I ARCHs, there will be little incentive to provide a superior quality service. This bill does not encourage competition in the market that would foster a motivation to provide a better residential experience for the consumer.

"House Draft 1 establishes the ARCH Personal Injury and Property Damage Compensation Special Fund to compensate the operators of ARCHs and other persons for personal injuries and property damage caused by residents who are placed in ARCHs by the State. Since maintaining insurance is an essential part of conducting business, this amendment would take over that function and make it a State concern.

"The goals of decreasing the fragmentation and increasing access through the consolidation and provision of uniform regulation are admirable goals. However, the aspects of the bill that prevent competition will result in an increasingly inferior product and a burden to the State."

Representative Stegmaier then rose in support of the bill with reservations, stating:

"I'd like to vote with reservations and my concerns have been stated by other speakers. Thank you."

Representative Fox then rose and stated:

"Mr. Speaker, the same reservations and also the remarks of the Representative from Kaimuki/Diamond Head be inserted into the Journal as my own," and the Chair "so ordered." (By reference only)

Representative Rath then rose in support of the bill with reservations and asked that the remarks of the Representative from Kaimuki/Diamond Head be inserted into the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 856, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1819 and S.B. No. 1157, SD 1, HD 1:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1157, SD 1, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Rath rose to speak against the bill, stating:

Mr. Speaker, I rise in opposition to Standing Committee Report 1819 and comments can be reflected for the following 1820 also.

"Basically, my opposition to these is the multiple first offered increases and wages, and everybody knows I'm not for doing that in a down economy. But what's more problematic is the money coming from private sources, and I think there is an ethics problem there when you start to have government employees deriving money from private sources.

"As far as the bill goes, they're kind of nebulous and exactly how that affects their employment, and there could arise, I'm not saying there are, but there could arise ethical problems in that. And for that reason, I'll be casting a no vote on both of these measures.

"Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of S.B. Nos. 1157 and 1276 with reservations, stating:

"I will be voting with reservations. I note that the Executive Director of the Ethics Commission made a statement in this morning's paper, and he said Hawaii's Ethics Code prohibits public officials whose salaries are set by law from soliciting or accepting private money for performing official duties. He outlines the problems that private donations may come from people who do official business with State employees who benefit, so there is a slight problem there.

"On the other hand, we feel that the Superintendent of Education and Librarian might be deserving of more compensation. The University of Hawaii President's salary is set by the Board of Regents, and I do believe he is allowed to have additional compensation, but that is controlled through the Board of Regents. Perhaps the same type of arrangement can be worked out for the Superintendent of Education and Librarian through the Board of Education. I would ask that the conferees perhaps examine this route to be able to allow them to receive additional compensation. 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. 1157, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Meyer, Pendleton and Rath voting no, and Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1820 and S.B. No. 1276, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1276, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Pendleton rose and requested a potential conflict ruling, saying that his wife is a member of the Board of Education, and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1276, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives

Meyer, Pendleton and Rath voting no, and Representatives Ahu Isa, Okamura and Saiki being excused.

**Stand. Com. Rep. No. 1821 and S.B. No. 450, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 450, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Saiki being excused.

At 2:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:44 o'clock p.m.

The Chair directed the Clerk to note that S.B. Nos. 207, 607, 1155, 456, 157, 856, 1157, 1276 and 450 had passed Third Reading at 2:45 o'clock p.m.

**Stand. Com. Rep. No. 1822 and S.B. No. 816, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 816, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1823 and S.B. No. 992, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 992, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, as we proceeded throughout the day, I've noted the very impassioned speeches from my colleagues on many issues that they find dear to their hearts, and this is an issue I find very dear to my heart, primarily because I don't think of any other areas other than our rural areas throughout the State that has suffered more from the fiscal difficulties our State has encountered.

"Hana Community Health Center has put in Herculean efforts to try to stay afloat. For those of us and any of you who have not been to Hana, please take a drive out there and see what it would be like should they not have access to a health center like they do now. And this is life and death kinds of issues we are talking about. So I strongly support funding of the health centers and would like to point out to my colleagues the responsibilities that we have that we have not shirked over the years to fund the rural areas and continue our support.

"Thank you, Mr. Speaker."

Representative Kaho'ohalahala then rose to speak in support of the bill, stating:

"I want to also echo the comments made by the previous speaker that the Hana community came here to this Legislature against all of the current difficulties that they face with driving and traveling. They made an effort to come here to this body and to make sure that their concerns were known. It is critical for those families in Hana who need the immediate care 24 hours, and we all in an urban setting have the comfort of knowing that there is a hospital and an ambulance right around the corner and we can get there within a matter of minutes. For the Hana community, it's not a matter of minutes, it's a matter of hours to travel by road from Hana to Kahului where the



Maui Memorial Hospital is located. Planes may not be able to fly in, weather pending, so it becomes very critical for a rural community like Hana, which is almost a separate island unto itself because it is so far away and the roads are so dangerous that they need the kind of support to be assured that their ability to live in their own community is going to be supported by this body, by this State, to allow them to be cared for, for their health needs as well as all of their other needs. So I would like to ask this body to continue to support this measure.

"Thank you, Mr. Speaker."

Representative Morita then rose in support of the measure, stating:

"I would like to thank the Representatives from Haleiwa and Maui County for their support. But I also want to point out that while they're putting emphasis on health care for the residents of Hana, we are also talking about the half-a-million visitors that travel out to that area every year. And you know, while it's a very beautiful area, it is also very treacherous, where the Medical Center deals with a lot of sprained ankles, broken bones, and mishaps as tourists venture out in that area.

"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. 992, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1824 and S.B. No. 1016, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1016, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1825 and S.B. No. 1117, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1117, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1826 and S.B. No. 1178, SD 2, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1178, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1827 and S.B. No. 1499, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1499, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, due to the cost of the process, I've been very educated by the blind vendors and I really wanted to commend them, especially the leaders, for coming in and educating this Vice Chair.

"Mr. Speaker, this is only to empower the blind vendors to use their own moneys to hire their counsel, and I just ask this body to support 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. 1499, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1828 and S.B. No. 654, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 654, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Meyer rose in opposition to the measure and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"Even though the need and justification of the position is spelled out in this bill, I am in opposition without reservations because this is exactly opposite of the direction that we need to be going fiscally. With our Hawaiian economy in such a strained situation, we cannot afford to appropriate monies from the General Revenues to fund another full-time position."

The motion was put to vote by the Chair and carried, and the Committee was adopted and S.B. No. 654, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE AGENCIES," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1829 and S.B. No. 392, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 392, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Moses rose in support of the bill with reservations, stating:

"Part III of this Act exempts airport projects from complying with county building and other safety codes. The Honolulu Fire Department vigorously opposed this provision. I find it hard to believe there are two different fire protection standards in the world -- one used by the State Airports Division and the other used by the counties.

"The safety of residents, visitors and employees would be best protected if an outside agency such as the county reviewed the plans of the Airports Division. We do not let private builders and developers certify that their buildings meet the code because they have a conflict of interest. The Airports Division would have a similar conflict of interest.

"Finally, the expertise in reviewing and applying building and fire codes resides in the counties, not in the State government. We should go to the experts to get their advice. Therefore, the Airports Division should be required to comply with the county health and safety standards.

"Thank you, Mr. Speaker."

Representative Goodenow then rose in support of the bill and stated:

"Mr. Speaker, I would just like to briefly comment on some of the points made by the previous speaker on this measure.

"You know, basically it's interesting. The requirements that the airport would have to undertake under federal requirements and State requirements are very detailed and go much more beyond just those done by the county. In addition, the airport doesn't really use the City Fire Department. We have our own State fire force and they would be fully involved in the process of making sure our airport is safe.

"But this is a very standard thing. The Harbors don't do it. The federal government, for instance, on State lands, they don't have to go through all of the requirements. This is just to remove the duplication of service in our government, I think something the public has been continually asking for.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I stand in opposition to this bill, specifically to the third section.

"I believe one of the issues here is the federal Coastal Zone Management Act, and the federal government has delegated authority to the State and the State in turn has delegated the responsibility in carrying out this federal mandate to the counties. Therefore, I don't believe it's appropriate for the State to usurp the counties in carrying out its prescribed duties with regard to special management areas or shoreline management areas. Thank you."

Representative Kaho'ohalahala then rose to speak in favor of the bill with reservations, stating:

"I want to rise in support of the measure with reservations, specifically to Part III in the bill that refers to the removal of approval by county agencies.

"I just want to say, Mr. Speaker, that oftentimes in this body, you will hear us trying to delegate some of the more homegrown kinds of decision making at the county level. And in this case, here is one instance where we decide that we would not want the county to be a part of that kind of decision making, so I speak just with a bias towards the counties and understand that this may be applicable here to the island of Oahu. But when you move to the Neighbor Islands you may find that it's necessary for there to be a little bit more local control in decision making for airport and harbor facilities and that there often becomes times when conflict comes into play when the counties have no ability to have any say in some of those kinds of decision, so I would speak with reservations because of that.

"Thank you, Mr. Speaker."

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

"The concerns raised by previous speakers about the counties also deeply concern me. I have the feeling that the counties are basically being blind-sided by this bill. We had testimony in favor from the Chair of the Honolulu City Council and also the City Director of Transportation Services. I don't think they were aware of the Part III provision of the bill, and I would really caution members as we move forward to try to get input from the counties on this bill.

"I have to say, Mr. Speaker, that we are allowed to just kind of wander all over the universe in our views in this body, but I am particularly struck that the Representative from Lanikai/Waimanalo who just spoke against passing authority to the counties in this issue, an area where they already have the authority, and the bill takes it away.

"Earlier today, on Senate Bill 680, he said I support the principle of home rule. . .

Representative Goodenow then rose and stated:

"I ask that he stick to the merits or demerits of this bill, please."

The Chair then said:

"Representative Fox, can you confine your remarks to the merits or demerits of the bill."

Representative Fox continued, saying:

"I think the Representative's point is well taken, but I am struck that in one day we have two different views on county authority. Thank you."

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

"My objection, as was stated very clearly by the Representative from Kauai and the Representative from Lanai, is because of the elimination of the county. When you take a look at Section 3, it states: 'Notwithstanding any law or provision to the contrary, all structures and improvements to land, to be used for airport purposes, may be planned, designed, and constructed by the department without the approval of county agencies.'

"I think that's wrong. We've done it before in certain areas in our State. You take a look at the high-rise towers down in Kakaako and you really see some mistakes that we've made. It's not a pedestrian friendly area, it's not a community area as it was intended to be. When we remove the county from the process as we did there, we then have to live with errors. I would like to stop the errors before they start.

"Thank you, Mr. Speaker."

Representative Kanoho then rose and stated:

Mr. Speaker, I wish to speak in strong support of this measure, in particular Part III.

"As has been mentioned previously, the provisions which would allow the Airports Division to proceed with plans to construct also are contained in the Harbors Division, so this is not without precedent.

"I would also like to take issue with the comment that the counties were blind-sided because the elected officials of the county most affected were aware of this provision but chose not to testify because they are indeed individually in support of that action. Thank you."

Representative Goodenow then rose and stated:

"Mr. Speaker, I just want to briefly point out that, again in support of this measure, that, yes, while I am a strong advocate for home rule, as the previous speaker just noted, none of the counties came to oppose this. They all were well aware that this is something where we have a lot of consensus. Thank you."

Representative Moses then rose to make additional comments, stating:

"Having served on the Transportation Committee for three years and also having served with the Metropolitan Planning Organization for several years, and I am currently on the Policy Committee, I know what's behind this measure.

"The Airports Division wants to build two longer runways on the Neighbor Islands. They don't want to have to go through the counties, especially with the coastal management process. That's where they're having difficulty.

"I'm talking about health and safety issues. If the bill were amended to apply health and safety standards, so if you build a fuel tank for instance at an airport, you have to go through the Fire Department to see if it's okay, or where a building has fire escapes -- that's the matter I'm talking about. I'm not talking about their extending the runways. That is why the bill was introduced and that is where they are having problems.

"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. 392, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Halford, Morita, Pendleton and Thielen voting no, and Representatives Ahu Isa and Okamura being excused.

**Stand. Com. Rep. No. 1830 and S.B. No. 1519, SD 3, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1519, SD 3, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Moses rose to speak in support of the measure with reservations, stating:

"This Act imposes burdens on assisted housing development owners that may be unconstitutional. In any event, they are unconscionable.

"First, the owner must give tenants a one-year notice of their intent to end participation in this subsidy program. I doubt the tenants are obligated to give the owners one year's notice of their intent to move.

"Second, if the owner does not give notice by July 1, 1999, the tenants or a non-profit have the right of first refusal to purchase the project. We are taking away the owner's rights to sell to whom they chose.

"Third, the Act imposes burdensome and offensive information, collection and reporting obligations on owners. Owners must report the income, ethnicity, and other information about their tenants. And there are many other portions of the bill where the owners are required to report things that I don't think are any other states or anybody else's business, like what agreements have they entered into, who do they intend to sell to, or who do they intend to transfer the property to, what they intend to do. It's none of our business.

"Thank you, Mr. Speaker."

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

"Mr. Speaker, I am glad I have an opportunity to explain why this measure is so important and why it is also so urgent.

"Just by way of background, the projects that we're talking about come under the Housing and Urban Development or HUD, Section 8 - New Construction Program. Many of these projects were built in the 1970s and these are private, for-profit and also non-profit entities that receive assistance in terms of development. And they also receive assistance in terms of subsidy for those tenants who only have to pay 30 percent of their adjusted income for rent. So in other words, they have a guaranteed rental income as well as assistance with developing these housing facilities.

"Now what makes it so critical is many of these units, and I would like to, for the record, point out where they are: Banyan Street Manor, Wilikina Apartments in Wahiawa, Haili Elderly in Hilo, Kaneohe Elderly, Kapuna on School Street, Kekaha Plantation and Keola Ho'omalulu in Waianae, and Waipahu Hall in Waipahu. They represent 559 tenants. Now out of these 559 tenants, 420 are elderly tenants, so we are talking about the possibility of many of these tenants who are elderly and disabled to be displaced when these agreements expire, which will occur in 2001 to 2003, because it was only a twenty year obligation to provide subsidized housing. And that is not to say that they are going to convert to condominiums or private sales or private rents.

"But the thought of these elderly being displaced I think would be unconscionable if we were to allow that to happen. And even with the one-year advance notice, there is still no guarantee that we are going to be able to find housing for these elderly people. Our only hope is that there's some other non-profits who might be willing to, or the tenants themselves, who might be willing to take over these buildings. But for now, you know, the one-year notice hopefully will give them at least a chance of finding other housing alternatives they need should they be forced to do so.

"Thank you, Mr. Speaker."

Representative Kahikina then rose in support of the bill and asked that the former speaker's words be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1519, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Ahu Isa and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 816, 992, 1016, 1117, 1178, 1499, 654, 392 and 1519 had passed Third Reading at 3:05 o'clock p.m.

**Stand. Com. Rep. No. 1831 and S.B. No. 1321, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1321, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"This bill deals with ocean leasing for aquaculture and mariculture. We in this economy are looking for ways to create jobs. The potential for really tremendous job growth is great in this bill. But there is a lot of misgivings within the community because we are an island state surrounded by water and there are many users of that water. I am on the Ocean Resource Committee as well as Water and Land and I have heard lots of the testimony.

"This bill has been through many changes as it has moved along, and I think the Chairmen of the various committees have done a very fine job trying to take care of the concerns of all those that have come to the table. But I have reservations because this particular draft has taken the drop dead date of five years from now and dropped it to two years.

"My concern is we have people in the industry. The black pearl industry is one of the industries that has been working very closely with our Department of Land and Natural Resources and showed a great deal of interest in leasing ocean space. They already have profitable operations in Tahiti, the Cook Islands. They started new businesses in Majuro in the Marshall Islands. They would very much like to do business here but my fear is that by cutting this drop dead date to two

years, the other provisions of the bill makes such strong requirements for the operators. They must have an EIS done, or an EA -- an environmental assessment. They have to have public hearings, Land Board meetings, notification of affected property owners, Land Board review. There are a great many steps they have to go through and anybody who has ever developed housing or changed the use of land knows how long that takes.

"Another problem is the Department of Land and Natural Resources is getting into a brand new area. They have to create a lease, and in my own district it took them. . . I'm sure there were many various problems, but twenty years to draw up agricultural leases for the people at Waiahole. And here's something brand new. We're talking about ocean leasing which includes the water, the water column and the submerged land. It's going to take some time for them to draft those leases.

"My concern is that with this very narrow period of time -- two years -- that people who are ready and willing to invest their capital are going to say, hey, because they are going to have to pay somebody to do an EIS, they have to put money up front with no guarantees, and that's my concern. I just said I hope that maybe in conference that they'll take another look at that because there's a great opportunity.

"I think the concerns of fishermen will disappear as they become more knowledgeable about what these operations are, because the fishermen are the very people that will find new jobs working in these new industries. The Hawaiian oyster which many of us weren't aware of is in our ocean. It is not abundant but they're still there. They're kind of endangered, but they can produce black pearls. They'll be Hawaiian black pearls, and it would be great industry for Hawaii.

"Thank you, Mr. Speaker."

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

"Ocean leasing and open ocean mariculture doesn't sound like a very exciting topic, but as a matter of fact it could be an industry that provides hundreds of millions of dollars to Hawaii which we all know is needed. Fish farming is big business all over the world and Hawaii has strategic advantages such as an excellent research university, a good climate, and many trained aquaculturalists. This presents Hawaii with a unique opportunity to engage in sustainable economic development.

"I was initially concerned, Mr. Speaker, that this bill would open up a can of worms, enabling the State to grant potentially exploited ocean and open ocean leases that might displace fishermen, surfers and other ocean users. But after the long deliberation and discussion of the Chairs of Agriculture, Economic Development, OMR, and Finance Committees, I believe that they have crafted a bill which ensures our careful stewardship of our ocean resources while allowing this exciting new business to grow.

"And just regarding the three-year sunset, I would like to point out that that is plenty of time to complete an EIS and to go ahead and proceed with their open ocean mariculture.

"Thank you, Mr. Speaker."

Representative Goodenow then rose in support of the measure with reservations, stating:

"I would like to start off by saying I certainly appreciate the words of the previous two speakers, especially noting that the Representative of Laie has been involved in some very innovative economic ideas this session, and I applaud that. However, my reservations on this bill stem from removing 171-53 and Chapter 190D from the approval by the Governor and the Legislature.

"The rights of Native Hawaiians regarding ceded lands and submerged lands, which are both based upon federal statutes and the Hawaii State Constitution, are still in the process of being defined and delineated. They are the subject of present ongoing dispute, litigation and negotiation, and I need to remind our members of the case involving OHA and HFDC.

"Section 171-53 already, when written, was made to include certain minor exceptions and there was much debate about this regarding the prior approval rule, electric cables, pipeline moorings -- these are some of the exceptions that exist. However, this new proposed exemption is for leases of entire parcels of submerged land under Chapter 190D, and ironically it's in 190D-2, where it does specifically spell out the State's obligation to regulate submerged lands and that is grounded in the State Constitution. If leasing procedures are wholly delegated so as to eliminate legislative approvals and leases are granted on these Hawaiian lands, it's right for our contest being contested and lead the State into numerous multiple and lengthy and expensive and unnecessary litigation. On top of that point though, I would like to state that, you know, I feel the State itself being charged with the protection of Native Hawaiian rights has a fiduciary responsibility that may not be delegable by the State to a subordinate agency by a person who does not have the same level of authority or oversight as the Legislature.

"So just with these reservations, I hope something can be worked out, maybe in conference. There can be something done to alleviate my concerns in trying to have OHA more involved in the process, but at this point I am very wary. Thank you."

Representative Kaho'ohalahala then rose to speak in support of the bill with reservations, stating:

"I'd like the comments of the previous Representative from Waimanalo to be reflected in the Journal as though they were my own, and the Chair 'so ordered' (by reference only).

"I rise in support of this measure with reservations, Mr. Speaker, and basically my concern is that we're now moving into a whole other area of ocean leasing, and these are submerged lands. These lands are also ceded lands. In the Committees I did raise these issues and concern.

"While we're moving and we haven't even resolved the current issues of ceded lands, we are now going to move into another area and begin leasing submerged lands. So rather than get into that quandary, I think that I want to remind this body that we should be looking at Senate Bill 1635, which is to do an inventory of all the ceded lands so that we know exactly what it is that we are referring to when we talk about ceded lands. And if they are submerged lands they should be included in that inventory. Once that inventory is done, then I think we can begin to explore and look at how we begin to utilize these lands, having full knowledge of where these lands are, what their impacts may be -- positive or negative -- what revenues they derive from these lands, and then I think these processes move much smoother and we take away the cloud, so that is my reservation in this particular bill. I would ask this body to consider looking at S.B. 1635 as a way to find some resolution to some of these new issues.

"Thank you, Mr. Speaker."

Representative Meyer then rose and stated:

"Mr. Speaker, just a few additional comments.

"I did speak with the head of aquaculture from the Department of Agriculture and he was very concerned about the limited two-year period. He felt that this would just about not make this project viable. And the concerns on submerged land. . . of course, this lease is more than just submerged land. The Department of Land and Natural Resources already has leases on submerged land such as the pier at the Hawaiian Village,

some yacht clubs. There are leases on submerged land and I believe OHA is getting their 20 percent almost.

"This is different in that it includes the water columns. I'm sure the problems of the submerged land there can be overcome, and in fact will be beneficial to OHA.

"Thank you, Mr. Speaker."

Representative Kahikina then rose and stated:

"I just wanted to register a yes vote with reservations and ask that the words of the Representative from Lanai and the Representative of the 51st District be entered into the Journal as my own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1321, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1832 and S.B. No. 788, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 788, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Moses rose to speak against the bill, stating:

"This is a bill I've spoken out against for several years on this floor -- this type of bill. This is the cigarette stamp tax and I believe that this Act will make criminals out of many of our constituents. It makes possession of cigarettes without a tax stamp a crime. Cigarettes sold in military exchanges and commissaries are not subject to our cigarette tax and will not have tax stamps. Our constituents who are on active duty or retired military personnel, including members of the Hawaii National Guard, Air National Guard, Coast Guard, shop at exchanges and commissaries. It is one of their benefits, Mr. Speaker. As I've indicated before, it's a very valued benefit and it is actually considered part of our pay.

"I proposed an amendment that would have clearly exempted persons who legitimately purchase cigarettes at military outlets from this Act and from criminal prosecution. That amendment is not incorporated in the bill.

"I urge my colleagues to defeat this bill. Let's target those who sell cigarettes without paying tax or who illegally sell them, Mr. Speaker, rather than punish ordinary people who can shop on a military base.

"Mr. Speaker, I don't exactly oppose the tax stamp. The point is, how do you know when somebody is walking in Waikiki and the stamp is put on the cellophane and they throw the cellophane away? I mean, you can't tell they didn't pay the stamp tax. If they are not legitimately buying them and using them for their own family or themselves and are engaging in the black market, they should be put away and the key lost. I agree with that, Mr. Speaker, but let's not do it this way. 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. 788, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives McDermott, Moses and Rath voting no, and Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1833 and S.B. No. 4, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 4, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"First of all, I wish to compliment the Chairman of the Finance Committee for improving the bill as it originally was presented and make it much more palatable. I believe the language is very well written and the intent of the bill, of course, is to provide the Legislature the ability to take part in the negotiations and as we need to approve finally the settled amount, I believe that is a noble way to do it, that we should be part of the negotiation.

"The problem that I have, Mr. Speaker and members of the House, is the delegation of that responsibility, in all due respect to the Speaker and to the President of the Senate, to them in fact to make the decision for all the members of the Legislature. And I believe by that action, Mr. Speaker and members of the House, you would be disenfranchising the voters of your particular district who elected you to vote on every particular item that's before you. To delegate that responsibility would be wrong and I believe bordering on the constitutionality.

"Every member knows the Constitution provides that they should have the ability to vote and to represent their districts. This would take that responsibility away so therefore, Mr. Speaker, knowing that this bill has some value, I would not be voting against this bill, but I ask the conferees as they go into conference, and hopefully the Senate will look well at this bill, and that you will look at possibly after a decision is made in the settlement, you come back to the Legislature for a ratification of your decision, similarly what the union does, similarly what the private sector does when you need to go back to the Board of Directors for the approval. And with this, Mr. Speaker, I believe that we will have some very novel and interesting legislation.

"Thank you very much."

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

Representative Yonamine's remarks are as follows:

"Mr. Speaker, I rise to speak in support of Senate Bill 4, SD 2, HD 2, relating to government administration.

"In its current form, S.B. 4 redefines the scope of negotiation in collective bargaining by giving the Legislature and the County Council Chairpersons a direct and personal role in collective bargaining in public employment under HRS Chapter 89.

"Heretofore, the Legislature chose to limit its involvement in the collective bargaining process to the approval or rejection of cost items in agreements ratified by public employees.

"The State continues to experience the fiscal woes which started in the early 90s. Our collective bargaining agreements have not taken into account the limited funds available to pay for them. We in the Legislature have found ourselves unable to approve cost items of ratified agreements. Worse yet, some collective bargaining units have gone as long as four years without wage increases which were negotiated through collective bargaining.

"Until the State's financial position improves, we cannot continue to approve additional costs negotiated in collective bargaining agreements. Both parties to the negotiations -- public employers and public employees -- must be made aware at the outset of the financial limitations rather than learning of them after the fact.

"This proposed Act provides that for the purposes of negotiations, mediation, and arbitration of cost items only, the



Senate President and Speaker of the House, or their designated representatives, and the County Council Chairpersons shall each have one vote on the cost items.

"Further, no wage increase shall be authorized by the public employer without prior concurrence of a majority of legislators and Council Chairpersons voting on cost items.

"And finally, we have deleted the provisions in Chapter 89 making cost items subject to appropriations by the appropriate legislative bodies.

"I believe this measure will remove the uncertainty of funding of cost items and continue to facilitate full and free negotiations in the collective bargaining process."

Representative Moses then rose to speak in support of the measure with reservations, stating:

"This bill inserts the Legislature, at least the Leadership, into the collective bargaining process. This is a matter for the Executive Branch of government, not the Legislature. Perhaps my colleagues are more optimistic than I am, but this will have an impact on the outcome.

"The argument is that involving the Legislature will bring fiscal reality to the bargaining table. I ask you: do we know right now what the State budget is and what we can afford for the upcoming fiscal biennium? We are still trying to decide if we can afford previous collective bargaining agreements. How can we try to predict the future? We have the ultimate power of the purse and can refuse to appropriate funds for excessive collective bargaining agreements.

"The real problem is that State government is too big and we have too many State employees. We must use natural attrition to reduce the size of State government without sacrificing any of our dedicated employees. Until we have the will to reduce the size and cost of government, we must deal with bills like this that merely treat the symptoms.

"Thank you, Mr. Speaker."

Representative Rath then rose in opposition to the bill, stating:

"I believe the saying is: 'No taxation without representation,' but that's exactly what this bill could do. It leaves it to a non-session action by the Speaker and the President of the Senate to agree to a financial commitment with the absence of the remainder of the other members of the body. And I think this falls into the separation of the different branches of government that let the administration go and negotiate and let them bring it to us as they do now. We do not have to fund it at all. I'll say that again -- we do not have to fund it at all. Or we could partially fund it. That's our decision in this body, and I don't think this is good government, and I don't think this is the proper way to negotiate collective bargaining. And for that reason, I'll be voting no.

"Thank you."

Representative Meyer then rose in support of the bill with reservations, and asked that the remarks of the Representative from Makakilo be inserted into the Journal as her own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 4, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT ADMINISTRATION," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Halford and Rath voting no, and Representatives Ahu Isa, Okamura and Schatz being excused.

### Stand. Com. Rep. No. 1834 and S.B. No. 1229, SD 1, HD 3:

Representative Case moved that the report of the Committee be adopted and S.B. No. 1229, SD 1, HD 3, pass Third Reading, seconded by Representative Yonamine.

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

"I think this is a very good cause. My only reservation is that this bill creates a special fund which must rely on general funds to accomplish its purpose. In addition, there is no clear link between the source of the fund and the beneficiaries. That means that this fund is merely a means to provide the program, however worthwhile, with an automatic source of support.

"Also, this fund is not self-sustaining. This bill does not identify a user group with a nexus who would be assessed fees and charges in order to support the program. And I know that may sound callous in this particular instance, but it clearly is not an appropriate use for a special fund. If we want to do this, I think it is a very good program, it should be tied to general funds, but that's my reservations. And because of the worthwhileness of the program, I will vote yes with reservations. Thank you."

Representative Meyer then rose in support of the bill with reservations, stating:

"On the same measure, I can't add much to my colleague from Lanikai's comments. I have the same reservations. I have a great deal of sympathy. . . I mean, we need this housing. But what bothers me is the taking of general funds, dedicating it, and not having a clear nexus.

"Thank you, Mr. Speaker."

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

"We passed a similar measure last session basically on an emergency basis because many of the homeless assistance shelters and programs were probably going to be done away with if we could not find the funding for these programs. Unfortunately, we are caught in the same situation again this session and more notably because we lack the resources, we've had to resort to this means. And I think I need to correct the previous speaker's perception that we're taking from general funds. Actually, it does not go directly to general funds. The conveyance tax is first allocated to the Rental Housing Trust Fund at a rate of 25 percent, and also to the Natural Area Reserve System at 25 percent and then the balance then goes to the general fund.

"The bill, in its current form, does not state that they are going to be taking any of the general funds. At this point, it looks like the general fund portion of it is already spoken for, so at the very least we may again be forced to take from the Rental Housing Trust Fund.

"I think the good news is that the conveyance tax actually has shown an increase, and basically the increase is about \$1.2 million that has to be divided up between the NARS and the Rental Housing Trust Fund. Most of the increase can be attributed not to real estate sales, but to the transfer of vacation rentals or time shares. And so a lot of it is exportable.

"But I really want to get to this point about the nexus, because I don't think anyone has explained to me what the nexus is between the Natural Area Reserve System and the conveyance tax. But in the end, I don't think homeless people care about whether there is a nexus or not. All they care about is having food to eat and a shelter over their heads. I don't think there is a need for a nexus. We're here to provide for needs, and we need to find any way we can to do that.

"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. 1229, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Chang, Herkes and Souki voting no, and Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1835 and S.B. No. 709, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 709, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1836 and S.B. No. 638, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 638, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Rath rose in support of the bill, stating:

"This is the bill. . . it's the general excise tax pyramiding reduction by changing the definition of wholesale to be inclusive of wholesale services. That's reducing the amount of general excise tax paid on services. I've got to tell you, Mr. Speaker, I think this is a wonderful bill that we're doing this, and I applaud its introduction and its moving forward. It is implemented over seven long and painful years to get the kind of action, but I think this is kind of reminiscent of golf which I just recently took up, and as long as you keep that ball moving in the right direction, you're going to be okay. So this isn't a 'hole in one shot' but at least we're going in the right direction and I'm glad to see this.

"Thank you, Mr. Speaker."

Representative Souki then rose and stated:

"I believe that we all would want to eliminate the GET pyramiding. We are aware of the problems in the cumulative cost of the tax, but members, I wish to speak with some reservations on this measure.

"This measure here, the members should be aware, is going to be taking away approximately \$150 million from the revenue that we now have. That's on top of the \$759 million revenue loss from the personal income tax that we passed last year. So members, with this passage we will have a terrible responsibility and burden. You must have to wield them to make appropriate cuts to raise revenue; otherwise you'll put this State in a more impotent position than where it is right now. We have members who are crying for more schools, we have members who are asking to have more dollars for repairs to their respective schools, \$9 million a year is certainly not enough. You need \$25 million to \$30 million minimum but we can't afford it. You have members here requesting dollars for homelessness, more money for social services, more money for education, and at the same time you will be taking away revenue that we need so badly without providing for any other cuts or revenue measures to increase.

"Members on both sides of the aisles, we have only two-and-a-half weeks before the session ends. If we're going to pass this kind of measure, then we must take the kind of action that needs to be done, and this is on both sides, and I don't believe attrition is going to be enough, Mr. Speaker.

"Thank you very much for giving me this time."

Representative Fox then rose to speak in support of the measure, stating:

"The opportunity to reduce taxes is one we should not take lightly. Hawaii pays the highest State and local taxes in the entire United States combined. I have seen various versions of that statement. The fact is we are number one.

"I share the concerns of the Representative from Kona that this is going too slow, and I think this really is a concern. The Economic Revitalization Task Force last year and in 1997 was called together to jump start the economy and they definitely bought in to the basic principle that jump starting the economy involves tax cuts, and they specifically recommended this particular tax cut. They certainly didn't program it over seven years. They thought it was something that should be done right away.

"I really don't understand even though I'm in this body and I live in this body why we're so afraid to make government smaller. If we make government smaller, we can jump start the economy, we can turn the economy around, and we can get the money once the economy is turned around. We can get the money for all the programs that the Speaker Emeritus recommended. It just takes the will to turn this economy around.

"This particular measure that we're debating right now could be such a measure. If we instituted the cuts in one year rather than seven, we would have a tremendous positive effect on our small business community. It would create jobs, it would put people back to work. They would spend money, we would collect more taxes, our economy would work. I really think that this is a great opportunity. I am sorry that we are passing it by making a cut that's only going to be \$10 million in the next fiscal year.

"Thank you, Mr. Speaker."

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

"I respect the comments my colleague from Maui made. I am one of those people -- screaming, screaming for more money for our schools' repair and maintenance. At the same time, I support this measure.

"Mr. Speaker, I am a little confused because I walked into Radford High School in December knowing that the election. . . I know we had \$150 million surplus. So I walk in there and now it's gone. I don't know where it went. Where did the \$150 million surplus go? I feel compelled to, out of my own pocket, hire the detective agency of Goodenow and Associates to find it. Short of that, I'm going to support this measure. Thank you."

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

"I would like to echo some of the comments from the Speaker Emeritus. I think that his number of years here and his experience speak volumes at this time. We've not always agreed on a lot of issues but I definitely agree with him here.

"One of the things that I want to talk about though is a theme that seems to sometimes escape some of us, and that theme is one of a balanced approach that I think you have oftentimes in private spoken to me about. The balanced approach talks about an effort that we're putting forth of which this is a part. This is but a part of the effort that I believe your Leadership is trying to take us in a direction of turning this economy around. But just like the Titanic, you don't make a quick stop and then a turn. It is an effort that I think will take some time.

"You mentioned in numerous conversations of living within our means, and I believe that staying the course that we have set forth, which is a balanced approach at trying to look at what can we do to stimulate the economy. Let us not forget the efforts we put in the years past that we are paying for today, which includes the tax cuts. This is another one.

"And for those of us who without any shame stand up and say that we have responsibilities to take care of those who are in greatest need, those who are hurting more than ever today, with the full understanding that until this economy turns around, everyone is going to be hurt.

"But in so saying all of this, I ask again for all of us to keep in mind that we have a plan. I believe we're on course with that plan. I believe it is a balanced approach -- this is but part of that approach. And we also need to accept the fact that when we talk about the economy we do not live in a vacuum. We are at the mercy of so many other forces outside of this State -- internationally and nationally. We must understand and sometimes humble ourselves to understand what our role is. I believe that this again -- balance, staying the course, and ultimately we will do our part in turning this economy around, but understanding full well that we're not going to turn our backs on those who are in greatest need and looking at the balanced approach that Speaker Emeritus mentioned. So with those comments, Mr. Speaker, I do support this measure."

Representative Moses then rose in support of the measure, stating:

"I would just like to remind this body, for the last three sessions or two sessions on this one, I have talked about: show me a nation, a state, a county, a city that has reduced taxes that hasn't brought in more revenue. You can't find one. I challenged you to find it. I challenge you again -- find one.

"I agree. I've been one of those people screaming for new schools. I've also said: let's support our public employees at the State level and at the county level and their pay raises. But we need to bring in more revenue. We don't need to do that by raising taxes, we need to do that by lowering taxes. Increased revenue to the State will follow.

"Again, I challenge you -- find me a place where it hasn't worked. Find me also a place where they raised taxes and brought in more revenue. I'm not talking about immediately, I'm talking about a year later or two years later. Find me one, Mr. Speaker.

"Thank you, Mr. Speaker."

Representative Yamane then rose in support of the measure with reservations, stating:

"Since we're looking for funding, maybe we could start by zeroing out all new money for all new schools for staffing. Start there. I believe there's at least \$80 million on the table right now.

"As far as statements made earlier about find me a place where they haven't reduced taxes and gotten more revenue, well, maybe those same places had raised taxes before. I think that was brought out in testimony we had here before. And for those Representatives who on one hand say, oh, we got to cut this and we got to cut that and we can't spend here, and on the other hand say, gimme, gimme, gimme -- they kind of look two faced. But in this particular bill, I agree with the Speaker Emeritus. Thank you."

Representative Pendleton then rose in support of the measure 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 Standing Committee Report No. 1836, found on page fifteen of today's OD. This committee report is for S.B. 638, SD 1, HD 2, which relates to a general excise tax pyramiding reduction and the definition of 'wholesaler' to include wholesale services.

"Mr. Speaker, this bill will make a valuable contribution to the reduction of our burdensome State taxes. This tax reduction will lessen the burden on our families and businesses from the intermediary taxes that significantly raise prices of services in Hawaii.

"Although few can name a more beautiful location to live in, I would venture to guess that many of us have friends and relatives who have been forced to leave Hawaii because they cannot afford to stay. With the high cost of living in Hawaii, there are not sufficient jobs that pay competitively enough to support a family. We need to create jobs here in Hawaii so our children and grandchildren can remain in this place we love. Mr. Speaker, I strongly believe that we can create jobs and put money back into the consumer's hands by reducing our State taxes.

"This bill will help do that by exempting wholesale services from the general excise tax over a period of seven years. This will make the wholesale of services similar to how the wholesale of goods is currently treated.

"I do have one small critique to make, Mr. Speaker, regarding the method of this bill and the slowness with which this GET pyramiding will be implemented. Mr. Speaker, phasing in the reduction over a seven-year period will decrease any economic boost we hope to achieve from a tax reduction. I think this is why the Chamber of Commerce recommended phasing in the general excise tax pyramiding reduction over a mere three years rather than seven years.

"In closing, Mr. Speaker, every step in the direction of lower taxes is a welcome change for local businesses, the service-oriented industry, and ultimately consumers. Thank you for this opportunity to speak in support of Senate Bill 638, SD 1, HD 2."

Representative Souki then rose and stated:

"I just want to make a few brief remarks, especially to the Representative from Waikiki. The eloquent Representative mentioned that last year the Economic Revitalization Task Force had on its agenda the elimination of the pyramiding. That is correct. In one year that was to be done. However, that was balanced by an increase in the GET from 4 to 5.35 percent. It could have also provided a 45 percent decrease in the personal income tax and provided a 50 percent decrease in the corporation tax and a 50 percent decrease in the franchise tax. That failed. We accepted that.

"However, last year, as you all remember -- you all voted for it -- we passed the largest tax cut in the history of the State of Hawaii -- the personal income tax cut which amounts to over \$750 million in the next four years. If you don't think that's a lot, you don't know how to count my good friends. That's a lot of money. What it means is that the State's size would have to reduce commensurately in that period of time. So this body here collectively have taken action to reduce the taxes and to cut the size of the State down. And I just want this to go in the record, Mr. Speaker.

"Thank you very much."

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

"In my estimation, this measure is one of the few that will really test the commitment of the Legislature to move in a different direction. I believe that if we can pass this kind of a measure, however incremental the full impact might be over a

period of time, we are indicating that despite the dire situation that we face financially, that we know how important it is to cut taxes for our corporations and are willing to go through the painful experience of balancing a budget and cutting taxes for our corporations to indicate to those within the State as well as outside, that we are serious about changing the business climate of our State.

"For this reason, I am very supportive of this measure. Thank you."

Representative Meyer then rose in strong support of the measure, stating:

"I think this is something that the small business community in the State of Hawaii has been asking for a very long time and I am just pleased to see that we are moving forward with it. And even though it is incremental, as long as we keep it going, it's going to send a very fine message.

"Thank you, Mr. Speaker."

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

"We have presented to you and the Leadership of this House a plan from the Republican Caucus on how to kick start the economy. We really feel that we can help job creation by cutting. . .

The Chair interjected:

"Representative Marumoto, I think the Chair has been very generous this morning and this afternoon in the floor debate that we have all had. At this time, the Chair would like to call you out of order in regards to the memo that you have sent to the members of the House and Leadership in regards to ways in trying to address the budget. So at this point, can you confine your remarks to the seven-year phase out of the general excise tax dealing with pyramiding."

Representative Marumoto responded:

"Generally, we feel that the seven-year phase out is very slow going. I think the first year will only realize \$10 million and certainly will not be a kick start. It will be helpful but it certainly won't help us in the face of increasing budgets if we have some tax cuts but insist on increasing our spending. It seems to negate the effort.

"We can realize \$94 million in savings by using attrition. And one of the members here questioned the use of attrition. The Speaker Emeritus feels that that in itself would not help. On the other hand, we have presented a case where we did not replace 1,700 jobs which sort of empty out naturally every year. We could realize up to \$94 million in savings. With that money that will merely help the economy, we could even shift some spending to needed areas. We can then afford serious tax cuts, especially in this area which would benefit businesses and all of us who have to buy from businesses.

"I sincerely hope that you will consider any tax cuts that will benefit the economy, matched with spending cuts. We don't have to pass a bigger budget, and I think it would be incumbent on us to send every member of this House our ideas.

"Thank you very much."

The Chair stated:

"Your point is well taken, Representative Marumoto.

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

"I just want to remind the Representative from Kahala that I am no longer the Speaker of the House. You need to address the Speaker over there.

"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. 638, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Schatz being excused.

#### **Stand. Com. Rep. No. 1837 and S.B. No. 1137, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1137, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Goodenow rose in support of the bill with reservations and asked that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Goodenow's remarks are as follows:

"I support this bill but with the following concern. This measure might result in a disproportionate decrease in benefit levels for active employees because available funds would be initially used to pay for retiree benefits. Until the full impact of this effect is known, I will have to vote with reservations."

Representative Moses then rose in support of the bill with reservations, stating:

"This is another bill that deals with the symptoms. It puts a \$240 million cap on what the State will pay into the Public Employees' Health Fund. The real reason we cannot afford the bill for the health care is that State government is too big and employs more people than the taxpayers can support. Rather than consider re-engineering our servicing other efficiency measures, we put a limit on the health benefits of our employees. Shame on us!

"We can use natural attrition to reduce the size of government without sacrificing the benefits of our employees and their families. Until we have the will to reduce the size and the cost of government, we must deal with bills like this to merely treat the symptoms. Thank you."

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

"We're paying out like \$295 million, close to \$300 million, as the State's contribution to the Hawaii Public Employees Health Fund. And what we will be doing is we will be setting a ceiling up to \$240 million. That's almost a 20 percent cut in the benefits that the employees have rightfully and deservedly earned over the years. And so if you want to do a really decent job of setting up a ceiling, we have to come up with the reforms first and which we haven't done. We have much work to do. So reforms come first and then your State contributions or your share would fall in line.

"So what we are doing with this bill is we are doing it the other way around and we are doing some drastic cuts which will affect the benefits of those who deserve full benefits under their present contract.

"Also, in addition to that, may I insert other comments into the Journal," and the Chair "so ordered."

Additional comments by Representative Yonamine are as follows:

"The purpose of this measure is to control the rising cost to the State of health benefits by placing a cap of \$240 million per

year on the amount the State may contribute to the Hawaii Public Employees Health Fund.

"It would be more effective to implement cost savings by changing one or more of the variables affecting the cost of health benefits. For example, these include benefits levels, negotiated premium rates, the number of enrolled actives, the number of enrolled retirees, the number of actives and retirees enrolled in self or family plans, and the contribution rates negotiated through the collective bargaining process.

"Another part of the problem is that the Health Funds not only procure health benefits for the State, but also for the counties and Board of Water Supply. The cap is imposed only on the general revenue funded beneficiaries, thus necessitating the splitting of the non-general fund from the general fund beneficiaries in securing health benefit insurance plans. At that point, separate versions for each benefit plan would have to be created, one with a State cap and one without a State cap.

"In conference, the cap should be enlarged to include the Health Fund's total procurement expenditures for the State and for the counties and Boards of Water Supply.

"With that amendment to the bill, I could fully support it."

Representative Suzuki then rose to speak in support of the measure, stating:

"Just to offer some points of clarification. The \$295 million represents the current contribution as of June 30, 1998. For the total disbursements by the Health Fund not only for the insurance premiums, but for porting. The \$240 million or \$250 million mentioned in the bill represents the State's general fund portion that's contributed by the general fund to the Health Fund, and that amount is an estimated amount that would not be exceeded by contributions through June 30, 2000.

"So, we're not disturbing the contracts that are already in place that the Health Fund has executed for the next two years on all the various insurance contracts. So the intention is not to cut, but to cap for a future year beyond our biennium budget.

"Thank you, Mr. Speaker."

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

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in support of Standing Committee Report Number 1837 and its attached Senate Bill Number 1137, House Draft 2. Health care is an issue that concerns us all, and this bill, as originally conceived, sought to make affordable health insurance more easily available to State employees and their dependents by making the State insurance plan more competitive with other plans.

"It did this by broadening the eligibility for dependent beneficiaries that can be claimed. This meant, for example, that student dependents could be covered until they were twenty-four even if they are away from home. Additionally, other dependents such as the mentally or physically incapacitated who may have been restricted previously would have been eligible for more coverage.

"SB 1137 was changed, however. The House Draft 2, which is before us, acknowledges that the rising costs of medical care is increasingly problematic. If such costs are not controlled or brought into line with a sustainable rate of increase our State will face impossible financial challenges.

"Mr. Speaker, Senate Bill 1137, House Draft 2, seeks to control the rising cost of health benefits plans by capping the

amount the State may contribute annually to the Health Fund for health benefits plans to \$240,000,000.

"This is one way to slow the growth of medical care costs. I will vote in favor of it because it is the only option we have before us on this matter. It may be less than perfect, but it is either this or nothing. And I think doing nothing is an unacceptable course.

"Mr. Speaker, if I may, let me discuss one possible approach we might have taken or may yet take in future legislative sessions to address the issue of health care for State employees. I support this bill, as I said earlier. But I think it would be prudent for us to explore some of the other innovative things other jurisdictions are doing.

"For example, Mr. Speaker, Jersey City in New Jersey has adopted a more proactive and progressive approach to health care financing. While I believe SB 1137 HD2 to be a step in the right direction, I believe it to be a baby step, a temporary fix, not a permanent and comprehensive reform.

"A much bolder and even more beneficial approach would be to consider implementing Medical Savings Accounts. Some might look at this bill and declare that SB 1137 HD2, is merely a Band-Aid for an obsolete system. I would not use such strong language. But I do think it right for us to look at the panoply of innovations available.

"Mr. Speaker, the issue of health insurance has become more and more controversial over the past decade, particularly as programs such as Social Security and Medicare have begun to falter. As a result, Americans today are less certain about their health care future. Exploring the various options has led many down some most revealing and insightful paths. These paths are often difficult, particularly since employer-based health insurance has become such an integral part of American life.

"However, many people, as they begin to question some of the basic tenets of the health insurance industry are beginning to feel that they have been let down. The insurance industry is certainly as legal and honest as any other, but upon close examination the foundation upon which health insurance is based seems questionable. True insurance is supposed to protect people against losses from rare high-cost events. Today's health insurance, however, covers all kinds of routine expenses that are entirely under the patients control; such coverage is less genuine insurance and is rather prepayment of medical services. Many people are left asking, 'Surely there must be a way that we can be prepared for medical expenses without having to so blindly gamble with our health?' SB 1137 HD2, addresses the issue of increasing medical costs but does not make the much-needed real and systemic and comprehensive change which we desperately need.

"Many alternatives have been suggested or even tried in some jurisdictions, but the most promising are Medical Savings Accounts, or MSAs. MSAs allow individuals to set aside money for medical purposes in tax-sheltered accounts similar to IRAs. By encouraging people to self-insure for routine medical expenses, MSAs restore consumers incentives to control costs, stimulating true cost-control competition in the marketplace. If it is their money, they will use it wisely and prudently. For they know they will be able to keep any unspent dollars left in the account at the end of the year. But I do not want to get ahead of myself.

"Mr. Speaker, today, it costs an employer more than \$5400 a year to provide health insurance for a typical American worker, his spouse, and two children. Wouldn't it be better if, instead, the employer bought a catastrophic policy with, say a \$3,000 or \$2,000 deductible for approximately \$2400 and paid the worker the \$3000 difference? The employee could then put that money in an MSA. Any money that wasn't spent on medical expenses would roll over to the next year. Since 90% of Americans spend less than \$3000 in any given year on health care, in a



very short time the worker would have a tidy pool of money available to use for medical expenses in the future or for other important causes. In fact, Mr. Speaker, when the balance reached a certain level the worker could transfer the funds to an IRA or other retirement fund.

"The primary reason why MSAs have yet to be offered on a wide scale basis is not that they have some inherent flaw, rather it is because many unreasonably fear change. This is new. This is different. This is not what they are used to. Employers are also resistant because at the moment, discriminatory tax rules result in a considerable tax bias in favor of employers rather than employees. We should probably look at making such medical costs deductible to employees if we go this MSA route.

"Under existing tax law only the employers spending on health care is fully tax deductible. During World War II, the government froze wages and prices. To attract and keep employees, firms had to offer something that evaded the wage controls. What they offered was pensions and health insurance. Having opted to provide employees with these 'fringe benefits,' employers sought a way to increase the benefits to themselves. Employers lobbied for, and received, a tax deduction.

"Mr. Speaker, employer provided insurance policies are paid with pre-tax dollars. Individuals who purchase their own policies must pay with after tax dollars. The price difference is huge: a \$4000 health insurance policy costs an employer roughly \$3716 in pre-tax dollars; the same policy costs an individual roughly \$8214 in after tax dollars. Not surprisingly, under these circumstances, 75% of workers want their employers to provide health insurance.

"However, Mr. Speaker, there are four fundamental problems with the US employers based health care system, problems which SB 1137 HD2, does not even pretend to address.

"First, it undermines portability and restricts consumer choice because the employer owns the policy.

"Second, the current health coverage system hides the true cost of health care as well as identity of the person paying for health care by creating the impression that health care is a free 'fringe benefit,' not money that would otherwise be spent on wages or other benefits. Studies show that up to 88% of the cost of health benefits is actually paid for by lower employee compensation.

"Third, Mr. Speaker, it also fuels higher health costs because it encourages employees to seek more comprehensive and expensive benefits -- the more expensive the benefits, the greater the tax exclusion.

"Fourth, and finally, Mr. Speaker, it is regressive because it favors those who have higher incomes, while low-income workers who are least able to afford coverage on their own enjoy very few benefits.

"The employer-based system insulates consumers from the cost of their health care decisions. 95% of the money Americans now spend on hospitals is money, so it is perceived, that belongs to someone else. At least this is the misperception at the time it is spent. When people pay only five cents on the dollar for hospitalization, they are unlikely to be very prudent consumers, and hospitals are under little pressure to offer competitive prices.

"Medicare pays hospitals a fee according to a diagnostic code, not the actual cost of the care given. This can pressure doctors to do less, regardless of their patients needs. As a result, the mindset of doctors and hospitals is shifting from compassion to calculation. Patients become viewed as financial risks waiting to happen. Until patients regain individual control and management of their health care dollars, outside

administrative decisions and financial conflicts of interest will continue to threaten medical judgment.

"However, Mr. Speaker, health care professionals aren't necessarily happy with the current situation either. Organizations such as the Hawaii Federation of Physicians and Dentists are strong proponents of MSAs, and praise it as the best solution to the problems which plague the present system. The main reason why HFPD supports MSAs is that they allow doctors to become advocates of patient concerns and give one-on-one trusted advice, rather than being proponents of impersonal, managed health care systems that only care about the bottom line and lining their own pockets. MSAs actually affirm the traditional role of health professionals as trusted family friends, and objective knowledgeable advisors, by removing the financial politics of medical care that third-party systems inadvertently encourage.

"At a recent conference sponsored by the Hawaii Federation of Physicians and Dentists, the keynote speaker, Mayor Bret Schundler of Jersey City, New Jersey, shared the overwhelmingly positive experience that he and his city have had with MSAs over the past few years. Compared with the standard indemnity plan, MSAs did a number of things: reduced out-of-pocket health-care expenses for major health-care users, gave money back to minor health-care users, the average family received \$1100 back at the end of the year, reserved absolute freedom of choice for all, and provided for Well Care expenses, such as annual check-ups, which were not covered at all under the other plans.

"New Jersey is not the only place to experience great success with MSAs. Employers and workers are using MSAs across the country to reduce reliance on traditional third-party insurance. Among the companies currently using MSAs are Golden Rule Insurance Company, Dominion Resources, Forbes magazine, Quaker Oats, Indresco Corporation, and dozens of small businesses across the country. In these private efforts, MSAs have proven highly effective in controlling costs and giving more power to workers and their personal physicians.

"The economic benefits are obvious, Mr. Speaker. However, if there was one reason to more fully implement MSAs it is this: MSAs shift power and control away from the government, insurance companies, and employers to individual consumers. It rests the most important decisions with those who have a vested interest in having the right decisions made, namely, the consumer or patient.

"Thank you, Mr. Speaker, for the opportunity to speak in support of Senate Bill 1137, House Draft 2, and its accompanying Stand. Comm. Report No. 1837. I support the goal of the bill, which is to control health care costs, but as my remarks indicate I do not feel that the only way to control costs is through this bill. There are other alternatives which I hope we will entertain in future sessions."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1137, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Arakaki, Halford, Takai and Takumi voting no, and Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1838 and S.B. No. 822, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 822, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"I have a reservation that I just want to bring to the attention of the House, and that is the contraceptive services religious employers exemption.

"The bill calls for a religious employer is an entity for which each of the following is true, and then it goes on. I don't want to read it to everybody but in order to get the exemption, there are three standards that must be met.

"My concern is for the first one that says: 'The inculcation or religious values is the purpose of the entity.' My concern is for religious schools, in particular religious colleges. Their purpose is for education. The religion plays a large part but it's not the only thing, and I'm hoping that they will, as this moves through the process, that something will be added there to either the primary purpose, something that will cover these colleges because they are fairly large employers and they are the very ones that would want this exemption.

"Thank you, Mr. Speaker."

Representative Yamane then rose to speak in support of the measure, stating:

"We've tried to pass this measure like this similarly the last couple of years. The only thing that I would like to mention for the members that would be on Conference Committee is that the concern about the studies that have shown that there is no cost to this and HMSA and Kaiser have stated that. The one caveat to that is I believe that their studies are based on prescriptive contraceptive services. That's number one. Number two, the way the bill is written, it implies that you would have coverage based on the health contract where a waiver will be sent out -- another piece of paper -- to all employers that had this coverage. That's kind of like not the way it's normally done, it's usually spilt into the basic policy and a piece of paper -- a waiver -- be given to those groups like, in this case a religious group exemption, so if the members on the Conference Committee can take that into consideration, but I do support this measure.

"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. 822, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Schatz being excused.

**Stand. Com. Rep. No. 1839 and S.B. No. 1089, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1089, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSES," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Okamura and Schatz being excused.

The Chair directed the Clerk to note that S.B. Nos. 1321, 788, 4, 1229, 709, 638, 1137, 822 and 1089 had passed Third Reading at 3:55 o'clock p.m.

**Stand. Com. Rep. No. 1840 and S.B. No. 1325, SD 1, HD 2:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1325, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1841 and S.B. No. 1011, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1011, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Takai rose in support of the bill, stating:

"Just briefly, I would like to thank the Finance Committee, and more specifically the Vice Chair, for including within this bill the contents of House Bill 316 relating to art education standards.

"This bill does two things. One, it addresses some of the concerns by the Legislative Auditor, in terms of the State Foundation as well as the commissioners. And like I mentioned before, it addresses our concerns and, hopefully, it will move us forward in the area of art education.

"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. 1011, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1842 and S.B. No. 1452, HD 3:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 1452, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1843 and S.B. No. 1129, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1129, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

Representative Goodenow's remarks are as follows:

"I support the concept of a licensing special fund from the increase in licensing fees by insurers, agents and adjusters, and I strongly support continuing education programs. My concern is that the Insurance Commissioner, without prior consultation with the industry or the Legislature, proposed this radically new system of funding the Insurance Division. I can sympathize with those who feel that this is essentially a new tax on the industry. I also sympathize with the concern that the proposal lacks real specificity as to a cap on Division expenditures, or on the ability of the Commissioner to make assessments. I, therefore, wearily support this measure."

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

"This bill increases the fees charged insurance agents by 50 percent. This is too big an increase and has no relationship to the cost of regulations. I won't take up this body's time, Mr. Speaker, but if you look on pages 8 and 9 of this measure, you will find how large these increases are.

"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. 1129, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 39 ayes to 9

noes, with Representatives Auwae, Fox, Leong, Marumoto, McDermott, Meyer, Moses, Pendleton and Rath voting no, and Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1844 and S.B. No. 1034, SD 1, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1034, SD 1, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Leong rose to speak in opposition to the bill, stating:

"Mr. Speaker, I rise in opposition to this bill because it diverts critical tobacco settlement funds away from the most important, legitimate, urgent purpose of the settlement which is the education of our young people about the dangers of smoking.

"Part II of this bill diverts an unspecified percentage of the settlement to a rainy day fund to be used in an emergency or economic downturn, or unforeseen reduction in revenues to correct the errors of our failed economic policies through a windfall. However, the tobacco settlement is not about correcting our economic problems, but dealing with the devastating impact that smoking has had on our health.

"The former Surgeon General, Dr. C. Everett Koop, whom several of us had the opportunity to hear and see in a speech in Hawaii, stated that the tobacco settlement money should go to the education of our young people in order to keep them from smoking, because once they become hooked on cigarettes, they will find it difficult, if not impossible, to quit. And this is what the tobacco companies precisely want.

"Once young people start smoking, they can't quit and many will become part of the more than 1,300 Hawaii residents who die annually as a result of tobacco-related illnesses.

"So, Mr. Speaker, I urge us that we do the right thing. Let's use the tobacco settlement to protect the future health of our children. Thank you."

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

"I am rising to speak against the same measure and for the same reasons as my colleague just stated.

"Mr. Speaker, unless we do allocate all of the money toward the purpose for which it was intended to educate our children to help with tobacco-caused illnesses, we are just going to continue the problem of letting people continue to become addicted as they are able to get their hands on cigarettes -- the young people of our State.

"Mr. Speaker, I think we all received a CBS report that states that the tobacco industry is paying sizeable placement fees or rack fees to tobacco retailers in exchange for locating self-service cigarette displays where they are more easily accessible to the public, especially children. And despite consistent shoplifting from the displays, many retailers refuse to move them so they can keep the placement fee dollars. This means that the placement is specifically put in a location where children would be able to take cigarettes with the intent from the tobacco industry that those children would then become addicted to those cigarettes as they started smoking them.

"The placement is enforced through signed contracts. And this system of placement and payment to retailers facilitates children to experiment with tobacco products, thus fostering and perpetuating nicotine addiction among our youth. We need to stop this vicious cycle, and as my colleague mentioned, it's a serious one in Hawaii for more than 1,300 residents die annually from tobacco-related illnesses.

"The bill is taking money away from preventing this addiction, and because of that I oppose that section of the bill.

"Thank you, Mr. Speaker."

Representative Takumi then rose in support of the bill with reservations, stating:

"I think some of the comments raised by the previous two speakers I share, and I also would like to remind the members that this so-called tobacco settlement is actually a regressive tax that will be assessed for all current and future smokers of this State. So it's a very regressive tax because as we know, particularly for the young who can ill afford to buy tobacco and tobacco products, this will have a disproportionate impact on them.

"Thank you, Mr. Speaker."

Representative Santiago then rose in support of the measure, stating:

"Let me attempt to explain a few things to the members. I think all of us would share, perhaps not all of us, but I definitely share some of the concerns that the previous speakers mentioned about trying to use the entire amount.

"One of the things we are wrestling with, however, is that the proposals right now to start up the programs that we're talking about actually funding, we believe can be done with the requested 25 percent being totally dedicated to the start-up. This is not to say that this can't be amended, and perhaps even in this conference, looking at some adjustments to that measure.

"One of the things I wanted to point out though, when we talk about the use of this special fund, is I attended the conference with Dr. C. Everett Koop also. I was very impressed with the speakers. We had some excellent speakers that came down, and they talked to a great extent about the use of the tobacco money. One of the things I found striking is that we say oftentimes, let's have more educational programs for our kids. Yet, in California, where they have spent more money on educating children than any other state in the union, the person who represented them, who was considered the most expert person on trying to get kids to stop smoking, admitted unequivocally it had zero effect on the children no matter how much money they spent. What he said did have a major impact on kids not starting to smoke is taxing cigarettes to the point where they can't afford it because when that child has to decide on buying that Nike shoes, buying that pack of cigarettes, or buying that ticket to a concert, if that person has to choose, cigarettes are going to be the first one that he chooses not to buy. So his recommendation was for us to continue on the course that we took a year or so ago on making sure that it becomes very difficult for kids to access tobacco, which is what we have done in a number of other measures also this year. I share that only with you so that we can keep in perspective that this is not yet over. We haven't yet decided exactly how this is going to be used. The Senate took a very different position. We're hoping that in conference we can get to a closer place.

"The other thing I wanted to talk about is part of this money is to be used to fund our portion of the child health insurance program which is definitely related. Keep in mind that the federal law right now -- they are looking at saying to the states exactly how much you are going to use -- no more, no less. Well, actually I think you can use more. I think it's around 35 percent right now that you're going to have to use, so this is something that we're looking at 50 percent being used for health care, 50 percent to the rainy day fund, and even that, as I have mentioned, is still negotiable in 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. 1034, SD 1,

HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Auwae, Leong, Meyer and Thielen voting no, and Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1845 and S.B. No. 1583, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 1583, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"This is a nice juicy corporate welfare bill. It's an attempt to deal with the great success of Silicon Valley and try to bring some of that success into Hawaii. My understanding is in Silicon Valley it works because it's easy for business to start up there and go into business, and it's next to a first-class university.

"I think if we really want to help the technology business in Hawaii, we should first lower the cost of doing business, which we can do by lowering taxes, and second, we should find a way to get more money to the University of Hawaii. And if you say those goals are contradictory, we have attempted to show the Leadership and and we will be glad to share with others how both those goals can be accomplished. So that's the way to help high technology.

"A particularly offensive section of this bill, when it comes to the corporate welfare, is that in the middle of the bill, not referred to in the committee report, is \$100 million bond issue for the Ohana Foundation which is the front organization for a high technology company in Silicon Valley that the Governor is very interested in bringing to Hawaii. It seldom gets discussed. I don't really know what's going on here, but I'm surprised to see that this thing keeps surviving in the middle of one bill or another.

"So lots of problems with this bill. We do want to try to help the technology industry so deep reservations in support."

Representative Meyers then rose in support of the bill with reservations and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"In general, I support the intent of this legislation, but I must express my reservations. In particular, I refer to the section entitled: 'Hawaii Internet Tax Freedom Act.' The State Department of Taxation raised several points. First, that the federal Internet Tax Freedom Act was designed to prohibit new taxes rather than exempt all taxes. The Department of Taxation was concerned that this broad exemption for goods and services would seriously erode our tax base.

"Secondly, they noted that there is a loophole that you can drive an armored car through. That loophole, also noted by the Tax Foundation, exempts all sales made through the Internet regardless of where the buyer is located. Therefore a local business could purchase items from a web site located on the premises and avoid all general excise taxes. The Department of Taxation testified that in 1998, \$681 million in GET and use taxes were collected for retailing and wholesale in Hawaii, including imported goods. \$227 million in GET was collected for services. This \$900 million tax resource would be seriously depleted if this section is allowed to become law.

"I am also against the \$100 million in special purpose revenue bonds for the Ohana Foundation. This is a private organization. Special revenue bonds are for desperately

needed services that affect a large population. Whereas the bonds that are authorized by this bill would amount to preferential treatment of one company over another."

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

"Certainly after looking at our economy, we realize that we do need a boost in the economy, and having the opportunity have gone up to Silicon Valley. We realized how far behind we are in many of the causes that promote technology. One of the great things we do have is an asset called the University of Hawaii. But there's a difference between being competitive in the sense that we have a structure overall that supports business and technology in competing. Competing is what we do when we compete for things and programs and businesses like the Baywatch program. We had to go out and compete for that.

"This bill is a large step in allowing us to compete for technology companies that have promise for the State of Hawaii. Hawaii has a unique opportunity in that we are highly communicated. We have a lot of fiber coming into this State. We have the opportunity to produce items based on intellectual property, not necessarily manufacturing goods that take shipping. Some of the things in this bill, first of all considering, is a consolidation and organizing of our high technology interest through a special advisory to the Governor, and an advisory council that we hope will be made up of some of the top people not only in the State of Hawaii, but people we can also bring in to advise us on how to incorporate technology into our society. We are offering many tax exemptions for high technology and businesses and here is the good news and the bad news.

"The bad news first. The fact is, we don't have a lot of high technology private businesses in this State. The good news is that when we offer these kinds of tax incentives, we don't stand to lose a lot of revenue. There is a prohibition on taxes on Internet commerce. This is based on a federal Internet Tax Freedom Act. The federal government, particularly Congress, has realized that this is such an evolving area that they do not want to interfere with that. They have proposed a moratorium on all Internet taxes, and we would like to restructure our tax structure to invite Internet companies to Hawaii. Certainly, I know there is some consideration for the Ohana Foundation, but let me remind you, this is a private entity that wants to come in, and part of that process is that their financing any special purpose revenue bonds will depend on their own financing, not the financing of the State. So that kind of private government partnerships are things we need to look at, at least offer the opportunity for those kinds of things.

"The exemption of stock options from high technology businesses from taxation. Now, we looked at companies and certainly an opportunity for incentives is the fact that many of these high technology and cutting-edge companies reimburse their employees through stock options. And if we can recruit some of those companies and provide advantages to them here, that would be another advantage.

"I think one of the great things in this bill is possibly the exemption from royalties for qualified high technology companies. Royalties on patents. Now, we talk about looking at other areas. This is modeled after Ireland. Ireland went from a recession ten years ago to one of the greatest economies in Europe. They are considered the 'tiger' of Europe. And they didn't do it just by restructuring their basic economy which we all have to do. But they also offered great incentives, in particular for high technology, and they've targeted this area. One of the things they did was they offered exemption from royalties on patents to all their people that are inventors, to artists in their community, because their belief was that if they create a creative community, that they will invite people who can produce, who are then services to the rest of their economy.

"So I hope that this measure continues on. I think it's certainly a highlight for the potential growth of high technology in 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. 1583, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1846 and S.B. No. 646, SD 2, HD 3:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 646, SD 2, HD 3, pass Third Reading, seconded by Representative Yonamine.

Representative Saiki rose to declare a potential conflict, "specifically Part IX which revises the public notice requirements. Our law firm represents The Honolulu Weekly which may be a potential bidder under this provision," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 646, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Third Reading by a vote of 48 ayes, with Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1847 and S.B. No. 779, SD 2, HD 2:**

Representative Case moved that the report of the Committee be adopted and S.B. No. 779, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"In the interest of public's health, welfare and safety, we cannot allow this bill to pass without clarifying what the highest level of direct supervision means when it comes to dental hygienists injecting anesthesia into patients. I said the highest level of direct supervision.

"I must remind my colleagues that some very concerned dentists testified that they would not oppose this legislation provided it required that a dentist be in the same room while dental hygienists with only 39 hours of training performed this dangerous and possibly life-threatening procedure.

"Unfortunately, this clarification is not reflected in the bill or committee report. In fact, the highest level of direct supervision required by the bill in its present form could be misconstrued as meaning the dentist need only be in the same dental office or facility during the procedure. But what it actually means by law is that the dentist should be in the same room.

"I assure you agreeing not to oppose does not mean that these dentists support this bill. I know I have a hard time accepting the fact that a dental hygienist will be considered clinically proficient in the administering of intra-oral block anesthesia after only 39 hours of training.

"The procedure involves deep injections which we've discussed before. Mistakes could easily lead to nerve damage and possibly hematomas.

"This measure essentially wants to turn several hundreds of hours of supervised training that a dental student spends in a four-year dental program into 39 hours or two weekends of training. It is obvious why 26 states do not allow anything close to this.

"Mr. Speaker, I will continue to have serious reservations about Senate Bill 779, HD 2, until language is added that requires a dentist to be in the same room with the dental hygienist, and that's why I support this with reservations.

"Thank you, Mr. Speaker."

Representative McDermott then rose in opposition to the bill, stating:

"Mr. Speaker, as I stated before I see this as a further erosion of the privileges of the dentist. Also, nationally and locally, physicians and dentists with privileges would delegate things that used to be exclusively done to those folks and watering down their privileges and thus making it less attractive.

"Also, the safety, as my colleague to the right expressed, I just had a cavity last week, and I am darn glad the dentist injected me because it was in a tough spot to get. But I am opposed to this. Thank you."

Representative Kawakami then rose in opposition to the bill and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Kawakami's remarks are as follows:

"Mr. Speaker, I rise in opposition to S.B. 779, SD 2, HD 2, as I did for its companion bill H.B. 324.

"I oppose S.B. 779, SD 2, HD 2, relating to dental hygienists based on my own personal experience receiving block anesthesia. When I received the anesthesia, it numbed the whole right side of my jaw. I was so terrified -- I had difficulty breathing and swallowing. I felt like I was choking.

"I oppose S.B. 779, SD 2, HD 2, because I am not convinced that the training and course requirements of dental hygienists are adequate enough for them to be able to administer block anesthesia. Critical, technical procedures like this should be left to skilled, qualified dentists."

Representative Pendleton then rose and asked the Clerk to register an aye with reservations for him, and the Chair "so ordered."

Representative Takumi then rose and asked the Clerk to register an aye with reservations for him and requested that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Takumi's remarks are as follows:

"I rise in support of this bill with reservations. My reservations concern the lack of defining what it is meant by the 'highest level of direct supervision.' I believe that in order to provide sufficient safeguards to the public, the highest level of direct supervision by a licensed dentist must be required when the dental hygienist administers intra-oral block anesthesia to a patient that the licensed dentist is actually performing a dental procedure on. It should be clear that this highest level of direct supervision means that the licensed dentist must be in the same treatment room as the dental hygienist. I would further like it noted that the Board of Dental Examiners be advised to specify this definition of the highest level of direct supervision in the rules.

"Thank you."

Representative Hiraki then rose and asked the Clerk to register an aye with reservations for him and requested that his remarks be inserted into the Journal, and the Chair "so ordered."

Representative Hiraki's remarks are as follows:



"I rise in support. Mr. Speaker, I share concerns for the health, safety and welfare of the public. I would like the legislative intent of this bill to be clearly stated that the highest level of direct supervision by a licensed dentist is required when the dental hygienist administers intra-oral block anesthesia to a patient that the licensed dentist is actually performing a dental procedure on, and, that this highest level of direct supervision means that the licensed dentist must be in the same treatment room as the dental hygienist. I would further like it stated that the Board of Dental Examiners be directed to adopt rules to reflect the legislative intent of this bill that will include specifying this definition of the highest level of direct supervision.

"Thank you."

Representative Kanoho then rose and asked the Clerk to register an aye with reservations for him, and the Chair "so ordered."

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

"I guess I have something to do with the compromise bill which is HD 2. This bill will permit dental hygienists to administer intra-oral block anesthesia and establishes the educational and supervisory requirements to ensure protection of patients.

"During the April 8th CPC Committee hearing, despite their differences, all parties involved shared a common concern for patient safety. Many persons had raised strong objections to an earlier version of this bill, citing this very issue of patient safety. At the request of some parties, including those in opposition to this bill, I met with the groups involved, and I would like to thank the Chair of CPC for suggesting and giving me the okay to meet with the parties involved. After much discussion, we were able to work out a compromise HD 2 of Senate Bill 779 that was acceptable to those involved.

"To be sure that there should be no second guessing or any doubt as to how this thing was compromised, I asked the help of Richard Dvnoch, who is an attorney assigned with the Majority Staff Office, and we relied on his legal expertise.

"To address the issue of patient safety, they all agreed that the necessary level of supervision depended upon the dental procedure being performed on the patient. Specifically, the test is whether the work falls within the scope of practice of a dental hygienist.

"If the dental procedure is one that can be performed by dental hygienists under Section 447-3 of the Hawaii Revised Statutes, like removing stains, the dentist need only be in the facility when the dental hygienist administers the anesthesia.

"However, if the procedure is reserved for dentists, and I said dentists, for example, performing repair work on the teeth, then the dentist must be physically present in the room when the dental hygienist administers the anesthesia. All these were discussed in the meeting.

"And the rationale for that is that Section 16-79-69.1(5) of the Administrative Rules for Dentists and Dental Hygienists requires the highest level of direct supervision by the dentist whenever the hygienist is assisting the dentist in the Dentist's practice. This was affirmed by an advisory memorandum from the Department of the Attorney General, dated April 7, 1999. The Attorney General, advising the licensing administrator during the course of these discussions indicated that this phrasing '...clearly requires the highest level of "direct supervision" by a licensed dentist.'

"There can be no higher level of 'direct supervision' than for the dentist to be physically present in the room, watching and monitoring the dental hygienist as the anesthesia is given.

"The emphasis on the matter of supervision is intended to prevent any misunderstanding of the intent of this bill. The dentist must be physically present in the room, watching and monitoring the dental hygienist during the administration of oral block anesthesia if it is outside the scope of practice of dental hygiene services. So it is not within the scope of the dental hygienist scope of practice, then the dentist have to be present in the room.

"Those parties involved in the work on this bill deserve the strongest thanks for their willingness to seek a mutually agreeable solution. That includes parties on both sides -- those for and against the bill. And I have to submit also as part of the record a letter coming from both sides agreeing in the provision of the compromise bill-- the HD 2 of Senate Bill 779, as well as a copy of the Attorney General's advisory memorandum stating the highest level of supervision as part of the records.

"I would also like to thank Richard Dvnoch for his legal expertise, his 100 percent attendance to be sure that the parties involved understand what are the guts in this bill and what are the things that you should be placed in the committee report. With that, I urge my colleagues to vote in favor of this bill.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"Mr. Speaker, I am rising to speak against the bill and I would like to explain why, please.

"I appreciated the very detailed explanation from the former speaker that participated in these negotiations. However, my reading of the bill doesn't show anything that requires the dentist to be in the room. If you turn to page 7 of the bill, lines 9 through 11, you will see 'provided that the licensed dental hygienist's administration of intra-oral block anesthesia shall be under the direct supervision of a licensed dentist.'

"I looked for a definition of 'direct supervision' in the law. There is none, so I went to the rules of subchapter 1 and 'direct supervision' is stated in there. It means that the licensed supervising dentist remains in the dentist office or in any facility. So, Mr. Speaker, it's really unclear. If it's not clear in the law, then you would go to the rules and you would see what it means there. There is nothing that states, as the prior speaker kept saying, there is nothing that states 'in the room.' A dentist's office may be fairly large. It may have a number of treatment rooms where patients are seen. There's nothing that defines that the dentist must be present in the room with the patient when the dental hygienist is administering the intra-oral block anesthesia.

"I would really urge Conference Committee members and the Chair of the Consumer Protection Committee to please take a look at this when he confers with the Senate side, because right now we don't have the projections in the bill that were supposedly worked out at that meeting and unless we have that in the law, then we don't have anything of that nature. Thank you."

Representative Cachola, in rebuttal, stated:

"When I was preparing this speech, I called Richard Dvnoch and asked him specifically if there is any provision in the bill relating to the dentist being present in the room. There is none, I agree. But if you want to know the historical background to show intent of what the bill means, first you go to the language in the bill. If there is none, you look at the language in the committee report. If there is none, you look at the debates that is within this room at this time. And that's why I said specifically that since I was present at that meeting, together with me brokering the compromise bill, as well as the presence of Richard Dvnoch with our Majority Staff Office, all these things about being present in the room have been discussed by

both parties, and that's why I said, to avoid any misunderstanding of what is the intent of this bill, that I have presented orally here in this debate as well as written letters coming from the parties involved, together with the advisory memorandum from the Attorney General's Office, saying that there is a highest level of direct supervision when it comes to the administration of oral block anesthesia.

"With that, hopefully, if there is any Conference Committee on this bill, that it can be clarified further. It depends on the parties involved in conference. Thank you."

Representative Kahikina then rose and stated:

"I rise in opposition but for different reasons.

"And, Mr. Speaker, I just want to say that I appreciate the Representative from Kalihi and the Chairman from CPC for allowing this measure to come to a compromise level. Although there's some compromise wording here that was articulated by the Representative from Kalihi from all elements, my concern was and it is still public safety. And for me, I wish that it went even further in notifying the patient's notification because no one would know if this guy who's injecting you is a dental hygienist or the dentist. And as I alluded in other floor speeches, wouldn't you want to know that the doctor that you're going to is a theologian doctor or a physician? You know, just because he got a doctor in front of his name doesn't mean he's a medical doctor. And so, for those reasons, we want to raise the standard or the bar a little higher because the practice is one of life and death. And I believe even members in this House have experienced some bad experience with being injected.

"So, those are the reasons why I am opposing it. I'm hoping that as it goes to conference, that it could become even more compromising and more safety issues could be inserted in this bill.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"Mr. Speaker, it really is clear that we need to have more clarifying language in the final House Conference draft, and I hope that that will happen. I encourage the parties to make sure that it's 'present in the office' where the patient is being treated. Thank you."

Representative Meyer then rose in opposition to the bill, stating:

"Again, I don't think it even matters if the dentist is in the room. It's the person who is in control of the hypodermic needle, and in a block anesthesia it's a very long needle. It's about six or seven inches long, it's put in way back in the jaw. Unless the dentist had his face. . . I mean he can't control the hand of that hygienist. In the scope of the work hygienists do, the most that they would be appropriate for would be infiltration which is a little half-inch needle and is just around the gum line if you're going to be painful while you're having a deep cleaning. And so I realize that the hygienists were given this right last year so it's kind of moot. We keep arguing about this. But the only thing that I would feel comfortable with is if we repeal what we did last year.

"I agree with my colleague from Nanakuli, consumer protection should be number one. I also know that dentists have the last say. A wise dentist will not allow the hygienist to do this.

"My concern is there may be dentists gearing up for assembly-line practice, and this is where the consumers are really going to be in trouble.

"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. 779, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Kahikina, Kawakami, Marumoto, McDermott, Meyer, Morihara, Moses and Thielen voting no, and Representatives Ahu Isa, Chang and Okamura being excused.

**Stand. Com. Rep. No. 1848 and S.B. No. 513, SD 2, HD 2:**

Representative Case moved that the joint report of the Committees be adopted and S.B. No. 513, SD 2, HD 2, pass Third Reading, seconded by Representative Yonamine.

Representative Yamane rose to speak in opposition to this bill, stating:

"The idea behind this bill has been around before. It has sadly died before. This particular bill is on the floor today. The Chairs of Consumer Protection and Judiciary have tried to narrow the bill down to allowing family child care homes businesses in only townhouses and the townhouse definition is on page 3 of the bill. It does narrow it down so you have projects that are considered townhouses now, it might have townhouses in their name but it wouldn't be townhouses per this definition.

"But on page 4, 2(a), it makes a governmental mandate, forcing the townhouse projects should fit this definition to allow family child care homes, overriding the governance of the association of assumably free land owners.

"It also makes reference in this bill that if there is Americans with Disabilities Act requirement that the family child care home operator must make an application I assume to the association and pay for the modifications themselves. The question is, if the requirement for the American with Disabilities Act is to the common area and not to the unit itself, there's a question whether the association has to put it in before they can their business.

"On page 6, it has a listing of four costs to the family child care home operator and these costs, I would expect, would be extremely high. And the reason I say that is because townhomes are condominiums, apartment houses. Their insurance is based on a rating for residences, and that is one of the lowest rating risk classes around. If you put a family child care operator in a group project, it becomes a mixed use. And if it becomes a mixed use, the premiums will be based on commercial and residential and the premiums should go up unless you have an underwriter that has a problem with figures. So if you are asking a child care home operator not only to get insurance for their own operation, but also to pay the difference that the association is paying for the liability coverage, I think would be extremely onerous.

"The other concern I have is there is nothing in this bill relating to any monitoring of whether this is being done or not. And if the townhouse project as defined in this bill meets the definition, there is no penalty in this bill so even if it's done or not, there isn't any penalty. So what's the motivation?

"My last concern is I know that this type of operation is being done now. And on page 7, it states the liability for operation of a family child care home and it essentially is giving the association indemnity against this operation. And my concern is that currently most condominium/apartment project policies are written and they are written with liability coverage and it is assumed that if have an unknown liability and an occurrence happens because of an unknown liability, the association is still covered. If you put this statute on the books, this 663 statute, I assure you policies will be issued with an exclusion for this coverage. And so what might be covering the association now because the Board of Directors turned a blind

eye to it, will not be covered in the future. And those are my major concerns, Mr. Speaker. Thank you."

Representative Fox then rose in opposition to the bill and asked that the remarks of the other Representative from Waikiki be entered in the Journal as if they were his own, and the Chair "so ordered." (By reference only)

Representative Rath then rose in opposition to the bill and asked that the comments of the Representative from Waikiki be entered in the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Meyer then rose in support of the bill with reservations and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"This bill includes condominiums along with apartment complexes. In passing this bill into law, it would impose its requirements over those of the condominium associations. In my opinion, we have no right, nor authority to override the decisions of a group of condominium owners in how they wish to live their lives and manage their homes and communities."

Representative Lee then rose in support of the bill and asked that her comments be inserted into the Journal, and the Chair "so ordered."

Representative Lee's comments are as follows:

"I would like to speak in favor of the measure.

"Child care shapes the way our children think, learn and behave for the rest of their lives. The need for quality child care and after-school activities is a daily concern for millions of America's working families. Everyday, thirteen million preschoolers and millions more school age children and youth are in after-school activities while their parents work.

"Moms and dads, especially in Hawaii, are working harder than ever to support their families and need reliable, affordable child care. Unfortunately, parents face great difficulty finding quality child care they can afford. In Hawaii the cost for monthly care is more than \$800 per month and sometimes more. The purpose of this bill is to expand the licensure of safe and affordable family child care homes (not businesses) to condominiums and apartments.

"Mr. Speaker, it is no secret that child care is already going on in such dwellings. Unfortunately, it does not have the safeguards of licensing and has gone underground.

"All of us, members of the Legislature and members of the public, must support the needs of our young families and children on this island. Most of our young families live in apartments and condominiums. Our young people need our help. As a famous lady said in her recent book: it takes a village. We must all be responsible in some way and must work to make affordable child care a reality.

"In 1998, a California law allowing child care in condos was challenged. The court in *Barett v. Dawson* found that: 'insuring adequate and local day care for working parents is probably about as broad a public purpose as might be imagined in the regulatory universe.

"This bill is the right thing to do and I urge my colleagues to support it."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and S.B. No. 513, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," passed Third Reading by a vote of 35 ayes to 13 noes, with Representatives Auwae, Fox, Halford,

Leong, Marumoto, McDermott, Moses, Pendleton, Rath, Stegmaier, Suzuki, Whalen and Yamane voting no, and Representatives Ahu Isa, Chang and Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 1325, 1011, 1452, 1129, 1034, 1583, 646, 779 and 513 had passed Third Reading at 4:38 o'clock p.m.

### THIRD READING

#### S.B. No. 285, SD 1, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 285, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

#### S.B. No. 1517, SD 1, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 1517, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

#### S.B. No. 560, SD 1, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 560, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREAS," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Herkes voting no, and Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

#### S.B. No. 809, SD 2, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 809, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

#### S.B. No. 236, SD 1, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 236, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

#### S.B. No. 777, SD 2, HD 1:

Representative Case moved that S.B. No. 777, SD 2, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Thielen rose in opposition to the bill and asked that her remarks be inserted into the Journal, and the Chair "so ordered."

Representative Thielen's remarks are as follows:

"Mr. Speaker, I rise in opposition to S.B. 777, HD 1. Specifically I oppose the idea of nonjudicial foreclosures. A nonjudicial foreclosure avoids the court process. There is no commissioner or judge to balance the interest of the parties or to give a party more time for more financing. The foreclosure is conducted by whomever the lender chooses.

"Elderly people have been particularly hard hit by nonjudicial foreclosures. What has been happening is that those who have equity in their homes have been approached to make second loans on their homes, often ostensibly to remodel their homes, under unfavorable terms and conditions. This is done without regard to whether they can afford to do so. Something happens and the home is foreclosed upon where there is still equity in the home. If the foreclosure goes through the nonjudicial process, there is often no time to get the right price for the home or to get any remedy for any fraud. Thus the elderly lose their homes which they have had for years. Because the elderly and often the working class are preyed upon and fall victim to this fraudulent means of obtaining their homes, I oppose nonjudicial foreclosures."

The motion was put to vote by the Chair and carried, and S.B. No. 777, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Thielen voting no, and Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 947, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 947, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 957, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 957, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Fox, Meyer and Rath voting no, and Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 628, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 628, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 896, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 896, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP PROCEEDINGS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 1512, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 1512, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARTNERSHIP ACT," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 1485, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 1485, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 36, SD 2, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 36, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 808:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 365, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 365, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 1180, SD 1, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 1180, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION OF NONRESIDENTS," passed Third Reading by a vote of 46 ayes, with Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

**S.B. No. 1518, HD 1:**

Representative Case moved that S.B. No. 1518, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Thielen rose to speak against the bill, stating:

"I am very concerned about the probability of the Hawaii State Hospital closing and I have gathered some information. I know that since 1989, there have been documented complaints about the management and the general running of the hospital. And now, ten years later, the Department of Health has decided to close the facility or almost close the facility and just leave a few beds there.

"Last week there was a briefing held to discuss the impending closure and it was clear that this is what the Department wants. But I really question, Mr. Speaker, whether this is best for the people that have been committed to the hospital. The community does not have the resources to help the more than 160 people that would soon be moved from the hospital.

"Within the last two months, health care for the homeless project at the Kalihi/Palama Health Center has had two clients that were released from the State Hospital. They were deemed not acute and were released in February. They refused almost all treatment in the hospital and all services offered to them. One of the two was arrested for theft three times within the first three weeks following his release. This was due to the fact that he had no money. This is because the Department of Human Services states that you must be out of the State Hospital before your application can be looked at for general assistance. This gentleman has basically 'fallen through the cracks,' and they were not able to reinstate his SSI without his being present. Therefore, he has no income whatsoever and he is only minimally connected with the program that helps the homeless.

"The other gentleman has refused all treatment since his release from the hospital, and he has visited the fifth floor office several times and harassed the Governor's staff there. This individual was a resident of the Hawaii State Hospital until about one and one-half months ago. While he was at the hospital and since he has been released, he has refused all treatment. And again, due to the fact that a person's application for financial assistance cannot begin to be processed until the person is released from the hospital or prison, he had no money once he was released. And he was homeless immediately upon his release.

"This is what's happening, folks, with closing down of that hospital or closing down a significant number of the beds at that hospital.

"The people such as the two gentlemen I have described are not able to think as you and I are able to think. They are often tortured by voices that only they can hear, and they are often scared of what is going on around them. I don't think these are solitary incidences, and I am also fearful that this will continue in the future.

"We're talking about individuals that suffer from serious mental illness such as schizophrenia. The idea of sending any one of them to the mainland, by the way, is appalling. They're citizens of our State and we must take responsibility for their welfare here.

"The plan that is being proposed calls for community resources. There aren't beds available for these individuals or there may be some beds available for them, but are they receiving the treatment that they require? And another important issue is the future for these individuals. The residents of the Hawaii State Hospital are not the last that have serious mental illness. There will be thousands more that come in in the not-so-distant future, and how are we going to prepare for their needs? Instead of turning our Department's responsibility over to the community, I think we ought to step back and take a look at the people that will be affected by this -- the patients.

"Before we close any part of the hospital, let's build up the community resources, Mr. Speaker. That hasn't happened, as the gentleman in the Governor's Office demonstrates; as the other who was arrested for theft three times and shouldn't have been out in the streets with no money, no help, no care. We need to build up the community resources and ensure the future of our neediest citizens.

"Mr. Speaker, I remind you on Opening Day of the 1999 legislative session, you stated your vision of the State of Hawaii as a place whose government holds high it's moral test of how the government treats those who are in the dawn of life and those who are in the shadow of life -- the sick, the needy, and the handicapped. You announced that we must meet that test and not abdicate our social responsibilities. And you added that we are to remember that government is defined by how well it cares for its neediest citizens. Mr. Speaker, this bill does not meet that test. Thank you."

Representative Catalani then rose in opposition to the measure, stating:

"As the Representative of the area where the Kaneohe Hospital is located, the residents have expressed concerns about what the proposed closure will mean for our community. The residents' concerns center around these patients becoming the new homeless population, as the former speaker alluded to. Our community already has experiences with a number of homeless persons who exhibit mental illness. What we don't want are new patients with mental illness assaulting, fighting with, or otherwise harassing our residents or other homeless people who are currently homeless.

"Secondly, I don't believe that the Department of Health has a clear plan about the closure. The Department of Health proposed the closure just to get out of the court order. However, I don't believe just closing the hospital would release the State from liability for the patients' care.

"Thirdly, I have spoken to some of the private providers of the State and they have stated that they have not been able to take on these patients. These private hospitals do not have the capacity to house these patients, let alone trying to address the new patients who are now waiting for a room at Kaneohe State Hospital, waiting at Halawa and OCCC.

"I have a lot more concerns that I would like to have inserted into the Journal (the Chair 'so ordered'), but for these reasons I am opposed to the closure."

Additional remarks of Representative Catalani are as follows:

"There are generations of employees who work at the Hospital who will be out of work. They have done their best in attempting to meet the needs of the patients. However, with the ever-changing administration, it is difficult to get continuity with the patient plans.

The other reasons I am opposed to the closure are as follows:

DOH does not have a clear plan for:

- \* The forensic patients (those who committed crimes but are found guilty due to insanity).
- \* Acute forensic patients who came from OCCC (awaiting trial, but cannot proceed because 'insane').
- \* Acute patients who need the security of locked care and who probably could be released in 3-4 months with proper treatment.

"Most stated have a state hospital to care for patients who are classified as forensic and acute. The Department of Health should look at keeping the State Hospital open to care for forensic and acute patients and open for an outpatient facility/short term facility by using federal funds for community care including Medicare funds.

"More basically, which community will take in these patients in a community home? The State Hospital tried to place one patient, but community opposition forced the State Hospital to keep the patient."

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

"I share many of the concerns that the previous speakers had, and many of these concerns were brought up at the briefing that the Committee on Health and your Committees on Human Services, Labor, and Public Safety held, along with the Senate, last Wednesday. And we should have concerns because this proposal comes so late in the legislative session. It is a bombshell and it's really difficult to react, and we have to acknowledge that there aren't enough community services, community programs, to provide appropriate care, and we also realize that the Department was probably going to go on a 'fishing' expedition to see if they could maybe float some contracts and request for proposals and see if they could build a system real quickly.

"There were concerns about the personnel and what would happen to them, as well as concerns for what we call the 'forensic' patients -- those who are criminally mentally ill. But the fact that everyone focuses on the closing of the hospital I think takes away from what is really at the crux of the issue. And the fact is, under the Civil Rights for Institutionalized Persons Act, or CRIPA, the State of Hawaii has been held in



contempt and rightfully so, because we've had about eight years to make things right. The fact is, we haven't, although I think as a Legislature we responded to every request that the Department of Health has made in this regards. But the fact is, the Leadership at the State Hospital has changed so often, they probably have not been able to provide consistent direction to see us through protecting the patients' rights.

"You know, we fixed the physical facilities but we haven't been able to assure patient safety and treatment. And so the question is not whether we close the hospital or not, the question is: how do we get ourselves in compliance so that at the end of this year, Judge Ezra does not come back and say, 'I'm sorry, you're not in compliance, I'm going to appoint a Master and you the Legislature and the State of Hawaii will have nothing to say about what the Master mandates.' The Master will mandate how much we spend on assuring patient rights, he will mandate what kind of facility and what kind of programs and personnel we will have.

"If the experience of Puerto Rico is any indication, they were forced to spend over \$300 million to meet their Master's mandate. And I think we know from the experiences of Felix how difficult it is to try and comply with these mandates. So I think we need to focus really on what is at the core of the issue. And as policymakers we need to decide -- are we going to make things right? Are we going to be willing to pay the price, whatever that price may be?

"At this point, this bill is probably not the answer in its current form, but I think we need to continue to move towards finding a solution or a compromise, hopefully, without resorting to a special session. And I think if we can ask for the cooperation of all the members to help us find a solution and not just focus on the closing, but look at how we can provide the best care for our mentally ill patients.

"Thank you, Mr. Speaker."

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

"My support and reservations come from the testimony we heard from Dr. Anderson and the Department of Health staff before the Finance Committee. They talked to us about Judge Ezra's decree, and I think that's a Felix waiting to happen if we don't do something. So we must do something. If this is the something I don't know, but Dr. Anderson's staff told us nobody is going to be thrown out on the street. They're all going to find a place in a private institution. They're already talking to hospitals that can accommodate them.

"So if that's the case, that's okay for the patients -- they will be taken care of. And they said that the Department of Health will supervise and make sure that they're being taken care of. As far as the employees, they said likewise they will move the employees around. They are not going to be thrown out on the street either.

"So if they can do those things, I'm all for this. If they can't, we may be back here in a special session, I don't know. Because if not, Judge Ezra is going to appoint a Master and take over and that will cost us a lot of money, and it won't help the patients any more, I don't think.

"Thank you, Mr. Speaker."

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

"It is simply demagoguery to suggest that what we are talking about is putting people out on the streets. Very definitely the Department of Health intends to take people out of the State Hospital and put them in other facilities based on the amount of danger they pose to the community. So if they're going to pose a serious danger, they are going to be essentially incarcerated, treated as forensic patients.

"We have a lot of money to work with, in terms of doing something differently, because each patient costs the State \$180,000 a year to maintain. Certainly we can find a better way to administer to our mental health needs in the State than the current system which is so costly.

"Thank you, Mr. Speaker."

Representative Santiago then rose in support of the measure, stating:

"I really do appreciate the comments made by all of my colleagues. A couple of points I wanted to make. This was given to us, as my colleague from Kalihi had just mentioned, we were well into our session -- past the 40th day. When we were thrown this bombshell, as it has been referred to, I think the Legislature stepped to the plate, we did, and we said, okay, we're going to deal with this. We're going to do what we believe is the most responsible thing to do, and one of the things that we decided to do was allow for a measure to be heard, passed and taken into conference, knowing full well that this fell far short of what our needs are.

"I would like to echo what the Representative from Waikiki, I think was alluding to. I do see this as an opportunity. I see this as an opportunity for us to really address some of the horrific conditions that we have allowed our State to fall into over the years. This is not just about the adult mental health population but I heard Felix mentioned earlier. Truly, this is far beyond Felix. Felix is a 'baby' compared to the problems we've had at the State Hospital. This is nine years running. We are not about to face a similar situation with Felix. Should Judge Ezra decide that we have failed to comply substantially and give the Department of Health the necessary resources and the necessary statutory changes, and we are held in contempt. At that point, we lose any and all control. And as far as the State and our fiscal problems that we face today, it will be multiplied. It has been shared with me, however, by some advocates that that might not be the worst thing for the population, that in fact, someone coming in and just saying: I don't care what situation you're in, the patients need X, Y and Z, and this is what they're going to get.

"However, again, trying to accept the responsibility that we've been placed with, that we've been forced to accept, we're saying: what would be the best way for us to proceed? I seriously have had two different drafts dropped on my desk by the Department. We are in the process of meeting with all the key players, we're in the process of meeting with the employees, with the advocates, the patients' families. We are also talking about having a special Department of Justice meeting so that we can be sure that if they're asking us to go with this 'deinstitutionalization concept', that it is in fact going to be acceptable to them. We need to look at what they've done in other states. We need to understand that nationwide this is the movement that we are talking about better treatment and, in fact, treatment that can be even less costly than what we have today.

"If we are faced with this opportunity, it is in our best interest that we move forward, that we put into the measure what I feel is absolutely essential, and that is legislative oversight. We're moving in that in both areas not just in this area, but also in the Felix area, and I welcome all of you who have an interest in this area to be a part of that legislative oversight. Certainly it's going to be much more than anyone of us can handle. We already have members in this legislative body on both sides -- in the Senate as well as in the House -- who are very familiar with the problems that we are faced with, who are very frustrated with the fact that every time we have been asked to come to the table and fund what they felt they needed to deal with the cost and the consent decrees. We have said, okay, here it is, only to find that we have fallen short every time. So this is it. In my opinion, this is it. It's time for us to put up jointly with the administration. They say this is what they need, we're

going to give them an opportunity to put into place the capacity to build that capacity out in the community, and as the Representative from Kailua mentioned, I am fully aware of the two individuals that came out of the hospital recently. We're going to try to see if we can avoid that kind of 'revolving door.' It doesn't do anyone any good. So if we can see this as an opportunity as I do, come to the table and say to everybody: this is it, we have to do something now for, above all, the patients, their families, our community -- we cannot place our community at risk by having individuals who are not ready to be out there -- being out there without the supervision and the capacity.

"So I was very much on the same night that the Finance Committee was holding its hearing, we held a major informational briefing here in the Auditorium. It was so well attended, such great information was shared that night. It resulted in the Department actually going back to the drawing board, revising their plan, and coming up with alternatives. So I am hopeful, Mr. Speaker, that with the support of my colleagues and everyone else going into the Conference Committee, we're going to come up with some better ideas. We're actually going to come up with a plan that some people can say, if we do this, this is going to work and it is going to be in the best interest of everybody. And hopefully, hopefully, when the court holds its next informational whatever you call that that they go back in for, there is going to be some understanding that the Legislature is going to be right alongside, supportive of this effort to get the community capacity up to par.

"Thank you, Mr. Speaker."

Representative Marumoto then rose and stated:

"I'm going to vote for this measure very reluctantly. I appreciate all the comments that were made by the speakers. I think they're very sincere and well taken. I wish the Chair of the Health Committee much luck in his endeavor. He also is very sincere and he has a big problem ahead of him, and I wish him a great deal of success.

"But standing here and having been a twenty-year veteran of this House, I know that we should have been planning for this day, for this eventuality for many, many years, since our economy has been flagging and our revenues have been sagging, and the mental health system has not been improving. In addition to our State Hospital, our prisons, our adolescent and child mental health system, our special education infrastructure all have been threatened or have been under the federal consent decree for years, or threatened with accreditation. It's been a very shameful record.

"Why haven't we taken measures to improve all these services, to cut costs, to restructure, to privatize, many, many years ago?"

"If we had made a determination to close the State Hospital facility sometime ago, we would have had many private organizations out there ready to take over these patients, or to have prison space for the most violent and to have beds ready in the Hawaii Hospital System. Decades of poor planning, poor management, poor administration have led us to these mean acts, pieces of legislation such as the legislative vetoes for collective bargaining, for the cap on the Health Fund expenditures, and this proposed sudden closure of an entire hospital. It is a very sad record. Just last week we got hit with all these new ideas and we've always said if things really get that bad, then finally maybe the Legislature will act. I hope we do. Thank you."

Representative Garcia then rose in support of the measure, stating:

"I want to commend actually the work of the Chairs of Health and Human Services, together with Finance, doing what

they could do in the short time that this was given to us to deal with, and I know that this is a work in progress.

"I appreciate the invitation of the Chair of Health to those of us who perhaps want to get more involved and even in fact be a part of this Legislative Oversight Committee. I have already told the Chair of Health that I would prefer not to be given that formalized role that I would, in fact, want to just continue the work beside him, and especially trying to address the concerns of the Department of Public Safety which were raised at the informational briefing that we held here at the State Capitol Auditorium. Mr. Speaker, like several speakers before me on this issue, I also see this as an opportunity.

"Now, with respect to the prison situation, I have raised concerns at the informational briefing as to the impact that this would have on those inmates that are in dire need of mental health treatment, and that your Chair of Public Safety is concerned that this is addressed adequately or we might face the kinds of concerns that the hospital has been faced with over the last ten years with respect to CRIPA and how your Public Safety Chair does not want to have to face the prospect of another consent decree slapped on the prison system.

"But I see this as an opportunity. I have some plans and formulation as I have discussed them initially with the Directors of Health and Public Safety. And I will be going to the Leadership and to the key Chairs on some of those plans to see how the concerns of public safety can be met. This opportunity also gives further credence and greater urgency to the development of the proposed medium security facility.

"Thank you very much."

Representative Meyer then rose in support of the measure with reservations, stating:

"It seems that Hawaii is becoming notorious for dealing with problems in a crisis mode, and that is definitely what we have at the State Hospital.

"I am concerned about the fact that the Director of Health stated in the Finance Committee that he had not spoken with Judge Ezra about this idea of privatizing and emptying out the State Hospital. So at this moment, we don't know whether that would be acceptable to the Judge.

"As far as an opportunity -- we've had this opportunity for eight years. Everyone in this chamber was aware that we were not in compliance. I realize it is easier said than done, but it's been waiting there for us to do something about.

"I am concerned about the community homes. During that same Finance Committee hearing there was testimony from some people who live in Kailua who happen to live next door to a community home, and this is a home that the Department of Health contracts with. There are five mental health patients living there who are not violent. But they don't function like you and I do. And there are a couple there that are very disruptive. I was shocked to hear that that home was running without a resident manager. They said for two months, the person that was in charge of the patients there came in the morning like it was a job, but she didn't sleep there. And that just seems not proper. And the man that manages it now is a carpenter with no training whatsoever in mental health training, and he's getting paid to be there. So there's a real question in my mind as to whether we're creating a bunch of community homes, whether that will make us in compliance.

"I am concerned about the job that the Department of Health is doing as far as oversight for these community homes.

"We have no choices. The huge expense that we're going to look at if the Master is appointed is just hard to believe. We think we have problems with Felix, but it's costing millions and

millions of dollars, and I would be pleased to be a part of the legislative group that works on this.

"Thank you, Mr. Speaker."

Representative Santiago then rose and stated:

"Mr. Speaker, just to answer some of the inquiries that have been raised by my two colleagues.

"First of all to the Representative from Laie and the Kahaluu area, my neighboring Representative. The compliance team which is part of the Department of Justice which oversees this and basically makes its recommendations to Judge Ezra did in fact meet on March 15, 16 and 17 of this year, and they acknowledged the need for the further development and expansion of community programs, together with the development of a secure psychiatric rehab program. So, given this, the State is understanding that their expectation is that this is going to be the manner which Judge Ezra would be favorable to.

"In regard to some of the comments that the Minority Leader made, I cannot defend some of the policy requests that have come to us. I don't have the years of service that she has. She has been in twice as long as I have and there's definitely much more history there than I can attest to.

"I can say this though that this legislative body and those of us who have an interest in this area have, in fact, made policy recommendations to the Department over the years. We have, in fact, tried in both this area and in the Felix area everything we can, short of micromanaging the Departments and getting in there ourselves and saying, this is how we want you to do it. We have done everything we can to work cooperatively.

"The frustration level that this Chair feels is that regardless of what they have recommended, what they have done, what we have funded, there have been great strides made, both in the physical facility, the patients' families have in fact talked about in both areas -- adult and adolescent mental health. The funds we have spent have not gone totally to waste and I do have to challenge the contention that that has occurred.

"What we have failed however to do, in my opinion, is go that extra step. It's not going to be cheap and those who, in fact, think we're going to save a lot of money by going this route, we're going to find out differently. I have been in touch with my colleagues from the Mainland, from the states that have, in fact, implemented the deinstitutionalization of their adult mental health services. We are scheduled to go and view what they have done because I do believe, if we're going to model after these states, we have to look at the pitfalls they ran into also, and they have all told me, it wasn't cheap.

"Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"Just some brief comments. I thank the Chair of the Health Committee, but it boils down to this: the Department of Health has released at least two people, probably more, without a safety net, and those people are homeless. One then committed a few, I think three robberies, the other has been in the Governor's Office like four times and is not able mentally to be able to get the help himself that he needs. Neither are on medication, neither have had any source of funding whatsoever, and the Department of Health did not do its job. It doesn't leave me with any good feelings about the Department of Health, or any feeling at all that they're going to be able to handle this well.

"I think we're going to go from crisis to crisis to crisis in our communities and our neighborhoods, and you stop and think of the people that we should be protecting. It's our responsibility to protect. The Department isn't doing it so I think we need to

do something to make sure the Department does its job. It isn't now. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Catalani and Thielen voting no, and Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki being excused.

The Chair directed the Clerk to note that S.B. Nos. 285, 1517, 560, 809, 236, 777, 947, 957, 628, 896, 1512, 1485, 36, 808, 365, 1180 and 1518 had passed Third Reading at 5:11 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1849) recommending that H.C.R. No. 48, HD 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1849 and H.C.R. No. 48, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING VOYAGER SUBMARINES' PROPOSAL TO PLACE TWO DERELICT VESSELS AT ITS OPERATIONS SITE TO CREATE AN ARTIFICIAL REEF," was deferred until Thursday, April 15, 1999 (48-hour notice).

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1850) recommending that H.C.R. No. 74 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1850 and H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUAHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was deferred until Thursday, April 15, 1999 (48-hour notice).

#### ANNOUNCEMENT

Representative Arakaki rose and stated:

"After all the bad news about the failure of our mental health system, I am pleased to report that one of the areas we have done well, I think, is in the area of youth services and youth crime. I think we have done a lot because of our policy effort to invest in gang prevention and intervention. Our rates actually of juvenile crime have gone down compared to other states. That is not to say we don't have any problems in this area, so we're having a briefing tomorrow until 9:00 o'clock in Conference Room 329, from 9:00 to 11:00 a.m.

"And when we created the Youth Gang Response System, we established a mandate that they report back to us every year, so for those members who are interested, the University of Hawaii, Office of Youth Policy, will be providing a report to us tomorrow."

#### ADJOURNMENT

At 5:15 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Thursday, April 15, 1999. (Representatives Ahu Isa, Kahikina, Menor, Okamura and Saiki were excused.)

## FORTY-NINTH DAY

Thursday, April 15, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered, partly in song, by Deacon Delwin Beazley, after which the Roll was called showing all members present with the exception of Representatives Menor, Meyer, Morihara, Okamura, Rath and Saiki, 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

The following message from the Governor (Gov. Msg. No. 204) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 204, informing the House that on April 13, 1999, pursuant to House Concurrent Resolution No. 262, which was adopted by the Legislature on April 9, 1999, to recall four bills for further action, the following bills were returned to the House of Representatives for further action by the Legislature:

1. H.B. No. 801, HD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";
2. H.B. No. 1286, HD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.";
3. H.B. No. 1287, HD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC"; and
4. H.B. No. 1595, HD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 483 through 667) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 483 transmitting S.C.R. No. 104, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," which was adopted by the Senate on April 13, 1999.

Sen. Com. No. 484 transmitting S.C.R. No. 132, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," which was adopted by the Senate on April 13, 1999.

Sen. Com. No. 485 transmitting S.C.R. No. 174, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK

FORCE ON ALTERNATIVE MEDICINE," which was adopted by the Senate on April 13, 1999.

Sen. Com. No. 486 returning H.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 487 returning H.B. No. 791, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 488 returning H.B. No. 936, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 489 returning H.B. No. 996, entitled: "A BILL FOR AN ACT RELATING TO MEETINGS OF STATE AND COUNTY BOARDS," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 490 returning H.B. No. 1072, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 491 returning H.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES PAYMENT," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 492 returning H.B. No. 1125, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF MEDICAL PAYMENTS," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 493 returning H.B. No. 1338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 494 returning H.B. No. 1350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF RECYCLED OIL," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 495 returning H.B. No. 1703, entitled: "A BILL FOR AN ACT RELATING TO WAIMANALO," which passed Third Reading in the Senate on April 13, 1999.

Sen. Com. No. 496 returning H.B. No. 1, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 497 returning H.B. No. 4, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 498 returning H.B. No. 8, 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 13, 1999, in an amended form.

Sen. Com. No. 499 returning H.B. No. 11, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 500 returning H.B. No. 20, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE

JUDICIARY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 501 returning H.B. No. 32, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 502 returning H.B. No. 37, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 503 returning H.B. No. 47, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 504 returning H.B. No. 71, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 505 returning H.B. No. 86 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 506 returning H.B. No. 100, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 507 returning H.B. No. 104, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 508 returning H.B. No. 122, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 509 returning H.B. No. 133 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND THE SMALL BUSINESS DEFENDER POSITION AND OTHER SUPPORT PERSONNEL ESTABLISHED UNDER ACT 168, SESSION LAWS OF HAWAII 1998," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 510 returning H.B. No. 138, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 511 returning H.B. No. 139, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 512 returning H.B. No. 140 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 513 returning H.B. No. 142, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 514 returning H.B. No. 150, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 515 returning H.B. No. 157, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 516 returning H.B. No. 159, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO WHISTLEBLOWER PROTECTION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 517 returning H.B. No. 161, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 518 returning H.B. No. 162, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 519 returning H.B. No. 167, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 520 returning H.B. No. 171, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 521 returning H.B. No. 172, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 522 returning H.B. No. 174 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 523 returning H.B. No. 176, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 524 returning H.B. No. 177, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 525 returning H.B. No. 212, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 526 returning H.B. No. 232, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 527 returning H.B. No. 235, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 528 returning H.B. No. 252, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 529 returning H.B. No. 266, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND



PROTECTION ACT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 530 returning H.B. No. 273, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 531 returning H.B. No. 274, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 532 returning H.B. No. 294, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 533 returning H.B. No. 300, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 534 returning H.B. No. 314 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 535 returning H.B. No. 318 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SCHOOL CLERICAL POSITIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 536 returning H.B. No. 325, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 537 returning H.B. No. 328, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 538 returning H.B. No. 333, HD 2 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 539 returning H.B. No. 336, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 540 returning H.B. No. 351, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 541 returning H.B. No. 353, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 542 returning H.B. No. 374, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 543 returning H.B. No. 375, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO

TAXATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 544 returning H.B. No. 377, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 545 returning H.B. No. 389 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 546 returning H.B. No. 411, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 547 returning H.B. No. 424, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 548 returning H.B. No. 440, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 549 returning H.B. No. 460, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 550 returning H.B. No. 499, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 551 returning H.B. No. 500, HD 3 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 552 returning H.B. No. 510, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 553 returning H.B. No. 512, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 554 returning H.B. No. 519 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 555 returning H.B. No. 522, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 556 returning H.B. No. 531, (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 557 returning H.B. No. 532, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 558 returning H.B. No. 547, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 559 returning H.B. No. 557, HD 2 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROPICAL FLOWER RESEARCH AND PROGRAMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 560 returning H.B. No. 562, (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 561 returning H.B. No. 582, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 562 returning H.B. No. 632, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO DISABILITIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 563 returning H.B. No. 634, HD 1 (SD 1), entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDRETH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 564 returning H.B. No. 635, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 565 returning H.B. No. 645, (SD 2), entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 566 returning H.B. No. 657, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 567 returning H.B. No. 658, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 568 returning H.B. No. 661, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 569 returning H.B. No. 664, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REQUIRED RESERVES FOR A DEPOSITORY FINANCIAL SERVICES LOAN COMPANY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 570 returning H.B. No. 677, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING, ALL-NATURAL CLEAN ENERGY POWER STATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 571 returning H.B. No. 700, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 572 returning H.B. No. 715 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 573 returning H.B. No. 718, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 574 returning H.B. No. 747, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 575 returning H.B. No. 749, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 576 returning H.B. No. 753, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 577 returning H.B. No. 756, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 578 returning H.B. No. 765, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 579 returning H.B. No. 797, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR RECREATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 580 returning H.B. No. 806, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 581 returning H.B. No. 827, HD 3 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 582 returning H.B. No. 830, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 583 returning H.B. No. 855, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 584 returning H.B. No. 895, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 585 returning H.B. No. 898, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 586 returning H.B. No. 945, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO

AGRICULTURAL PARKS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 587 returning H.B. No. 949, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 588 returning H.B. No. 955, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 589 returning H.B. No. 978 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 590 returning H.B. No. 980, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 591 returning H.B. No. 985, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 592 returning H.B. No. 988, HD 2 (SD 2), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 593 returning H.B. No. 989, HD 1 (SD 2), 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 13, 1999, in an amended form.

Sen. Com. No. 594 returning H.B. No. 990, HD 1 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 595 returning H.B. No. 997, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO MONEY LAUNDERING," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 596 returning H.B. No. 999, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 597 returning H.B. No. 1006, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO A SENTENCING SIMULATION MODEL," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 598 returning H.B. No. 1008 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO TOBACCO LIABILITY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 599 returning H.B. No. 1012, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII FUND," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 600 returning H.B. No. 1017, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 601 returning H.B. No. 1018, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 602 returning H.B. No. 1020, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 603 returning H.B. No. 1028, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 604 returning H.B. No. 1035, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 605 returning H.B. No. 1037 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 606 returning H.B. No. 1038, HD 1 (SD 2), entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 607 returning H.B. No. 1041, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 608 returning H.B. No. 1048, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 609 returning H.B. No. 1063, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 610 returning H.B. No. 1071, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 611 returning H.B. No. 1073, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 612 returning H.B. No. 1079, HD 3 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF BUSINESS ENTITIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 613 returning H.B. No. 1080, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND

LIMITED LIABILITY COMPANIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 614 returning H.B. No. 1083, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 615 returning H.B. No. 1088, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 616 returning H.B. No. 1095, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 617 returning H.B. No. 1111, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 618 returning H.B. No. 1115, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 619 returning H.B. No. 1117, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 620 returning H.B. No. 1119, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 621 returning H.B. No. 1138, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 622 returning H.B. No. 1142, HD 3 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 623 returning H.B. No. 1145 (SD 2), entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 624 returning H.B. No. 1146 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 625 returning H.B. No. 1153, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO RETAIL LIQUOR SALES TO MINORS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 626 returning H.B. No. 1160, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 627 returning H.B. No. 1166, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM,"

which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 628 returning H.B. No. 1170, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 629 returning H.B. No. 1172, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 630 returning H.B. No. 1177, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 631 returning H.B. No. 1178, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 632 returning H.B. No. 1181, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 633 returning H.B. No. 1183, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 634 returning H.B. No. 1186 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE PENALTIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 635 returning H.B. No. 1197, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 636 returning H.B. No. 1198, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 637 returning H.B. No. 1267, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 638 returning H.B. No. 1276, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 639 returning H.B. No. 1280, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 640 returning H.B. No. 1296, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 641 returning H.B. No. 1361, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 642 returning H.B. No. 1409, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 643 returning H.B. No. 1411, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 644 returning H.B. No. 1416, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 645 returning H.B. No. 1450, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 646 returning H.B. No. 1454, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO FEES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 647 returning H.B. No. 1460, HD 2 (SD 2), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE VIDEO ARRANGMENT AND CONFERENCING SYSTEM," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 648 returning H.B. No. 1471, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 649 returning H.B. No. 1497, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 650 returning H.B. No. 1522, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 651 returning H.B. No. 1575, HD 2 (SD 1), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENNIUM YOUNG PEOPLE'S CONGRESS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 652 returning H.B. No. 1593, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 653 returning H.B. No. 1620, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COMMUNITIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 654 returning H.B. No. 1622, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 655 returning H.B. No. 1624, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 656 returning H.B. No. 1628 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 657 returning H.B. No. 1636, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 658 returning H.B. No. 1637, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 659 returning H.B. No. 1641, HD 1 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO THE MEDICALLY UNDERSERVED," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 660 returning H.B. No. 1649, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 661 returning H.B. No. 1660, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 662 returning H.B. No. 1663, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 663 returning H.B. No. 1664, HD 3 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 664 returning H.B. No. 1683, HD 2 (SD 2), entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 665 returning H.B. No. 1693, HD 1 (SD 1), entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 666 returning H.B. No. 1711, HD 2 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

Sen. Com. No. 667 returning H.B. No. 1726, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO FAMILY HEALTH SERVICES," which passed Third Reading in the Senate on April 13, 1999, in an amended form.

On motion by Representative Case, seconded by Representative Yonamine and carried, the House disagreed to the amendments made by the Senate to H.B. Nos. 1, HD 1 (SD 1); 4, HD 1 (SD 1); 8, HD 1 (SD 2); 11, HD 1 (SD 1); 20, HD 2 (SD 2); 32, HD 2 (SD 2); 37, HD 1 (SD 2); 47, HD 1 (SD 1); 71, HD 2 (SD 1); 86 (SD 1); 100, HD 1 (SD 1); 104, HD 1 (SD 2); 122, HD 2 (SD 1); 133 (SD 1); 138, HD 2 (SD 1); 139, HD 1 (SD 2); 140 (SD 2); 142, HD 1 (SD 2); 150, HD 2 (SD 1); 157, HD 2 (SD 2); 159, HD 2 (SD 2); 161, HD 1 (SD 2); 162, HD 1 (SD 2); 167, HD 3 (SD 2); 171, HD 2 (SD 2); 172, HD 1 (SD 2); 174 (SD 1); 176, HD 2 (SD 2); 177, HD 1 (SD 1); 212, HD 1 (SD 1); 232, HD 2 (SD 1); 235, HD 2 (SD 2); 252, HD 3 (SD 2); 266, HD 2 (SD 2); 273, HD 2 (SD 2); 274, HD 3 (SD



2); 294, HD 1 (SD 2); 300, HD 1 (SD 1); 314 (SD 2); 318 (SD 1); 325, HD 2 (SD 1); 328, HD 1 (SD 2); 333, HD 2 (SD 1); 336, HD 1 (SD 1); 351, HD 2 (SD 1); 353, HD 2 (SD 1); 374, HD 2 (SD 1); 375, HD 1 (SD 1); 377, HD 2 (SD 2); 389 (SD 1); 411, HD 1 (SD 1); 424, HD 2 (SD 2); 440, HD 2 (SD 2); 460, HD 2 (SD 1); 499, HD 2 (SD 2); 500, HD 3 (SD 1); 510, HD 1 (SD 2); 512, HD 2 (SD 2); 519 (SD 2); 522, HD 3 (SD 2); 531 (SD 2); 532, HD 3 (SD 2); 547, HD 3 (SD 2); 557, HD 2 (SD 1); 562 (SD 2); 582, HD 2 (SD 2); 632, HD 2 (SD 1); 634, HD 1 (SD 1); 635, HD 2 (SD 1); 645 (SD 2); 657, HD 2 (SD 1); 658, HD 1 (SD 1); 661, HD 3 (SD 2); 664, HD 1 (SD 1); 677, HD 1 (SD 2); 700, HD 1 (SD 2); 715 (SD 1); 718, HD 1 (SD 2); 747, HD 1 (SD 2); 749, HD 3 (SD 2); 753, HD 2 (SD 2); 756, HD 2 (SD 2); 765, HD 1 (SD 2); 797, HD 2 (SD 1); 806, HD 2 (SD 2); 827, HD 3 (SD 1); 830, HD 1 (SD 2); 855, HD 1 (SD 1); 895, HD 2 (SD 2); 898, HD 2 (SD 1); 945, HD 1 (SD 1); 949, HD 2 (SD 2); 955, HD 1 (SD 1); 978 (SD 1); 980, HD 2 (SD 1); 985, HD 1 (SD 2); 988, HD 2 (SD 2); 989, HD 1 (SD 2); 990, HD 1 (SD 1); 997, HD 1 (SD 1); 999, HD 1 (SD 1); 1006, HD 2 (SD 2); 1008 (SD 2); 1012, HD 1 (SD 1); 1017, HD 1 (SD 2); 1018, HD 2 (SD 1); 1020, HD 2 (SD 2); 1028, HD 1 (SD 1); 1035, HD 1 (SD 2); 1037 (SD 1); 1038, HD 1 (SD 2); 1041, HD 2 (SD 2); 1048, HD 1 (SD 1); 1063, HD 1 (SD 1); 1071, HD 1 (SD 2); 1073, HD 1 (SD 2); 1079, HD 3 (SD 1); 1080, HD 2 (SD 1); 1083, HD 2 (SD 1); 1088, HD 2 (SD 2); 1095, HD 1 (SD 2); 1111, HD 2 (SD 2); 1115, HD 2 (SD 1); 1117, HD 3 (SD 2); 1119, HD 1 (SD 1); 1138, HD 1 (SD 2); 1142, HD 3 (SD 2); 1145 (SD 2); 1146 (SD 2); 1153, HD 1 (SD 1); 1160, HD 1 (SD 2); 1166, HD 1 (SD 2); 1170, HD 2 (SD 1); 1172, HD 2 (SD 1); 1177, HD 2 (SD 1); 1178, HD 1 (SD 1); 1181, HD 1 (SD 2); 1183, HD 2 (SD 2); 1186 (SD 1); 1197, HD 2 (SD 1); 1198, HD 1 (SD 1); 1267, HD 1 (SD 2); 1276, HD 1 (SD 2); 1280, HD 2 (SD 2); 1296, HD 1 (SD 1); 1361, HD 2 (SD 2); 1409, HD 2 (SD 1); 1411, HD 1 (SD 1); 1416, HD 2 (SD 2); 1450, HD 1 (SD 2); 1454, HD 2 (SD 2); 1460, HD 2 (SD 2); 1471, HD 1 (SD 1); 1497, HD 1 (SD 1); 1522, HD 1 (SD 1); 1575, HD 2 (SD 1); 1593, HD 1 (SD 2); 1620, HD 1 (SD 2); 1622, HD 1 (SD 1); 1624, HD 2 (SD 1); 1628 (SD 2); 1636, HD 2 (SD 1); 1637, HD 2 (SD 2); 1641, HD 1 (SD 2); 1649, HD 2 (SD 1); 1660, HD 2 (SD 1); 1663, HD 2 (SD 2); 1664, HD 3 (SD 1); 1683, HD 2 (SD 2); 1693, HD 1 (SD 1); 1711, HD 2 (SD 1); and 1726, HD 1 (SD 1), and requested a conference on the subject matter of said amendments. (Representatives Cachola, Chang, Menor, Meyer, Okamura, Rath and Saiki were excused.)

By unanimous consent, the aforementioned bills, as amended by the Senate, were placed on the Clerk's desk.

## ORDER OF THE DAY

### COMMITTEE RE-ASSIGNMENTS

The following House Bills were re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
325	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary and Hawaiian Affairs
499	Committee on Labor and Public Employment, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
718	Committee on Transportation, then to the Committee on Water and Land Use, then to the Committee on Finance
1663	Committee on Health, then to the Committee on Education, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance

The following Senate Bills were re-referred to committee by the Speaker:

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
102	Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
856	Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
951	Committee on Labor and Public Employment, then jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

## UNFINISHED BUSINESS

### Stand. Com. Rep. No. 1849 and H.C.R. No. 48, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING VOYAGER SUBMARINES' PROPOSAL TO PLACE TWO DERELICT VESSELS AT ITS OPERATIONS SITE TO CREATE AN ARTIFICIAL REEF," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

### Stand. Com. Rep. No. 1850 and H.C.R. No. 74:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

## STANDING COMMITTEE REPORTS

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1851) recommending that H.R. No. 184, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 184, entitled: "HOUSE RESOLUTION REQUESTS THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES ENGAGED IN THE TOURISM INDUSTRY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1852) recommending that H.C.R. No. 201, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTS THE GOVERNOR TO PROMOTE, ENCOURAGE, AND STIMULATE PRIVATE TRANSPORTATION BUSINESSES

ENGAGED IN THE TOURISM INDUSTRY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1853) recommending that H.C.R. No. 27, H.D. 1, as amended in HD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 27, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING GREATER AVAILABILITY OF CABLE ACCESS AND ADVANCED TELECOMMUNICATIONS INFRASTRUCTURE IN REMOTE RURAL AREAS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1854) recommending that H.R. No. 7, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 7, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1855) recommending that H.C.R. No. 4, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1856) recommending that H.R. No. 8, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 8, entitled: "HOUSE RESOLUTION URGING ALL INDEPENDENT DIVERSIFIED AGRICULTURE FARMERS TO WORK TOGETHER THROUGH THEIR RESPECTIVE COMMODITY ADVISORY GROUPS TO PROMOTE, MARKET, DISTRIBUTE, AND EXPORT HAWAII-MADE PRODUCTS AND HAWAII-GROWN CROPS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1857) recommending that H.C.R. No. 5, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL INDEPENDENT DIVERSIFIED AGRICULTURE FARMERS TO WORK TOGETHER THROUGH THEIR RESPECTIVE COMMODITY ADVISORY GROUPS TO PROMOTE, MARKET, DISTRIBUTE, AND EXPORT HAWAII-MADE

PRODUCTS AND HAWAII-GROWN CROPS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1858) recommending that H.R. No. 9, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION ENCOURAGING ALTERNATIVE ACCESS ROUTES TO MAJOR COMMUNITIES CURRENTLY SERVED BY A SINGLE ACCESS ROADWAY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1859) recommending that H.C.R. No. 6, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALTERNATIVE ACCESS ROUTES TO MAJOR COMMUNITIES CURRENTLY SERVED BY A SINGLE ACCESS ROADWAY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1860) recommending that H.R. No. 10, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 10, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO RESTRUCTURE THE DEPARTMENT OF EDUCATION TO ENSURE ACCOUNTABILITY AT ALL LEVELS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1861) recommending that H.C.R. No. 7, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO RESTRUCTURE THE DEPARTMENT OF EDUCATION TO ENSURE ACCOUNTABILITY AT ALL LEVELS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1862 and 1863) recommending that H.R. No. 11, H.D. 2, and H.C.R. No. 8, H.D. 2, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 11, H.D. 2 and H.C.R. No. 8, H.D. 2, be adopted, seconded by Representative Yonamine.

Representative McDermott rose to speak in support of the measures, stating:

"These House Resolutions are entitled: 'House Resolution Requesting Hawaii's Congressional Delegation to Obtain Additional Federal Funds for the Education of Military Dependents.'"

"Mr. Speaker, I support this measure wholeheartedly. I was on the phone with the coordinator of the Impact Aid Coalition the other day. We are not a member of that. That would probably cost us \$4,000 a year to be a member, but we're not. We're one of two states that's not.

"If we were fully funded, we would get \$50 million a year. Congress is not fully funding the program, neither are the budgets that the Executive Branch has submitted to fully fund this. So if it was fully funded, we'd get almost twice as much as what we are getting right now.

"I believe that the intent of this was that, the perception is there that the federally-connected students are a drain on our resources, that they don't pay their fair share. There's a perception of that. Now I'm going to give you some figures and please remember as Frank Fasi says: 'Figures can lie and liars can figure.' So don't take my word for it, verify it on your own. But the tax revenue we receive from military activities, according to the Chamber of Commerce and Mr. Lowell Kalapa as well, is over \$400 million a year into the State treasury. Thirty thousand, and this is just for educational information, it's not partisan or anything like that, Mr. Speaker. Thirty thousand students at \$7,000 a student is \$210 million. That means we still, after paying for the education of these federally-connected schools, we still have \$190 million left from these tax revenues. One hundred ninety million plus \$25 million on impact day, which we currently get, is we're actually netting \$225 million.

"We know that these federal activities are a boost for our economy, otherwise we wouldn't ask for an aircraft carrier. We wouldn't ask for more Marines, sailors and Navy airmen. So we know that we benefit from their presence. So while I agree that we need to ask for more funding, I'd also like to keep in mind that there should be a mechanism in place that this additional fund, when it comes to us, like recently we had a windfall of \$15 million, that it goes to schools and not the general fund. And not just the military schools -- all the schools. And it can be used for special education. It can be used to expand the lunch program or breakfast, nutrition programs. It could be for child access screenings that some of our members talk about. It could be used for a myriad of things, but let's keep it where it should be -- with the children's schools.

"And, Mr. Speaker, I'll just close with an interesting anecdote. When I first came here, the members said I was a single issue candidate and it turns out I am, but it's not same-sex marriage. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 11, H.D. 2, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS," and H.C.R. No. 8, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS," were adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1864) recommending that H.R. No. 15, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 15, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE EXECUTIVE OFFICE ON AGING, IN PARTNERSHIP WITH HOSPICE HAWAII, TO EDUCATE HEALTHCARE PROVIDERS AND THE GENERAL PUBLIC ON THE BENEFITS OF

HOSPICE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1865) recommending that H.C.R. No. 12, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 12, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE OFFICE ON AGING, IN PARTNERSHIP WITH HOSPICE HAWAII, TO EDUCATE HEALTHCARE PROVIDERS AND THE GENERAL PUBLIC ON THE BENEFITS OF HOSPICE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1866) recommending that H.R. No. 19, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 19, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE DEPARTMENT OF TRANSPORTATION'S INITIATIVE TO IDENTIFY, PROTECT, AND ENHANCE HAWAII'S HERITAGE ROADS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1867) recommending that H.C.R. No. 17, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT AND ENCOURAGEMENT FOR THE DEPARTMENT OF TRANSPORTATION'S INITIATIVE TO IDENTIFY, PROTECT, AND ENHANCE HAWAII'S HERITAGE ROADS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1868) recommending that H.R. No. 22, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 22, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY, THE HAWAII PAROLING AUTHORITY, AND THE JUDICIARY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1869) recommending that H.C.R. No. 35, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 35, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY, THE HAWAII PAROLING AUTHORITY, AND THE JUDICIARY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1870) recommending that H.R. No. 26, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 26, entitled: "HOUSE RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1871) recommending that H.C.R. No. 45, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1872) recommending that H.C.R. No. 47, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT RESOLUTION NO. 98-226, PROPOSING AMENDMENTS TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, RELATING TO ZONING OF ADULT ESTABLISHMENTS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1873) recommending that H.R. No. 48, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO USE ALL AVAILABLE INFORMATION TO PROCEED WITH THE SYSTEMATIC IDENTIFICATION OF INMATES CURRENTLY INCARCERATED WHO HAVE DUAL OCCURRING DIAGNOSES OF MENTAL DISORDERS AND ALCOHOL OR SUBSTANCE ABUSE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1874) recommending that H.C.R. No. 60, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO USE ALL AVAILABLE INFORMATION TO PROCEED WITH THE SYSTEMATIC IDENTIFICATION OF INMATES CURRENTLY INCARCERATED WHO HAVE DUAL OCCURRING DIAGNOSES OF MENTAL DISORDERS AND ALCOHOL OR SUBSTANCE ABUSE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1875) recommending that H.R. No. 52, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 52, entitled: "HOUSE RESOLUTION URGING THE U.S. CONGRESS TO ENACT LEGISLATION THAT AMENDS THE SOCIAL SECURITY ACT TO PROHIBIT THE FEDERAL GOVERNMENT FROM RECEIVING ANY SHARE OF THE FUNDS AWARDED IN THE TOBACCO SETTLEMENT THAT WAS REACHED IN 1998 BETWEEN THE STATES AND THE TOBACCO INDUSTRY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1876) recommending that H.C.R. No. 54, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 54, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY DISABLED PERSONS," was adopted with Representative Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1877) recommending that H.C.R. No. 63, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 63, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO REVISE ITS STRATEGIC PLAN," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1878) recommending that H.R. No. 54, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 54, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO LOOK AT DOMESTIC VIOLENCE POLICIES AND PROCEDURES OF THE CRIMINAL JUSTICE SYSTEM ON OAHU AND IDENTIFY GAPS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1879) recommending that H.C.R. No. 65, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO LOOK AT DOMESTIC VIOLENCE POLICIES AND PROCEDURES OF THE CRIMINAL JUSTICE SYSTEM ON OAHU AND IDENTIFY GAPS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1880) recommending that H.R. No. 55, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 55, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY AND TO TAKE ACTION TO PROHIBIT DISCRIMINATORY PRICING PRACTICES IN THE PROVISION OF SERVICES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1881) recommending that H.C.R. No. 66, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 66, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY AND TO TAKE ACTION TO PROHIBIT DISCRIMINATORY PRICING PRACTICES IN THE PROVISION OF SERVICES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1882) recommending that H.C.R. No. 69, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 69, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP AND IMPLEMENT A FRUIT FLY FREE ZONE FOR ELIMINATING THE QUARANTINE BARRIER IMPOSED BY THE FOUR SPECIES OF FRUIT FLIES FOUND IN HAWAII," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1883) recommending that H.R. No. 58, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 58, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO DEVELOP AND IMPLEMENT A FRUIT FLY FREE ZONE FOR ELIMINATING THE QUARANTINE BARRIER IMPOSED BY THE FOUR SPECIES OF FRUIT FLIES FOUND IN HAWAII," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1884) recommending that H.C.R. No. 73, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE TO ESTABLISH CRITERIA BY WHICH ALL STATE DEPARTMENTS AND THEIR ATTACHED AGENCIES SHALL RANK ALL PURCHASES OF SERVICES THAT ARE ISSUED BY THOSE DEPARTMENTS OR AGENCIES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1885) recommending that H.R. No. 62, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 62, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INCLUDE SPORTS TOURISM IN ITS LONG-RANGE PLAN FOR TOURISM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1886) recommending that H.C.R. No. 75, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INCLUDE SPORTS TOURISM IN ITS LONG-RANGE PLAN FOR TOURISM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1887) recommending that H.R. No. 63, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 63, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING A COLLABORATIVE PARTNERSHIP TO INCREASE THE NUMBER OF CHILDREN WHO HAVE AN OPPORTUNITY TO EAT A NUTRITIOUS BREAKFAST IN THE PUBLIC AND PRIVATE SCHOOLS, PRE-SCHOOLS, AND GROUP CARE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1888) recommending that H.C.R. No. 76, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 76, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COLLABORATIVE PARTNERSHIP TO INCREASE THE NUMBER OF CHILDREN WHO HAVE AN OPPORTUNITY TO EAT A NUTRITIOUS BREAKFAST IN THE PUBLIC AND PRIVATE SCHOOLS, PRE-SCHOOLS, AND GROUP CARE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1889) recommending that H.R. No. 66, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 66, entitled: "HOUSE RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1890) recommending that H.C.R. No. 79, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," was adopted with



Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1891) recommending that H.C.R. No. 80, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 80, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COST-BENEFIT ANALYSIS OF PREVENTION AND EARLY INTERVENTION SERVICES," was adopted with Representative Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1892) recommending that H.R. No. 68, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 68, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DETERMINE ALTERNATIVES TO INCARCERATION AND RECOMMEND SYSTEMIC CHANGES FOR THE PROPER TREATMENT OF INDIVIDUALS NEEDING MENTAL HEALTH SERVICES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1893) recommending that H.C.R. No. 81, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 81, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO DETERMINE ALTERNATIVES TO INCARCERATION AND RECOMMEND SYSTEMIC CHANGES FOR THE PROPER TREATMENT OF INDIVIDUALS NEEDING MENTAL HEALTH SERVICES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1894) recommending that H.R. No. 77, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 77, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII AT MANOA AND THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT OF THE UNIVERSITY OF HAWAII AT HILO TO EXPLORE WAYS TO COLLABORATE AND COOPERATE FOR THE BENEFIT OF STATEWIDE AGRICULTURE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1895) recommending that H.C.R. No. 88, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII AT MANOA AND THE COLLEGE OF AGRICULTURE,

FORESTRY, AND NATURAL RESOURCE MANAGEMENT OF THE UNIVERSITY OF HAWAII AT HILO TO EXPLORE WAYS TO COLLABORATE AND COOPERATE FOR THE BENEFIT OF STATEWIDE AGRICULTURE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1896) recommending that H.R. No. 83, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 83, entitled: "HOUSE RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1897) recommending that H.C.R. No. 94, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1898) recommending that H.R. No. 119, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 119, entitled: "HOUSE RESOLUTION STRONGLY SUPPORTING THE ESTABLISHMENT OF A CENTER FOR ENVIRONMENTAL AND CULTURAL TOURISM AT THE UNIVERSITY OF HAWAII AT HILO," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1899) recommending that H.C.R. No. 132, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE ESTABLISHMENT OF A CENTER FOR ENVIRONMENTAL AND CULTURAL TOURISM AT THE UNIVERSITY OF HAWAII AT HILO," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1900) recommending that H.R. No. 122, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH WORKING GROUPS ON EACH ISLAND TO IDENTIFY, EXAMINE, AND RESOLVE OUTSTANDING LAND USE ISSUES AND THEIR IMPACT ON THE HAWAIIAN AND NATIVE HAWAIIAN PEOPLES AND THEIR CULTURE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1901) recommending that H.C.R. No. 135, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH WORKING GROUPS ON EACH ISLAND TO IDENTIFY, EXAMINE, AND RESOLVE OUTSTANDING LAND USE ISSUES AND THEIR IMPACT ON THE HAWAIIAN AND NATIVE HAWAIIAN PEOPLES AND THEIR CULTURE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1902 and 1903) recommending that H.R. No. 149 and H.C.R. No. 169, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 149 and H.C.R. No. 169, be adopted, seconded by Representative Yonamine.

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

"Mr. Speaker, with more people leaving welfare rolls, state governments and other organizations are working together to offer a long term solution to poverty. States are letting people save their way out of poverty through individual development accounts.

"These accounts encourage low-income people to save for the future without losing welfare benefits. As a further incentive to save, nine states match savings made by individuals. In addition, a recently passed federal law provides federal matching funds for such accounts. However, individuals may only use the account for funding a college education, capitalizing a business, or purchasing a first home.

"The accounts revive the spirit of the Homestead Act of the 18th Century and the G.I. Bill which gave families a chance to achieve the American dream. Once, while a hard day's work was hard enough to keep a family afloat, today's hard working low-income families find it nearly impossible to make ends meet at the end of the month, much less save for the future. Today the top 10 percent of Americans command 40 percent of the national income and the top 1 percent control 90 percent of the assets. One-third of American households have no, or negative, investable assets, while more than half have negligible accounts.

"These matched savings accounts offer resources that would normally be unavailable to low-income families. Nine states now match savings in IDAs. Twenty-five states include IDAs in welfare reform plans. And 25 states have passed IDA legislation. Hopefully this resolution will help us to become aware of the IDA concept. There's also a bill that may become a reality this session. Thank you very much, Mr. Speaker."

Representative Kahikina then rose in support of the measures and asked that the comments of Representative Lee be inserted into the Journal as if his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 149, entitled: "HOUSE RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," and H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," were adopted with

Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1904) recommending that H.C.R. No. 170, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 170, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR MENTAL HEALTH AND SUBSTANCE ABUSE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1905) recommending that H.C.R. No. 171, H.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and H.C.R. No. 171, H.D. 1, be adopted, seconded by Representative Yonamine.

Representative Pendleton rose in support of the measures and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, this House Concurrent Resolution regarding the Religious Freedom Restoration Act concerns one of the most important and perhaps one of the most controversial issues in modern political discourse, namely, the freedom of religious belief and practice.

"This resolution calls for or requests a study of the impact of a Religious Freedom Restoration Act in the State of Hawai'i. This study is to be a neutral, impartial, and unbiased study performed by the Legislative Reference Bureau and is to be provided to the Legislature no later than twenty days before the convening of the Regular Session of 2000. We are hereby asking the LRB to study the impact of such a measure on issues such as, but not necessarily limited to, the use of illegal substances by employees on an employers premises, zoning restrictions, employer-employee relations, and existing civil rights laws and claims.

"Presently, our Hawai'i courts have interpreted our state constitution's religion clauses in line with the previous federal Constitutional standard which gave significant protection to religious expression. I am referring to cases such as Sherbert v. Verner. For many years, Sherbert provided significant protection to those who sought to exercise their First Amendment rights. Sherbert was substantially overruled, however, by a case styled Employment Division v. Smith. What was once guaranteed by a federal constitution was then relegated to the whim of majoritarian decision-making bodies.

"Mr. Speaker, given our State's longstanding commitment to the safeguarding of Constitutional rights, a bi-partisan group of legislators introduced, here in the House of Representatives, a bill which would have ensured, statutorily, the First Amendment protections afforded under the earlier case of Sherbert v. Verner. That bill was not set for a hearing, and so we are moving forward with this reasonable and appropriate House Concurrent Resolution to enable the Legislature to be more informed and educated about the desirability and propriety and necessity for such legislation.

"This LRB study, Mr. Speaker, should prove enlightening. I am hopeful and I have confidence that the LRB will do a professional, balanced, and objective job and will tell us what we need to know about this important area of law.

"Mr. Speaker, the reason why HCR No. 171, HD1, is of importance and is worthy of our support today is because there are many who are calling for us to safeguard our religious liberty at the state level, because at the federal level our Congress has been unsuccessful in this regard. We are being asked by the people of Hawai'i to fill in the gap left by the Congress and our federal courts.

"To help us all understand and appreciate the magnitude of this issue, Mr. Speaker, permit me to discuss at length the legal history concerning our religious freedoms in the United States. This is briefly discussed in our Standing Committee Report, and I urge our members to read this report with care, but I think it would be unfair for me to conclude my remarks without spending a few minutes on key background information.

"Mr. Speaker, the liberty to freely exercise one's religion has been described as America's First Freedom. No doubt this is due in part to the fact that the Religion Clauses which guarantee such freedom are the first clauses of the First Amendment to the United States Constitution.

"A second reason, Mr. Speaker, why the freedom to exercise one's religion is a first freedom, as it were, has not so much to do with its placement in our founding document as its importance to the American enterprise. From the time of our earliest American settlers, religious freedom was important. During the Thanksgiving holiday, we commemorate the celebratory dinner of the Pilgrims, who had come here precisely to escape religious persecution. Others also came to America in search of the freedom to worship -- Catholics, Puritans, Quakers, and the like. It is no wonder, then, that religious freedom has been and remains a prominent feature of our American heritage and culture.

"Dating back to 1791, the Religion Clauses have played an important role in preserving the independence and vitality of organized and not so organized religions in the United States. These Clauses provide that, and I quote, 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof....'

"The first clause articulates the disestablishment or anti-establishment principle, and the second clause expressly safeguards the free exercise of religion. While neither clause has been interpreted in an absolute sense, they have afforded substantial and significant freedom to believers and non-believers over the years, ensuring that some of the most basic freedoms were placed beyond the reach, and thus not at the mercy of, majoritarian whim.

"Here in Hawai'i, Mr. Speaker, our State Constitution substantially tracks the Federal Constitution.

"For nearly 200 years, the Free Exercise Clause was interpreted by United States federal courts to ensure that the government could not punish someone on the basis of that persons religious beliefs, that there could be no punishment of religious conduct solely because it was religious conduct, that states must grant religious exemptions when it came to unemployment compensation cases, and that groups such as the Amish had the right to educate their children, state laws to the contrary notwithstanding. These religious freedoms were guaranteed, regardless of the momentary popular sentiment bearing upon Congress or other legislative bodies.

"In 1963, the Free Exercise Clause arguably reached its zenith when it was given its broadest interpretation by the Supreme Court of the United States in Sherbert v. Verner. This landmark free exercise decision involved a member of the Seventh-day Adventist Church who was discharged by her South Carolina employer for refusing to work on Saturdays. Her employer was made aware that Saturday is the Sabbath day of rest for Seventh-day Adventists, who are noted for their adherence to the literal injunction of the Fourth Commandment.

"After being terminated she could not find another job because she would not work on Saturdays, and so she filed a claim for unemployment compensation benefits under the South Carolina Unemployment Compensation Act. State law provided that an applicant did not qualify for benefits where he or she failed, without good cause, to accept available suitable work when offered. The law made no exemptions for religious beliefs.

"Consequently, South Carolina denied her application and litigation commenced. The case was argued all the way to the U.S. Supreme Court. There, the Supreme Court held that the statute in question imposed an unconstitutional burden or otherwise abridged her Constitutional right to the free exercise of her religion because there was no compelling state interest which justified the substantial infringement of her constitutional right. Under prior case law, the Free Exercise Clause was made applicable to the states by way of the Fourteenth Amendment.

"Under this holding, then, the proper inquiry is whether the law at issue substantially burdens a religious practice and, if so, whether the burden is justified by a compelling government interest. If it cannot pass muster under this standard of review, a religious exemption is constitutionally required. While the strict scrutiny standard of review in the Free Exercise Clause context did not perfectly parallel the strict scrutiny standard in other areas, such as in the race relations context, it was nonetheless an important safeguard and required significantly more than a 'reasonable relationship' with a 'legitimate government' purpose or function.

"And so, Mr. Speaker, this was the level of protection afforded by our Federal Constitution for many years. It represented our commitment to this First Freedom and appropriately prohibited the sort of religious discrimination which can lead to persecution.

"In 1990, Mr. Speaker, another landmark decision in Free Exercise Clause jurisprudence was handed down by the U.S. Supreme Court, Employment Division v. Smith. The case involved the use of peyote by Native Americans as part of their religious practices. Specifically, a Native American was employed as a drug counselor in the State of Oregon and was fired after having failed a drug test due to his religious use of peyote. Upon termination the counselor applied for unemployment benefits, but was denied them due to the reason for termination. Litigation ensued.

"In a nutshell, while Smith did not go out of its way to openly overrule Sherbert, it had the effect of doing so in Free Exercise Clause cases, other than those involving unemployment compensation or involving an additional constitutional right. In a 5-4 majority opinion authored by Justice Antonin Scalia, the Court held that states can regulate general conduct and that generally no religious exemptions are required. States can prohibit conduct in general, even if the prohibition incidentally interferes with a persons religious practices.

"The Free Exercise Clause cannot be used to challenge a law of general applicability unless it can be shown that the law was motivated by a desire to interfere with religion. The practical effect of this holding was that the Free Exercise Clause does not compel religious exemptions and that absent sufficient proof of an intent to interfere with religious practices solely because they are religious, such decisions are in the hands of legislative bodies.

"In upholding against a Free Exercise Clause challenge, a state law of general applicability criminalizing peyote use, and in upholding the denial of unemployment benefits to Native American Church members who lost their jobs because of such use, the Court declined to apply the balancing test of Sherbert.

"The Smith decision presented religious objectors and members of minority faiths with the necessity of having to lobby Congress or a state legislature for specific exemptions from particular burdens on their religious practices. And just what might some of these burdens be?"

"Imagine, for example, a mandatory autopsy law which required the autopsy of an Orthodox Jewish victim of an automobile accident, in direct opposition to the sincere religious beliefs of Orthodox Jews against such an autopsy. Or imagine a case where a government prosecutor seeks to compel a clergyman to discuss the contents of a penitent's confession. Or imagine the Internal Revenue Service litigating against the Society of Friends -- or Quakers, as they are commonly known -- for refusing to attach the wages of their employees who refused for religious reasons to pay the military portion of their federal taxes. I should note, Mr. Speaker, that these cases are actual cases and one was a hypothetical posed to a Congressional Committee based on and very similar to a real case.

"It is no surprise, then, that the prospect of having to beg politicians for rights which heretofore had been guaranteed to them by the Constitution was not inviting. Consequently a broad-based coalition prevailed upon Congress to enact a statutory response to Smith. While Smith could always be ultimately overruled by a formal amendment to the Constitution, as provided in Art. V, a statutory approach seemed an appropriate and a more expeditious way to address the issue. After all, the reasoning went, the Constitution merely provided a floor beneath which the states and the federal government could not fall below. Federal legislation could afford statutory rights in excess of the Constitutional floor, as in the case with many civil rights laws.

"Mr. Speaker, a coalition of civil liberty groups, churches, including the National Council of Churches, and non-Christian religious groups, in all amounting to more than 50 organizations, took their concerns to Congress, where legislators as diverse as liberal Democrat Senator Edward M. Kennedy, a practicing Catholic, and conservative Republican Senator Hatch, a practicing Mormon, were receptive.

"Mr. Speaker, in 1993, the Religious Freedom Restoration Act or 'RFRA' was passed by Congress, providing a federal statutory standard akin to Sherbert v. Verner. More specifically, RFRA prohibited government from placing a substantial burden on a person's exercise of religion even if the burden resulted from a rule of general applicability, unless the government could demonstrate that the burden, first, and I quote, 'is in furtherance of a compelling governmental interest' and second 'is the least restrictive means of furthering that interest.'

"RFRA applied to any branch of Federal or State Government, to all officials, and to other persons acting under color of law and included, in the words of the statute, all Federal and State law, and the implementation of that law, whether statutory or otherwise, and whether adopted before or after RFRA's enactment. Due to the substantial bi-partisan support, President Clinton signed it into law in November of 1993. Unfortunately, Mr. Speaker, the supporters of the newly restored constitutional standard were in for a surprise. In 1997, the City of Boerne v. Flores provided an opportunity for the Supreme Court to review and expound upon the propriety and constitutionality of RFRA as a response to Smith.

"The facts of the case, Mr. Speaker, were fairly straightforward. Boerne involved reliance on RFRA by a local church against an arguably intrusive local ordinance. The Catholic Archbishop of San Antonio applied for a building permit to proceed with renovation and enlargement of a church in Boerne, Texas. Local zoning authorities denied the application pursuant to the local historic preservation ordinance.

"Subsequently, the Archbishop filed suit challenging the denial under RFRA. The case at the trial level went badly for the church, as the federal District Court concluded that by enacting RFRA Congress exceeded the scope of its enforcement power under Section 5 of the Fourteenth Amendment to the United States Constitution. But on appeal the U.S. Court of Appeals for the Fifth Circuit reversed, finding RFRA to be constitutional. Then on June 25, 1997, the U.S. Supreme Court overruled the appellate court and decided, like the federal District Court, that RFRA was unconstitutional on the grounds that it exceeded Congress' power.

"Mr. Speaker, for the church, renovation and enlargement would not be permitted. The church configuration would remain unchanged under the historic preservation ordinance. For the Constitution, the free exercise of religion in this country would be dramatically altered.

"The U.S. Supreme Court opined that while Congress certainly has the power and authority to enact legislation enforcing the constitutional right to the free exercise of religion, its Section 5 power 'to enforce' is only preventive or 'remedial,' as the Amendment's design and its specific language are inconsistent with any suggestion that Congress was vested with the capacity to decree the substance of the Amendment's restrictions on the States. And these terms, remedial and to enforce, are terms of art with specific legal meanings.

"Hence, Mr. Speaker, the statutory enactments modifying the interpretation of the Free Exercise Clause could not be said to be enforcing the Clause. In short, Congress could not properly claim to enforce a constitutional right by changing what the right is. The task of Constitutional interpretation is for the Judiciary, not the Congress. This was the opinion of the Supreme Court.

"The upshot was that RFRA was not a proper exercise of Congress' Section 5 enforcement power because it contradicted vital principles necessary to maintain the separation of powers and the federal-state balance. Accordingly, it was struck down.

"For the present, Mr. Speaker, religious employers or religious people who are employed can rest assured that employment situations continue to be protected by the Free Exercise Clause. Smith expressly exempted such cases from its holding. That is to say, the proper inquiry will continue to be whether the law at issue substantially burdens a religious practice and, if so, whether the burden is justified by a compelling government interest. This will, in fact, mean that some modicum of protection will continue to be afforded Sabbath keepers vis-à-vis their employers.

"For the other Free Exercise cases not involving employment, however, religious freedom will be left to majoritarian forces in Congress and in the legislative bodies of the respective states. While one can reasonably assume that representative democracy will be sensitive to the rights of majority religions, this assumption might not hold true for minority religions.

"Mainstream Christians in this country can surely count on having sufficient allies among elected officials to attend to their interests, but the same cannot be said for those of minority religions. Our Constitution was designed to ensure freedom of religion of all, not simply freedom of religion for the powerful or freedom of religion for those who belong to majority religions -- which in our State are Christians or Buddhists. Arguably, Mr. Speaker, it is precisely the minority faiths which require constitutional protection, because the majority faith is adequately protected by legislative bodies.

"City of Boerne v. Flores does not mean, Mr. Speaker, that the cause of religious freedom is over. There are various options available to those committed to reviving the Free Exercise Clause as a substantial independent safeguard of our

first freedom. Let me close with a brief discussion of one such option.

"This is the option, Mr. Speaker, of introducing a state statute similar to RFRA. This is sometimes referred to as a 'mini-RFRA.' The 'mini' distinguishes it from a federal RFRA. Given the broad police powers the State of Hawaii has, it would be fairly safe from being challenged in federal courts. I believe it would be entirely consistent with our existing state law and the current interpretation of our State Constitution. Our State, Mr. Speaker, will be in a position to proceed appropriately in this direction upon receipt of this requested LRB study.

"Thank you for the opportunity to speak at length in support of this important House Concurrent Resolution No. 171. I urge my colleagues to support this measure pertaining to religious freedom."

Representative Kahikina rose in support of the measure and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Kahikina's remarks are as follows:

"As we move forward in this great and yet sensitive debate on the issue of religious freedom, let us not forget about the fact that this great nation was founded on biblical truths. The true intent of the forefathers of this Nation was to avoid the government from infringing into the church as the forefathers came to America because of religious persecution. So although I may not agree with what some may say about this issue or other issues, I must defend the right for them to express their views in hope to form a more perfect union.

"Thank you for your careful attention, God Bless."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 171, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF A RELIGIOUS FREEDOM RESTORATION ACT IN HAWAII," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1906) recommending that H.C.R. No. 172, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY THE FEASIBILITY OF FUNDING HISTORICAL SIGNAGE FOR THE KING KAMEHAMEHA I STATUE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1907) recommending that H.C.R. No. 178, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CARING...FOR LIFE FOUNDATION AS THE COORDINATING AGENCY FOR A PUBLIC-PRIVATE PARTNERSHIP TO ACT AS A SINGLE ENTITY TO COORDINATE COMPONENTS OF A LONG-TERM CARE SYSTEM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1908 and 1909)

recommending that H.R. No. 169, H.D. 1 and H.C.R. No. 186, H.D. 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 169, H.D. 1 and H.C.R. No. 186, H.D. 1, be adopted, seconded by Representative Yonamine.

Representative Kaho'ohalahala rose to speak in support of the measures, stating:

"This is in anticipation of the closing of the Pioneer Mill on West Maui and the timing could not be more critical in that the anticipation and the closure of the Pioneer Mill will probably be around Christmas of this year. So in anticipation of this, I hope that this resolution will help to assist in helping those families that are most affected by the closure to find other alternative for a means of employment. So I ask the House to support these measures. 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.R. No. 169, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE VARIOUS STATE DEPARTMENTS AND THE RURAL ECONOMIC TRANSITION ASSISTANCE-HAWAII (RETA-H) TO ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS AND SERVICES TO ASSIST DISPLACED EMPLOYEES OF PIONEER MILL TO OBTAIN OTHER EMPLOYMENT OPPORTUNITIES," and H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE VARIOUS STATE DEPARTMENTS AND THE RURAL ECONOMIC TRANSITION ASSISTANCE-HAWAII (RETA-H) TO ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION OF PROGRAMS AND SERVICES TO ASSIST DISPLACED EMPLOYEES OF PIONEER MILL TO OBTAIN OTHER EMPLOYMENT OPPORTUNITIES," were adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1910) recommending that H.C.R. No. 190, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 190, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO EXTEND ITS SERVICES OF THE NEUROPSYCHOLOGY DEPARTMENT UNTIL APPROPRIATE AND ADEQUATE ALTERNATIVES ARE FOUND," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1911) recommending that H.R. No. 179, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 179, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN INCREASED FEDERAL FUNDING FOR FEDERALLY-MANDATED SPECIAL EDUCATION," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1912) recommending that H.C.R. No. 195, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 195, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN



INCREASED FEDERAL FUNDING FOR FEDERALLY-MANDATED SPECIAL EDUCATION," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1913 and 1914) recommending that H.R. No. 180 and H.C.R. No. 196, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 180 and H.C.R. No. 196, be adopted, seconded by Representative Yonamine.

Representative Case rose to speak in support of the measures, stating:

"I ask my colleagues' indulgence with some remarks based on what I believe is the importance of this proposal.

"Mr. Speaker, our job as legislators is not only to react to present concerns, but to anticipate and influence the outcome of future issues. These two resolutions, which aim ultimately to preserve and protect the privacy of personal information about each of us, are examples of both.

"Today, with the computer age just beginning to move into full swing, incredible amounts of individual personal information can be gathered, collated, analyzed, and disseminated. Individual health, financial, employment, lifestyle, purchasing and other personal information, in which we have reasonable expectations of privacy, can be and are assembled and sold for commercial and other purposes, and both the technological capability to do so and the industry which depends and thrives on that capability are in their early childhoods.

"By and large, the rest of the world is way ahead of our country in the legitimate protection of such private information. The countries of the European Union, as well as Canada, Australia, New Zealand, Hong Kong and others, have basic controls in place including advance consent of individuals to dissemination of such information, the opportunity of individuals to review and correct personal information dossiers, and accountability for the improper collection, usage and distribution of personal data. The European Union takes it a step further and says that no such information can be distributed beyond European Union countries to other locations unless those locations have basic reciprocal protections in place.

"While some individualized laws have been enacted or are being enacted in specific situations in this country, such as health care records, which is the subject of a current legislative proposal, neither our country nor our state have instituted broad-based protections. My own conviction is that this area is one of the most important legislative frontiers we face both here and across the country.

"In Hawaii, we are particularly aided and mandated by a truly visionary provision of our state constitution inserted in 1978 which expressly recognizes the right of the people to privacy, and further states that 'the legislature shall take affirmative steps to protect this right.' While this amendment has been controversially interpreted in other contexts, there has never been any dispute that it was intended to protect individuals from disclosure of their private affairs and to allow them to control the privacy of their personal information.

"Mr. Speaker, earlier this session HB 1232, the proposed Hawaii Information Privacy Act, was introduced in this body with 49 signatures. That measure, which would have been the first of its kind in the nation, proposed to implement suitable safeguards on the privacy of personal information in a fashion similar to those of the European Union and other countries. However, the testimony on that bill yielded legitimate issues more properly addressed among all concerned parties during

the interim, which is what these resolutions advocate and advance.

"I thank the Chair and members of your Consumer Protection and Commerce Committee for appreciating the scope and necessity of these initiatives. I have no doubt that, with commitment and effort by all, we can enact in the year 2000 a truly worthwhile, widely supported and future-oriented measure which will be widely emulated, in time, across the country. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 180, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO COORDINATE A COMPREHENSIVE ANALYSIS OF CURRENT PROTECTIONS OF THE PRIVACY OF PERSONAL INFORMATION AND TO SUBMIT PROPOSED LEGISLATION TO THE 2000 LEGISLATIVE SESSION," and H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO COORDINATE A COMPREHENSIVE ANALYSIS OF CURRENT PROTECTIONS OF THE PRIVACY OF PERSONAL INFORMATION AND TO SUBMIT PROPOSED LEGISLATION TO THE 2000 LEGISLATIVE SESSION," were adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1915) recommending that H.C.R. No. 203, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT HAWAII'S CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1916) recommending that H.R. No. 186, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 186, H.D. 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN TO CULTIVATE AGRICULTURAL CROPS AND PRODUCTS TO PROMOTE THE CONCEPT OF HAWAII AS A HEALTH STATE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1917) recommending that H.C.R. No. 205, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 205, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN TO CULTIVATE AGRICULTURAL CROPS AND PRODUCTS TO PROMOTE THE CONCEPT OF HAWAII AS A HEALTH STATE," was adopted with Representatives

Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1918) recommending that H.R. No. 188, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 188, entitled: "HOUSE RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1919) recommending that H.C.R. No. 207, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DIVISION OF STATE PARKS TO CONDUCT A FEASIBILITY STUDY TO IMPROVE THE POTENTIAL OF KUKANILOKO BIRTHSTONES AS A POTENTIAL CULTURAL TOURISM SITE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1920) recommending that H.R. No. 194, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 194, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1921) recommending that H.C.R. No. 216, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 216, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1922) recommending that H.R. No. 196, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 196, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A STATEWIDE PROGRAM FOR HAWAII'S SCHOOLS THAT FOCUSES ON STRONG ACADEMIC STANDARDS, ASSESSMENT TESTING, AND ACCOUNTABILITY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1923) recommending that H.C.R. No. 218, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A STATEWIDE PROGRAM FOR HAWAII'S SCHOOLS THAT FOCUSES ON STRONG ACADEMIC STANDARDS, ASSESSMENT TESTING, AND ACCOUNTABILITY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1924) recommending that H.C.R. No. 219, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE(FMAP)," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1925) recommending that H.R. No. 197, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 197, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE AIRPORT DIVISION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO WORK CLOSELY WITH AIR CARRIERS SERVING HAWAII TO DEVELOP STRATEGIES TO EFFECTIVELY REDUCE AIRPORT SYSTEM COSTS TO ACHIEVE LOW AND STABLE AIRPORT LANDING FEES, RATES, AND CHARGES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1926) recommending that H.C.R. No. 220, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 220, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE AIRPORT DIVISION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO WORK CLOSELY WITH AIR CARRIERS SERVING HAWAII TO DEVELOP STRATEGIES TO EFFECTIVELY REDUCE AIRPORT SYSTEM COSTS TO ACHIEVE LOW AND STABLE AIRPORT LANDING FEES, RATES, AND CHARGES," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1927) recommending that H.C.R. No. 230, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 230, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF REPLACING THE INCOME TAX AND GENERAL EXCISE TAX WITH A NEW RETAIL SALES TAX OR OTHER TAX," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1928) recommending that H.C.R. No. 232, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 232, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT INFANT AND CHILD CARDIOPULMONARY RESUSCITATION IN THEIR ADMINISTRATIVE RULES GOVERNING LICENSURE AND REGISTRATION OF CHILD CARE PROVIDERS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1929) recommending that H.C.R. No. 233, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE IMPACT OF ESTABLISHING A SHORELINE FISHERY MANAGEMENT AREA AT HANAPEPE, KAUAI," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1930) recommending that H.C.R. No. 234, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE KAMEHAMEHA SCHOOLS BERNICE PAUAHI BISHOP ESTATE TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING AN ELEMENTARY SCHOOL ON THE ISLAND OF KAUAI," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1931) recommending that H.R. No. 205, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 205, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INCREASE EFFORTS TO RECRUIT STUDENTS FROM ASIAN PACIFIC COUNTRIES TO STUDY MEDICINE AT THE JOHN A. BURNS SCHOOL OF MEDICINE AND TO SECURE RESEARCH FUNDS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1932) recommending that H.C.R. No. 236, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 236, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INCREASE EFFORTS TO RECRUIT STUDENTS FROM ASIAN PACIFIC COUNTRIES TO STUDY MEDICINE AT THE JOHN A. BURNS SCHOOL OF MEDICINE AND TO SECURE RESEARCH FUNDS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1933) recommending that H.R. No. 206, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 206, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE APPOINTMENT OF A TEMPORARY ADVISORY COMMISSION TO RECOMMEND A NEW FINANCIAL STRUCTURE FOR LOWER EDUCATION THAT IS COORDINATED WITH EDUCATION GOALS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1934) recommending that H.C.R. No. 237, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 237, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A TEMPORARY ADVISORY COMMISSION TO RECOMMEND A NEW FINANCIAL STRUCTURE FOR LOWER EDUCATION THAT IS COORDINATED WITH EDUCATION GOALS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1935) recommending that H.R. No. 225, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 225, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER TO CONVENE AN ADVISORY TASK FORCE TO STUDY THE VARIOUS PROPOSALS INTRODUCED DURING THE REGULAR SESSION OF 1999, TO REMEDY PERCEIVED DEFICIENCIES IN THE REQUIREMENTS AND PROCEDURES OF THE ENVIRONMENTAL IMPACT STATEMENTS LAW," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1936) recommending that H.C.R. No. 256, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 256, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ENVIRONMENTAL CENTER TO CONVENE AN ADVISORY TASK FORCE TO STUDY THE VARIOUS PROPOSALS INTRODUCED DURING THE REGULAR SESSION OF 1999, TO REMEDY PERCEIVED DEFICIENCIES IN THE REQUIREMENTS AND PROCEDURES OF THE ENVIRONMENTAL IMPACT STATEMENTS LAW," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1937) recommending that H.R. No. 227, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 227, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON DISCRIMINATION BASED ON SEX, RACE, AND NATIONAL ORIGIN WITH REGARD TO WAGES AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1938) recommending that H.C.R. No. 258, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 258, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY ON DISCRIMINATION BASED ON SEX, RACE, AND NATIONAL ORIGIN WITH REGARD TO WAGES AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1939 and 1940) recommending that H.R. No. 228, H.D. 1 and H.C.R. No. 259, H.D. 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 228, H.D. 1 and H.C.R. No. 259, H.D. 1, be adopted, seconded by Representative Yonamine.

Representative Rath rose in support of the measures with reservations and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Rath's remarks are as follows:

"By the State mandating a minimum wage far below that which the market can support, the State then denies employment to those entering the job market. This hurts the very people it is intended to help. When hiring minimum wage employees, employers are very apt to give a new applicant, or an applicant with prior employment problems, a break and a chance at employment. This also holds true for those who do not have marketable skills and need to develop them.

"By raising the minimum wage to over \$8.00 per hour, many people will not find any employment at all. Employers who now use people to perform a variety of tasks will move to technological advancements, which will then replace those minimum wage workers. Our very best method for raising the minimum wage is to increase economic activity where employers compete for workers. We saw in the 1980's fast food franchises advertising a starting salary of \$8.00. A good economy is the answer, not government mandates."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 228, H.D. 1, entitled: "HOUSE RESOLUTION SUPPORTING THE GOAL OF SECURING A "LIVING WAGE" FOR THE WORKERS IN THE STATE OF HAWAII," and H.C.R. No. 259, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE GOAL OF SECURING A "LIVING WAGE" FOR THE WORKERS IN THE STATE OF HAWAII," were adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. Nos. 1941 and 1942) recommending that H.R. No. 230 and H.C.R. No. 261, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 230 and H.C.R. No. 261, be adopted, seconded by Representative Yonamine.

Representative Marumoto rose in support of the measures and asked that her comments be inserted into the Journal, and the Chair "so ordered."

Representative Marumoto's remarks are as follows:

"With the United States' recent signing of the Kyoto Protocol, it is likely that carbon dioxide emissions will at some point become regulated. When that happens, a polluter wanting to emit more than its share of carbon will likely be able to do so as long as it pays to 'sequester' that additional carbon. One of the best ways to sequester carbon is to plant trees, and there are few places better for that than Hawaii.

"Because of Hawaii's high tropical growth rates, it can offer carbon sequestration much faster and cheaper than can mainland forests. And because Hawaii is familiar to mainland energy consumers as America's tropics, it may have a public relations advantage when Mid-Western utilities are comparing these 'Carbon Offset Forestry' investments in Hawaii and, for example, Central America.

"The benefit of these 'Carbon Offset Forestry' projects in our state could be two-fold: economic and environmental. The potential economic value of carbon investment in Hawaii is in the range of hundreds of millions of dollars. This investment can jump-start Hawaii's developing forest industry and create jobs in the forest and wood-product industries. At the same time, this investment could restore our koa rainforests, our idle cane lands, and our over-grazed pastures.

"But to reap these economic and environmental benefits, we need to be ahead of the curve and take action now, developing the focused marketing strategy, coordinated land use and regulatory policy, state forest management capacity, etc., that will attract COF investment in years to come. These resolutions call for an inter-departmental effort, partnered with private landowners, financial institutions, environmental groups, and others, to develop the priorities and plan to make this happen.

"I urge my colleagues to support these important resolutions."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 230, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," and H.C.R. No. 261, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," were adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1943) recommending that H.C.R. No. 62, be adopted.

Representative Case moved that the report of the Committee be adopted and H.C.R. No. 62, be adopted, seconded by Representative Yonamine.

Representative Pendleton rose in support of the measure and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Pendleton's remarks are as follows:

"Mr. Speaker, I rise in support of Standing Committee Report Number 1943, found on page fifteen of today's OD. This report is for House Concurrent Resolution No. 62 which urges the United States Congress to enact legislation that amends the Social Security Act to prohibit the Federal Government from receiving any share of the funds awarded in the tobacco settlement that was reached in 1998 between 46 states and the tobacco industry.

"Mr. Speaker, this resolution calls for Hawaii's full share of the deserved moneys owed to our state by the five largest tobacco manufacturers, awarded under the terms of the Master Tobacco Settlement Agreement. Since the U.S. Health Care Financing Administration contends that it is authorized and obligated to collect its share of tobacco settlement funds attributable to Medicaid from the states involved, this resolution is necessary to protect the interests of our state, which has and will continue to share the financial burden of caring for and preventing tobacco related illnesses in Hawaii.

"Mr. Speaker, according to data supplied by the Coalition for a Tobacco Free Hawaii the problem of smoking is getting worse among Hawaii's keiki. Over the past ten years the number of smokers under the age of 18 has increased 70 percent. Four thousand of Hawaii's youth become daily smokers each year partially a result of the staggering 1.1 million packs of cigarettes illegally sold to them on a yearly basis. Today, 29 percent of Hawaii's high school students smoke or chew tobacco, and if this trend continues, 20,000 of our keiki will eventually die from tobacco use. This is something our state simply cannot afford to permit.

"In addition, Hawaii and its residents have paid a hefty price for smoking related illnesses. Health care expenditures in Hawaii have reached \$320 million annually, and these expenses are passed down to every health care recipient, whether one is a smoker or not, through higher medical care costs. Every year, the Hawaii State government spends \$40 million on Medicare payments related to smoking, which is paid for with tax payer money. It is clear, Mr. Speaker, that our state cannot continue in this direction and must take stronger action toward smoking prevention.

"Mr. Speaker, I recently met with Former U.S. Surgeon General C. Everett Koop, the featured speaker at the 'No Smoking in Paradise' seminar, held earlier this month at the State Capitol. I would have preferred that language be included calling for more smoking education prevention. Moneys owed to us by the tobacco companies must not only be used for medical costs incurred resulting from tobacco related illnesses but should also be used for tobacco prevention education to protect and ensure a long life for Hawaii's keiki. California and Massachusetts have already implemented tobacco control campaigns and have seen positive results. While the national use of smoking is increasing, these states have either seen a decline or a slower rate of increase in the number of smokers. Reducing the number of smokers and the diseases accompanying smoking in Hawaii will not only save lives but will also eventually save the state and its citizens millions of dollars in health care costs.

"Results of a pre-election poll conducted by the Coalition for a Tobacco Free Hawaii reveal that most of Hawaii residents believe that prevention education is needed. The poll found that 84 percent of Hawaii voters support at least half of these settlement moneys being spent to reduce smoking among our keiki.

"In closing, Mr. Speaker, this resolution sends an important message to Congress that we believe Hawaii is rightfully entitled to its full share of the tobacco settlement. As the rising number of smokers and the problems associated with smoking continue to threaten the livelihood and the lives of Hawaii residents, this House Concurrent Resolution is good public policy. Thank you for this opportunity to speak in support of House Concurrent Resolution No. 62."

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 U.S. CONGRESS TO ENACT LEGISLATION THAT AMENDS THE SOCIAL SECURITY ACT TO PROHIBIT THE FEDERAL GOVERNMENT FROM RECEIVING ANY SHARE OF THE FUNDS AWARDED IN THE TOBACCO SETTLEMENT THAT WAS REACHED IN 1998 BETWEEN THE STATES AND THE TOBACCO INDUSTRY," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1944) recommending that H.C.R. No. 18, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPAND FAMILY AND PARENTING CLASSES TRAINING AND GUIDANCE FOR HIGH SCHOOL STUDENTS," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative P. Oshiro, for the Committee on Judiciary and Hawaiian Affairs, presented reports (Stand. Com. Rep. Nos. 1945 and 1946) recommending that H.R. No. 17, as amended in HD 1, and H.C.R. No. 15, as amended in HD 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 17, H.D. 1 and H.C.R. No. 15, H.D. 1, be adopted, seconded by Representative Yonamine.

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

"Mr. Speaker, the Convention on the Elimination of all Forms of Discrimination Against Women was ratified by the United Nations and adopted at the UN Decade for Women Mid-decade Conference in Copenhagen in 1979. The Treaty or CDAW, as it is currently known, is an international bill of rights for women. This important document protects women's educational, political, legal, and economic rights.

"Ratification of CDAW ensures that all appropriate measures are taken to protect and provide the full development and advancement of women. As of December of 1997, 161 countries have signed the Treaty to ratify CDAW. Embarrassingly, the United States is among the few countries, including Iran and Somalia, yet to ratify this agreement to ensure women's equality.

"Currently, there are five states that have voted to endorse ratification of CDAW in their state legislatures and I hope that Hawaii will be the sixth. If more states pass this legislation, there will be growing pressure on the United States Senate to ratify the Treaty.

"Mr. Speaker and members, I hope you will join me in upholding our country's creed of equal opportunity for all by urging our State to call on the United States Senate to ratify this Treaty, which guarantees the protection of human rights with respect to both women and men. 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.R. No. 17, H.D. 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," and H.C.R. No. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," were adopted with Representative Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representatives Garcia and Morita, for the Committees on Public Safety and Military Affairs and Energy and Environmental Protection, presented joint reports (Stand. Com. Rep. Nos. 1947 and 1948) recommending that H.R. No. 45, as amended in HD 1, and H.C.R. No. 56, as amended in HD 1, be adopted.

Representative Case moved that the joint reports of the Committees be adopted and H.R. No. 45, H.D. 1, and H.C.R. No. 56, H.D. 1, be adopted, seconded by Representative Yonamine.

Representative Auwae rose to speak in support of the measures, stating:

"Thank you, Mr. Speaker. Makua is a very special place. Not only is this valley home to over 30 species of endangered plants and animals, it also holds a historical, cultural, religious significance to the Waianae community.

"The intent of this resolution is not to seek removal of the military from conducting their training exercises on this land. It is merely a request that the military conduct an environmental study to determine the impact live-fire training has had and will continue to have on the public's safety, cultural sites and practices, endangered species and their habitats, and water quality. These concerns are very important to the general health and well-being of the Waianae communities. This is not an issue of us against them as many people have suggested.

"I have a great deal of respect for our armed forces and the selfless job that they do to defend our great nation. However, this is an issue of protecting our environment, preserving our land, and maintaining the cultural and historical significance of Makua. By adopting this resolution, the Legislature would not be taking a position either for or against the Army's presence at Makua. Rather, it would demonstrate to the people of the Waianae coast our support for their right to know how the Army activities are impacting their community. Thank you, Mr. Speaker."

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

"Mr. Speaker, this House recognizes the valuable economic contribution to the economy of the State of Hawaii by our military forces. And we know that national security depends on the well-trained and well-prepared military force and a facility that provides an appropriate training opportunity.

"This resolution would address these concerns. I am encouraged, Mr. Speaker, because this resolution encourages the military to continue its collaboration with the community. I'm encouraged by the military's attitude and the sensitivity in forming these work groups within the community, but it needs continued support. And these resolutions speaks from this body that we support the ongoing collaboration and the sensitivities. And we know that by continuing to have the community get involved with our military will only foster more harmony, more peace, and more aloha. And we're just hoping that we can resolve this because we really need the military and we also

need our culture sites to be preserved for our future kids. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the joint reports of the Committees were adopted and H.R. No. 45, H.D. 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES ARMY TO FURTHER INFORM AND INVOLVE THE PUBLIC ON MILITARY AND RELATED ACTIVITIES AT THE MAKUA MILITARY RESERVATION ON OAHU," and H.C.R. No. 56, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO FURTHER INFORM AND INVOLVE THE PUBLIC ON MILITARY AND RELATED ACTIVITIES AT THE MAKUA MILITARY RESERVATION ON OAHU," were adopted with Representative Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1949) recommending that H.C.R. No. 20, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 20, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF INITIATIVES TO FACILITATE THE GROWTH OF HAWAII'S BIOTECHNOLOGY INDUSTRY," was adopted with Representative Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1950) recommending that H.C.R. No. 223, as amended in HD 1, be adopted.

Representative Case moved that the report of the Committee be adopted and H.C.R. No. 223, H.D. 1, be adopted, seconded by Representative Yonamine.

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

"Mr. Speaker, during my years in office, two community concerns have been brought to my attention almost weekly. The price and availability of property insurance and inadequate telephone service.

"Mr. Speaker, this resolution is very simple. It is in response to Judge Chang's ruling of April 1 of this year that struck down a number of PUC decisions and orders that were based on legislation passed by this body and signed into law by the Governor.

"This resolution asks the PUC to report back to this body on the implications of the ruling on the PUC's authority and power. A very basic question. The resolution also asks the PUC to take a closer look at customer complaints, not on a system-wide basis, but by exchanges. And finally, the resolution asks the PUC to advise this body on the possible impact of the proposed GTE/Bell Atlantic merger on jobs in Hawaii and the quality of service to Hawaii's consumers.

"This resolution does not order the PUC to do anything, but provide some very basic information to this body to guide us in future actions.

"Members of this House have heard me voice my concerns about the quality of service provided by GTE Hawaiian Telephone in my district many times. However, I have not made any floor speeches on this issue up until now.

"I am sure, Mr. Speaker, that the thought of what prompts my distrust of GTE Hawaiian Tel has crossed the members' minds a number of times. I am sure that some members might

dismiss it as a personal vendetta against GTE for some unrelated incident and it brings into question my legislative integrity.

"Let me assure you and the members that I am motivated by the same thing that motivates all responsible elected public officials -- complaints from our constituents. Not a seek goes by that I am not contacted by residents in my district about problems that they have with GTE Hawaiian Tel.

"The Ka'u district is as far away from this building as you can get in this State without getting wet. Not only are we far away in miles, but we are very far away in our ability to convey our message to legislators. Unlike Oahu constituents, my people often have to travel an hour just to get to the airport. To testify at a legislative hearing means the commitment of a full day away from jobs, family, plus the expenses involved. You do not have the opportunity to hear from my neighbors about their total and absolute dissatisfaction with the service provided by GTE Hawaiian Telephone.

"For the last two sessions of this Legislature, a group from GTE Hawaiian Telephone, headed by the company's Vice President of External Affairs, has told you that everything is 'OK', that there are no problems, that the GTE's service is above reproach, that they have invested millions in upgrading their equipment and that complaints are almost non-existent.

"Mr. Speaker, I want to tell you about a town meeting that I attended last Sunday in Hawaiian Ocean View Estates in Ka'u. This meeting was called by the local Chamber of Commerce to give the citizens an opportunity to be brought up to date on various issues that affect the community. I was there merely as a resource. Telephone service was one of the items on the agenda. When the people were advised about Judge Chang's ruling, they were shocked, enraged and more than visibly upset.

"Mr. Speaker, I will tell you that I had a hard time sleeping that night. I was trying to reconcile in my mind all the information that GTE's representatives have given to the members of this body about their quality of service in Ka'u with what I hear on a weekly basis from my constituents, and the anger and frustration that I saw Sunday afternoon. Then I considered the time and resources that GTE has expended in this building to convince all of you about how they are being picked on and that there are no problems of any consequence. I also ponder if the cost of this lobbying and the cost of appeal after appeal from PUC's orders ends up in GTE's rate base filing and all telephone consumers end up paying for this effort. I am deeply troubled when I compare that with the total absence of any effort to service their customers in Ka'u.

"GTE is completely out of touch with their customers. Here we have a public utility that is completely out of touch with their most important asset in Ka'u -- their customer base. I can't imagine any other business in this State that can survive treating their customers with contempt. If the company had spent the amount of resources in customer satisfaction in Ka'u, as they have in this building talking to all of you, then this would not be an issue here today.

"There were about 150 people at the meeting Sunday. One-hundred forty-two of them signed a petition asking the PUC to enforce their own order and get GTE out of their lives. And I have to try to reconcile that with what GTE is telling you on a daily basis that all is well.

"Maybe the PUC needs to amend its definition of 'complaints.' I will give you an example of what may not be covered."

At this point, Representative M. Oshiro yielded his time to Representative Herkes.

Representative Herkes thanked the Chair and continued, stating:

"A company in Kona ordered a new telephone system from GTE. After it was installed, it was found that GTE did not know how to operate it. True story. Happens more than once. Many consumers have told me that GTE makes a commitment on line installation on a certain date and then no one shows up. When the company is called, the general answer is that 'they should not have made that commitment, we don't offer that service.'

"The former manager of GTE on the Big Island had sold his home in Volcano, moved to Kona, and then moved back to Volcano, came to my door one afternoon very irate. And I asked: 'Stan, what's the problem?' He said: 'GTE was supposed to install my phone today and no one showed up.' So they're not selective about who they give bad service to. It's to everyone.

"Mr. Speaker, these are not isolated cases. This is general operating procedure. Mr. Speaker, I will extend an invitation to Mr. Joel Matsunaga to come to the Big Island and tell the people in South Kona, Hawaiian Ocean View Estates, and lower Puna what he has been telling you, that all is well and that the residents of these areas are satisfied with GTE's service quality (but they just don't seem to know it). I will pay for the hall. I will put out the publicity. I will provide refreshments, and I will provide security for his personal safety. Then, and only then, I may be able to reconcile what he has been saying to you and what I hear from his customers.

"I urge this body to pass this resolution."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 223, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION (PUC) TO INVESTIGATE, REPORT, AND TAKE ACTION ON THE CIRCUIT COURT ORDER INVALIDATING CERTAIN PUC ORDERS, TELECOMMUNICATIONS SERVICE QUALITY ISSUES, AND THE PROPOSED GTE/BELL ATLANTIC MERGER," was adopted with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

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

The House of Representatives reconvened at 12:16 o'clock p.m.

#### ANNOUNCEMENTS

Representative Thielen: "I'd just like to remind members that tomorrow is the Second Annual Hemp Aloha Friday in honor of Earth Day."

Representative Leong: "I'd like to remind the House that tomorrow is our last day for the Food Bank. We've done a super job, a wonderful job so far. And you will know later on where we are and what we've been doing. So do your best. Thank you so much."

The Chair responded: "Members, Representative Leong is saying tomorrow is the last day so put your money on Representatives Schatz and Garcia."

At this time, Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving any House Bills with Senate amendments and to disagree to the same, seconded by Representative Pendleton and carried with Representatives Cachola, Chang, Menor, Meyer, Okamura and Saiki being excused.

At 12:20 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving House Bills with Senate amendments.

**ADJOURNMENT**

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 16, 1999.

## FIFTIETH DAY

Friday, April 16, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m., with the Speaker presiding.

The invocation was rendered in song by Representatives Arakaki, Kahikina and Ms. Sharon Darapiza of the Clerk's Office, after which the Roll was called showing all members present with the exception of Representatives Chang, Lee, Marumoto, McDermott, Menor, Okamura, Rath, Saiki, Schatz and Yoshinaga, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 668 through 742) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 668, transmitting S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 669, transmitting S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 670, transmitting S.C.R. No. 27, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR A TASK FORCE AND REQUESTING A STUDY TO REVIEW THE FISCAL NEEDS OF THE STATE HIGHWAY FUND AND REPORT ON DEVELOPING A REVENUE PLAN FOR THE HIGHWAYS DIVISION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 671, transmitting S.C.R. No. 28, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 672, transmitting S.C.R. No. 30, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A POLICY AND ISSUE STUDY CONCERNING THE UNDERGROUNDING OF OVERHEAD UTILITY FACILITIES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 673, transmitting S.C.R. No. 34, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 674, transmitting S.C.R. No. 37, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE FEASIBILITY OF

NOISE MITIGATION AT HILO AIRPORT," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 675, transmitting S.C.R. No. 38, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO REQUIRE FEDERAL CONTRACTING OFFICERS TO ADHERE TO FEDERAL LAWS THAT ARE DESIGNED TO IMPROVE EMPLOYMENT CONDITIONS IN HAWAII WHEN UNEMPLOYMENT RATES ARE HIGHER THAN THE NATIONAL AVERAGE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 676, transmitting S.C.R. No. 39, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE AMENDMENT OF FEDERAL ACQUISITION REGULATIONS TO INCORPORATE LANGUAGE IN A PRESIDENTIAL MEMORANDUM ENCOURAGING THE USE OF PROJECT LABOR AGREEMENTS IN FEDERAL CONSTRUCTION CONTRACTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 677, transmitting S.C.R. No. 43, SD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 678, transmitting S.C.R. No. 50, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE POTENTIAL OF ESTABLISHING A MEDICINAL HERB INDUSTRY IN THE STATE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 679, transmitting S.C.R. No. 53, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AMEND ITS RULES FOR EMPLOYERS PAYING STATE WITHHOLDING TAXES FOR NONRESIDENTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 680, transmitting S.C.R. No. 55, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 681, transmitting S.C.R. No. 57, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF VARIOUS EXECUTIVE DEPARTMENTS REGARDING CEDED LAND REVENUES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 682, transmitting S.C.R. No. 64, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY HANDICAPPED PERSONS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 683, transmitting S.C.R. No. 65, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 684, transmitting S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTIVE SERVICES ROUNDTABLE TO FORM A TASK FORCE TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 685, transmitting S.C.R. No. 81, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL SELECTION COMMISSION TO CONDUCT PUBLIC HEARINGS AND CONSIDER JUDICIAL PERFORMANCE BASED UPON PEER REVIEW WITH RESPECT TO JUSTICES AND JUDGES WHO ARE BEING CONSIDERED FOR RETENTION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 686, transmitting S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 687, transmitting S.C.R. No. 88, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INFORMAL TASK FORCE TO STUDY THE PROBLEMS ASSOCIATED WITH THE CONDOMINIUM PROPERTY REGIME LAW, AND PUBLIC HEARINGS ON SUBJECTING CONDOMINIUMS TO COUNTY ZONING ORDINANCES AND DEVELOPMENT REQUIREMENTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 688, transmitting S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 689, transmitting S.C.R. No. 93, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY REGARDING THE ISSUE OF PERSONAL PRIVACY AND COMMERCIAL USE OF PERSONAL INFORMATION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 690, transmitting S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE HAWAII RULES OF CIVIL PROCEDURE RELATED TO OFFERS OF JUDGMENT AND ALLOWING DISCOVERY AND TESTIMONY BY VIDEOTAPE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 691, transmitting S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF IMMUNITY FROM TORT LIABILITY AND RECOMMENDATIONS REGARDING SUCH PROVISIONS IN THE DEVELOPMENT OF PUBLIC POLICY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 692, transmitting S.C.R. No. 97, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING A COMPREHENSIVE STUDY OF THE IMPACTS OF RAISING THE STATE MINIMUM WAGE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 693, transmitting S.C.R. No. 100, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CORRECTIONS POPULATION MANAGEMENT COMMISSION TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 694, transmitting S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY ALTERNATIVES TO THE KEAAU-PAHOA ROAD," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 695, transmitting S.C.R. No. 105, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 696, transmitting S.C.R. No. 109, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RELOCATION OF THE QUEEN LILI'UOKALANI STATUE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 697, transmitting S.C.R. No. 110, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 698, transmitting S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT ONE OR MORE ADDITIONAL BRIDGES INTO WAHIAWA TO PROVIDE A SECOND ENTRANCE INTO AND EXIT OUT OF THAT COMMUNITY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 699, transmitting S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY TO PLAN, DESIGN, ACQUIRE LAND, AND CONSTRUCT A SECOND ENTRANCE INTO AND EXIT OUT OF WHITMORE VILLAGE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 700, transmitting S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A BOAT RAMP FOR USE BY RECREATIONAL USERS AT CAPE KUMUKAHI/KAPOHO BAY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 701, transmitting S.C.R. No. 118, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 702, transmitting S.C.R. No. 119, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO PROVIDE ALL HAWAII PUBLIC SCHOOL CHILDREN WITH THE OPPORTUNITY TO HAVE A NUTRITIOUS BREAKFAST," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 703, transmitting S.C.R. No. 121, SD 1, entitled: "SENATE CONCURRENT RESOLUTION



ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 704, transmitting S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE IF HAWAII'S ADMINISTRATIVE PROCEDURE ACT AND PUBLIC AGENCY MEETINGS AND RECORDS LAWS ARE CURRENTLY DRAFTED TO ENSURE THAT DISCUSSIONS, DELIBERATIONS, DECISIONS, AND ACTIONS OF THE GOVERNMENT ARE CONDUCTED AS OPENLY AS POSSIBLE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 705, transmitting S.C.R. No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO INVESTIGATE AND DETERMINE THE FAIRNESS OF THE ELIGIBLE CHARGE REIMBURSEMENT RATES OF HAWAII'S MUTUAL BENEFIT SOCIETIES AND HEALTH MAINTENANCE ORGANIZATIONS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 706, transmitting S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE A COMMEMORATIVE STAMP AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 707, transmitting S.C.R. No. 131, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF THE DEPARTMENT OF EDUCATION'S LANGUAGE ARTS PROGRAM FOR HAWAII CREOLE ENGLISH SPEAKING STUDENTS WITH LIMITED ENGLISH PROFICIENCY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 708, transmitting S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY REGARDING THE LANGUAGE, IMPLEMENTATION, AND EFFECTIVENESS OF MEDICINAL CANNABIS LAWS IN OTHER STATES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 709, transmitting S.C.R. No. 134, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A JOINT OVERSIGHT COMMITTEE ON PRISON OPERATIONS AND SAFETY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 710, transmitting S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 711, transmitting S.C.R. No. 139, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF ALTERNATE SOURCES OF DRINKING WATER, INCLUDING DESALINATION PLANTS, FOR COUNTY, STATE, AND FEDERAL GOVERNMENTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 712, transmitting S.C.R. No. 141, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FULL IMPLEMENTATION OF THE SCHOOL-TO-WORK OPPORTUNITIES PROGRAM THROUGH THE DESIGNATION OF STATE AND

COUNTY WORKSITES AS SCHOOL-TO-WORK SPONSORING AGENCIES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 713, transmitting S.C.R. No. 144, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 714, transmitting S.C.R. No. 145, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL EDUCATION SERVICES TO FEDERALLY CONNECTED CHILDREN," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 715, transmitting S.C.R. No. 147, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE ANALYSIS OF HAWAII'S HEALTH CARE AND DENTAL CARE PLANS, AND AN ASSESSMENT OF THE INEQUITIES OR UNEVENNESS OF THE TAX LAWS AND ANY OTHER LAWS IN RELATION TO MUTUAL BENEFIT SOCIETIES AND ALL OF INSURANCE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 716, transmitting S.C.R. No. 148, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION, UPON RECEIPT OF HAWAIIAN ELECTRIC COMPANY'S APPLICATION FOR APPROVAL OF THE PROPOSED KAMOKU-PUKELE 138,000 VOLT TRANSMISSION LINE PROJECT IN HONOLULU, TO BIFURCATE THE DOCKET IN ORDER TO FIRST CONSIDER THE ISSUE OF NEED," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 717, transmitting S.C.R. No. 149, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 718, transmitting S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 719, transmitting S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM "MEDICAL NECESSITY" TO DETERMINE THE MOST APPROPRIATE DEFINITION OF "MEDICAL NECESSITY," OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 720, transmitting S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 721, transmitting S.C.R. No. 158, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY POTENTIAL LEGISLATION ON COMPUTER CRIMES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 722, transmitting S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION TO FURTHER ENCOURAGE CONSUMPTION OF FIVE OR MORE FRUITS AND VEGETABLES DAILY," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 723, transmitting S.C.R. No. 165, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 724, transmitting S.C.R. No. 172, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AGENCIES TO SUBMIT AN ELECTRONIC COPY OF DOCUMENTS PRODUCED PURSUANT TO LEGISLATIVE REQUEST," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 725, transmitting S.C.R. No. 178, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A STATE OCEAN AND COASTAL RESOURCES PLAN AND STATE WATERS RECREATION MASTER PLAN," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 726, transmitting S.C.R. No. 179, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING MORE PUBLIC EDUCATION ON THE MERITS OF VOLUNTEER SERVICE AND ON EFFECTIVE METHODS FOR RECRUITING AND RETAINING VOLUNTEERS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 727, transmitting S.C.R. No. 183, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DRUG ENFORCEMENT AGENCY TO CONSIDER RESCHEDULING MEDICINAL CANNABIS (AKA MARIJUANA) AND THE UNITED STATES CONGRESS TO CONSIDER PASSING LEGISLATION RESCHEDULING MEDICINAL CANNABIS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 728, transmitting S.C.R. No. 184, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 729, transmitting S.C.R. No. 187, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 730, transmitting S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 731, transmitting S.C.R. No. 194, SD 1, entitled: "SENATE CONCURRENT RESOLUTION

SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 732, transmitting S.C.R. No. 195, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUAHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 733, transmitting S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 734, transmitting S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 735, transmitting S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 736, transmitting S.C.R. No. 203, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO ESTABLISH A HISTORICAL DISTRICT COMMITTEE," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 737, transmitting S.C.R. No. 207, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TO DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII COMMUNITY DEVELOPMENT ASSOCIATION TO COMMUNICATE TO THE DIRECTOR OF TRANSPORTATION THEIR INTENTIONS REGARDING PIER 2 AT HONOLULU HARBOR," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 738, transmitting S.C.R. No. 208, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPARE HAWAII'S ELECTION SYSTEM WITH THAT OF OTHER STATES AND ESTABLISHING AN ELECTIONS REVIEW TASK FORCE TO MAKE RECOMMENDATIONS FOR CHANGES TO HAWAII'S ELECTION LAWS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 739, transmitting S.C.R. No. 210, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 740, transmitting S.C.R. No. 211, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INVESTIGATE ESTABLISHING A PARTNERSHIP WITH THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE TO EXPLORE THE POTENTIAL RESEARCH, EDUCATIONAL, AND ECONOMIC OPPORTUNITIES OF JOHNSTON ATOLL," which was adopted by the Senate on April 15, 1999.

Sen. Com. No. 741, transmitting S.C.R. No. 219, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO REVIEW COURT RULES AND, IF NECESSARY, TO ESTABLISH GUIDELINES FOR GIFT-GIVING BY COURT REPORTERS," which was adopted by the Senate on April 15, 1999.

By unanimous consent, further action on S.C.R. Nos. 18; 26, SD 1; 27, SD 1; 28, SD 1; 30, SD 1; 34, SD 1; 37, SD 1; 38, SD 1; 39, SD 1; 43, SD 1; 50, SD 1; 53, SD 1; 55, SD 1; 57, SD 1; 64, SD 1; 65, SD 1; 77; 81, SD 1; 86; 88, SD 2; 91, SD 1; 93, SD 1; 94; 95; 97, SD 2; 100, SD 1; 103; 105, SD 1; 109, SD 1; 110, SD 1; 115; 116, SD 1; 117; 118, SD 1; 119, SD 1; 121, SD 1; 127; 129, SD 1; 130; 131, SD 2; 133, SD 1; 134; 135; 139, SD 1; 141, SD 1; 144, SD 1; 145; 147, SD 1; 148, SD 1; 149, SD 2; 151, SD 1; 152, SD 1; 157; 158, SD 2; 164; 165, SD 1; 172; 178; 179, SD 2; 183, SD 1; 184, SD 1; 187, SD 1; 188; 194, SD 1; 195; 199; 201; 202; 203, SD 2; 207; 208, SD 1; 210, SD 2; 211, SD 1; and 219, SD 1, was deferred until later in the calendar.

Sen. Com. No. 742, informing the House that the Senate has disagreed to the amendments proposed by the House in the following Senate Bills on April 15, 1999:

S.B. 4, SD 2, HD 2, entitled: "RELATING TO GOVERNMENT ADMINISTRATION";

S.B. 5, SD 2, HD 2, entitled: "RELATING TO AGRICULTURAL LOANS";

S.B. 20, SD 1, HD 2, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

S.B. 27, HD 1, entitled: "RELATING TO MOTOR VEHICLE REGISTRATION";

S.B. 36, SD 2, HD 1, entitled: "RELATING TO CONDOMINIUMS";

S.B. 40, HD 2, entitled: "RELATING TO PHYSICIAN ASSISTANTS";

S.B. 44, SD 1, HD 2, entitled: "RELATING TO TAXATION";

S.B. 46, SD 2, HD 2, entitled: "RELATING TO SCHOOL-BASED BUDGETING";

S.B. 102, SD 3, HD 2, entitled: "RELATING TO HEALTH";

S.B. 131, SD 3, HD 3, entitled: "RELATING TO LONG-TERM CARE";

S.B. 157, SD 1, HD 2, entitled: "MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS";

S.B. 176, HD 2, entitled: "RELATING TO CHILDREN";

S.B. 178, HD 1, entitled: "MAKING AN APPROPRIATION FOR HEALTHY START";

S.B. 194, SD 2, HD 2, entitled: "RELATING TO INCOME TAXATION";

S.B. 207, HD 2, entitled: "RELATING TO WASTEWATER";

S.B. 223, SD 2, HD 1, entitled: "RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY";

S.B. 236, SD 1, HD 1, entitled: "RELATING TO UNFAIR AND DECEPTIVE PRACTICES";

S.B. 238, SD 1, HD 2, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

S.B. 285, SD 1, HD 1, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

S.B. 365, SD 1, HD 1, entitled: RELATING TO CONSUMER PROTECTION";

S.B. 392, SD 2, HD 2, entitled: "RELATING TO TRANSPORTATION";

S.B. 450, SD 1, HD 2, entitled: "RELATING TO STATE GOVERNMENT";

S.B. 456, SD 2, HD 1, entitled: "RELATING TO TUITION WAIVERS";

S.B. 513, SD 2, HD 2, entitled: "RELATING TO FAMILY CHILD CARE";

S.B. 528, SD 2, HD 1, entitled: "RELATING TO HEALTH INSURANCE";

S.B. 560, SD 1, HD 1, entitled: "RELATING TO SPECIAL MANAGEMENT AREAS";

S.B. 570, SD 1, HD 2, entitled: "RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT";

S.B. 585, SD 1, HD 2, entitled: "RELATING TO SEXUAL OFFENDERS";

S.B. 588, SD 1, HD 1, entitled: "RELATING TO SEX OFFENDERS";

S.B. 605, SD 1, HD 2, entitled: "RELATING TO CIVIL RIGHTS";

S.B. 607, SD 1, HD 2, entitled: "RELATING TO FIREARMS";

S.B. 628, SD 1, HD 1, entitled: "RELATING TO ELECTIONS";

S.B. 635, SD 1, HD 2, entitled: "RELATING TO SUBSTANCE ABUSE TESTING";

S.B. 638, SD 1, HD 2, entitled: "RELATING TO TAXATION";

S.B. 646, SD 2, HD 3, entitled: "RELATING TO GOVERNMENT";

S.B. 654, SD 1, HD 2, entitled: "RELATING TO LEGISLATIVE AGENCIES";

S.B. 663, SD 1, HD 1, entitled: "RELATING TO MOTOR VEHICLE REGISTRATIONS";

S.B. 664, SD 1, HD 1, entitled: "RELATING TO SPECIAL NUMBER PLATES";

- S.B. 676, SD 1, HD 2, entitled: "RELATING TO COMMERCIAL DRIVER'S LICENSES";
- S.B. 680, SD 1, HD 2, entitled: "RELATING TO FIREWORKS";
- S.B. 700, SD 2, HD 1, entitled: "RELATING TO LOW-SPEED VEHICLES";
- S.B. 709, SD 1, HD 2, entitled: "RELATING TO TRAFFIC ENFORCEMENT";
- S.B. 737, SD 2, HD 1, entitled: "RELATING TO NOISE";
- S.B. 738, SD 1, HD 1, entitled: "RELATING TO NOISE POLLUTION";
- S.B. 777, SD 2, HD 1, entitled: "RELATING TO FORECLOSURES";
- S.B. 779, SD 2, HD 2, entitled: "RELATING TO DENTAL HYGIENISTS";
- S.B. 788, SD 2, HD 2, entitled: "RELATING TO TAXATION";
- S.B. 798, SD 2, HD 2, entitled: "RELATING TO NOISE";
- S.B. 809, SD 2, HD 1, entitled: "RELATING TO BOATING";
- S.B. 816, SD 1, HD 2, entitled: "RELATING TO THE CONVENTION CENTER";
- S.B. 822, SD 2, HD 2, entitled: "RELATING TO HEALTH INSURANCE";
- S.B. 823, SD 1, HD 2, entitled: "RELATING TO SENTENCING";
- S.B. 825, SD 2, HD 2, entitled: "RELATING TO BREASTFEEDING";
- S.B. 830, SD 1, HD 2, entitled: "RELATING TO HEALTH INSURANCE REIMBURSEMENTS";
- S.B. 844, SD 2, HD 2, entitled: "RELATING TO HEALTH INSURANCE";
- S.B. 856, SD 2, HD 2, entitled: "RELATING TO LONG-TERM RESIDENTIAL CARE";
- S.B. 896, SD 1, HD 1, entitled: "RELATING TO GUARDIANSHIP PROCEEDINGS";
- S.B. 942, SD 1, HD 1, entitled: "RELATING TO HUNTING";
- S.B. 947, SD 2, HD 1, entitled: "RELATING TO TELEMARKETING FRAUD";
- S.B. 949, SD 1, HD 2, entitled: "RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION";
- S.B. 951, SD 1, HD 1, entitled: "RELATING TO EMPLOYEE BENEFIT PLANS";
- S.B. 953, SD 2, HD 2, entitled: "RELATING TO NATURAL AND CULTURAL RESOURCES";
- S.B. 957, SD 2, HD 1, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";
- S.B. 992, SD 2, HD 2, entitled: "MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER";
- S.B. 994, SD 2, HD 3, entitled: "RELATING TO DEPENDENT ADULT AND ELDER ABUSE";
- S.B. 1003, SD 1, HD 1, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";
- S.B. 1011, HD 2, entitled: "RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS";
- S.B. 1016, SD 1, HD 1, entitled: "RELATING TO ADMINISTRATIVE RULES";
- S.B. 1018, SD 1, HD 2, entitled: "RELATING TO THE DRUG FORMULARY";
- S.B. 1024, SD 3, HD 1, entitled: "RELATING TO ENVIRONMENT";
- S.B. 1026, HD 1, entitled: "RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL";
- S.B. 1032, SD 1, HD 2, entitled: "RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT";
- S.B. 1034, SD 1, HD 2, entitled: "RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND";
- S.B. 1036, SD 3, HD 1, entitled: "RELATING TO PERSONS WITH DISABILITIES";
- S.B. 1046, SD 3, HD 2, entitled: "RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES";
- S.B. 1050, SD 2, HD 1, entitled: "RELATING TO THE CHILD PROTECTIVE ACT";
- S.B. 1055, SD 1, HD 1, entitled: "RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS";
- S.B. 1057, HD 1, entitled: "RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION";
- S.B. 1071, SD 1, HD 2, entitled: "RELATING TO SECURITIES";
- S.B. 1079, SD 1, HD 3, entitled: "RELATING TO PERMIT PROCESSING";
- S.B. 1082, SD 2, HD 2, entitled: "RELATING TO THE BUREAU OF CONVEYANCES";
- S.B. 1088, SD 1, HD 1, entitled: "RELATING TO ENFORCEMENT";
- S.B. 1089, SD 1, HD 1, entitled: "RELATING TO COMMERCIAL MARINE LICENSES";
- S.B. 1091, SD 1, HD 2, entitled: "RELATING TO AQUATIC RESOURCES";
- S.B. 1101, SD 1, HD 2, entitled: "RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES";
- S.B. 1102, SD 1, HD 2, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- S.B. 1117, SD 1, HD 2, entitled: "RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE";

- S.B. 1124, SD 2, HD 1, entitled: "RELATING TO THE CODE OF FINANCIAL INSTITUTIONS";
- S.B. 1127, SD 1, HD 3, entitled: "RELATING TO INSURANCE";
- S.B. 1128, SD 2, HD 1, entitled: "RELATING TO INSURANCE";
- S.B. 1129, SD 2, HD 2, entitled: "RELATING TO INSURANCE";
- S.B. 1130, SD 1, HD 1, entitled: "RELATING TO HEALTH MAINTENANCE ORGANIZATIONS";
- S.B. 1131, SD 1, HD 2, entitled: "RELATING TO INSURANCE";
- S.B. 1136, SD 2, HD 2, entitled: "RELATING TO REGULATION OF OSTEOPATHY";
- S.B. 1137, HD 2, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- S.B. 1139, SD 1, HD 2, entitled: "RELATING TO LIMITED LIABILITY COMPANIES";
- S.B. 1140, SD 2, HD 2, entitled: "RELATING TO BUSINESS REGISTRATION";
- S.B. 1144, SD 1, HD 2, entitled: "RELATING TO FINANCIAL INSTITUTIONS";
- S.B. 1145, SD 2, HD 2, entitled: "RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";
- S.B. 1147, SD 2, HD 2, entitled: "RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL";
- S.B. 1149, SD 1, HD 2, entitled: "RELATING TO ENFORCEMENT OF WAGE LAWS";
- S.B. 1151, SD 1, HD 1, entitled: "RELATING TO CIVIL RIGHTS";
- S.B. 1155, SD 1, HD 2, entitled: "RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS";
- S.B. 1157, SD 1, HD 1, entitled: "RELATING TO THE STATE LIBRARIAN";
- S.B. 1158, SD 1, HD 1, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS";
- S.B. 1160, SD 2, HD 2, entitled: "RELATING TO CONTROLLED SUBSTANCES";
- S.B. 1163, SD 1, HD 2, entitled: "RELATING TO THE RELEASE OF PRE-TRIAL INMATES";
- S.B. 1177, SD 1, HD 1, entitled: "RELATING TO THE GENERAL EXCISE TAX";
- S.B. 1178, SD 2, HD 2, entitled: "RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES";
- S.B. 1180, SD 1, HD 1, entitled: "RELATING TO THE INCOME TAXATION OF NONRESIDENTS";
- S.B. 1212, SD 2, HD 1, entitled: "RELATING TO USE OF INTOXICANTS";
- S.B. 1229, SD 1, HD 3, entitled: "RELATING TO HOUSING";
- S.B. 1235, SD 1, HD 1, entitled: "RELATING TO CONSUMER PROTECTION";
- S.B. 1238, SD 2, HD 2, entitled: "RELATING TO PROFESSIONS AND VOCATIONS";
- S.B. 1256, SD 2, HD 1, entitled: "RELATING TO AN INTERISLAND FERRY SYSTEM";
- S.B. 1261, SD 1, HD 1, entitled: "RELATING TO CAPTIVE INSURANCE";
- S.B. 1270, SD 1, HD 2, entitled: "RELATING TO EDUCATION";
- S.B. 1276, SD 1, HD 2, entitled: "RELATING TO THE SUPERINTENDENT OF EDUCATION";
- S.B. 1279, SD 2, HD 2, entitled: "RELATING TO THE UNIVERSAL SERVICE FUND";
- S.B. 1282, SD 2, HD 2, entitled: "RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM";
- S.B. 1294, SD 1, HD 2, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";
- S.B. 1300, SD 1, HD 2, entitled: "MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT";
- S.B. 1307, SD 1, HD 1, entitled: "RELATING TO SCHOOL PERFORMANCE";
- S.B. 1321, SD 2, HD 2, entitled: "RELATING TO OCEAN LEASING";
- S.B. 1325, SD 1, HD 2, entitled: "RELATING TO TAXATION";
- S.B. 1452, HD 3, entitled: "RELATING TO HEALTH";
- S.B. 1462, SD 1, HD 2, entitled: "RELATING TO ELECTIONS";
- S.B. 1470, HD 2, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";
- S.B. 1475, SD 1, HD 2, entitled: "RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT";
- S.B. 1481, SD 1, HD 1, entitled: "MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC";
- S.B. 1485, SD 1, HD 1, entitled: "RELATING TO MINORS";
- S.B. 1499, SD 1, HD 2, entitled: "RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT";
- S.B. 1501, SD 3, HD 3, entitled: "RELATING TO EDUCATION";
- S.B. 1504, SD 1, HD 1, entitled: "MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES";



S.B. 1512, SD 1, HD 1, entitled: "RELATING TO THE UNIFORM PARTNERSHIP ACT";	27	Committee on Transportation, then to the Committee on Finance
S.B. 1517, SD 1, HD 1, entitled: "RELATING TO ACUPUNCTURE PRACTITIONERS";	28	Committee on Education, then to the Committee on Finance
S.B. 1518, HD 1, entitled: "RELATING TO GOVERNMENT OPERATIONS";	30	Committee on Consumer Protection and Commerce, then to the Committee on Finance
S.B. 1519, SD 3, HD 2, entitled: "RELATING TO HOUSING";	34	Committee on Agriculture, then to the Committee on Finance
S.B. 1544, SD 2, HD 2, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";	37	Committee on Transportation, then to the Committee on Finance
S.B. 1583, SD 2, HD 2, entitled: "RELATING TO TECHNOLOGY";	38	Jointly to the Committee on Economic Development and Business Concerns and the Committee on Labor and Public Employment
S.B. 1607, SD 2, HD 2, entitled: "RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION";	39	Jointly to the Committee on Labor and Public Employment and the Committee on Economic Development and Business Concerns
S.B. 1635, SD 2, HD 2, entitled: "RELATING TO PUBLIC LAND TRUST"; and	43	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
S.B. 1421, SD 1, HD 2, entitled: "RELATING TO TAXATION".	50	Jointly to the Committee on Agriculture and the Committee on Health, then to the Committee on Finance

**INTRODUCTIONS**

The following introductions were made to the members of the House:

Representative Luke, on behalf of Representatives Case, Schatz and herself, introduced a group of students from Roosevelt High School. They were accompanied by their teachers, Ms. Carrie Mizuguchi and Mrs. Miki Minami.

Representative Hamakawa, on behalf of Representative Chang and himself, introduced 30 students from Kaumana Elementary School. They were accompanied by their teachers, Ms. Cathy Iwaoka, Ms. Terri Kuwahara and Dr. William Priestly; and parents, Ms. Valerie Victorine, Ms. Barbara Fujimoto, Ms. Susan Kawaiaea, Mr. Kalau Spencer, Ms. Laina Torres, Ms. Pam Cabatu and Mr. Carroll Kling.

Representative Arakaki, on behalf of Representatives Abinsay, Ahu Isa, Cachola and himself, introduced the following "shadows" who are sixth graders from Dole Middle School: Mr. Casey George, Mr. Chester Centino, Ms. Leticia Ioane and Mr. Keoni Silva.

Representative Meyer introduced Mr. Scott and Mrs. Sue May.

**ORDER OF THE DAY**

**DEFERRED RESOLUTIONS**

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

**S.C.R.**  
**Nos.**

**Referred to:**

18	Committee on Human Services and Housing, then to the Committee on Economic Development and Business Concerns, then to the Committee on Finance	93	Committee on Consumer Protection and Commerce, then to the Committee on Finance
26	Jointly to the Committee on Consumer Protection and Commerce and the Committee on Legislative Management, then to the Committee on Finance	94	Committee on Judiciary and Hawaiian Affairs
		95	Committee on Judiciary and Hawaiian Affairs

53	Jointly to the Committee on Labor and Public Employment and the Committee on Economic Development and Business Concerns, then to the Committee on Finance
55	Jointly to the Committee on Water and Land Use and the Committee on Legislative Management, then to the Committee on Finance
57	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance
64	Jointly to the Committee on Health and the Committee on Labor and Public Employment, then to the Committee on Finance
65	Committee on Health, then to the Committee on Finance
77	Committee on Human Services and Housing, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
81	Committee on Judiciary and Hawaiian Affairs
86	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance
88	Committee on Consumer Protection and Commerce
91	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

97	Jointly to the Committee on Labor and Public Employment and the Committee on Higher Education, then to the Committee on Finance	141	Jointly to the Committee on Labor and Public Employment and the Committee on Education, then to the Committee on Finance
100	Committee on Public Safety and Military Affairs, then to the Committee on Finance	144	Committee on Human Services and Housing, then to the Committee on Finance
103	Committee on Transportation, then to the Committee on Finance	145	Committee on Education, then to the Committee on Finance
104	Jointly to the Committee on Energy and Environmental Protection and the Committee on Water and Land Use	147	Committee on Consumer Protection and Commerce, then to the Committee on Finance
105	Committee on Higher Education, then to the Committee on Finance	148	Committee on Consumer Protection and Commerce
109	Committee on Culture and the Arts, then to the Committee on Finance	149	Committee on Health, then to the Committee on Finance
110	Committee on Culture and the Arts, then to the Committee on Finance	151	Committee on Health, then to the Committee on Finance
115	Committee on Transportation, then to the Committee on Finance	152	Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
116	Committee on Transportation, then to the Committee on Finance	157	Committee on Legislative Management, then to the Committee on Finance
117	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance	158	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance
118	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance	164	Committee on Health, then to the Committee on Finance
119	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance	165	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
121	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance	172	Committee on Legislative Management, then to the Committee on Finance
127	Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance	174	Committee on Health, then to the Committee on Consumer Protection and Commerce
129	Committee on Consumer Protection and Commerce, then to the Committee on Finance	178	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
130	Committee on Culture and the Arts	179	Committee on Legislative Management, then to the Committee on Finance
131	Jointly to the Committee on Education and the Committee on Legislative Management, then to the Committee on Finance	183	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs
132	Jointly to the Committee on Agriculture and the Committee on Energy and Environmental Protection	184	Jointly to the Committee on Human Services and Housing and the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance
133	Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance	187	Committee on Energy and Environmental Protection, then to the Committee on Finance
134	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Legislative Management, then to the Committee on Finance	188	Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
135	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Legislative Management, then to the Committee on Finance	194	Committee on Human Services and Housing, then to the Committee on Finance
139	Jointly to the Committee on Health and the Committee on Water and Land Use, then to the Committee on Finance	195	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
		199	Committee on Human Services and Housing, then to the Committee on Finance

- 201 Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce  
 Representative Case introduced Mr. Jon Martin, the 1999 Small Business Administration Small Business Person of the Year, and co-owner of Martin & MacArthur Enterprises, Ltd.
- 202 Jointly to the Committee on Water and Land Use and the Committee on Energy and Environmental Protection, then to the Committee on Finance  
 Representative Thielen introduced Mr. W. Lloyd Jones, the 1999 Small Business Administration Small Business Person of the Year, and co-owner of Martin & MacArthur Enterprises, Ltd.
- 203 Committee on Water and Land Use, then to the Committee on Finance  
 Representative Thielen then asked Mrs. Faye Jones, wife of Mr. Jones, who was seated in the gallery, to stand to be recognized.
- 207 Committee on Transportation
- 208 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Legislative Management, then to the Committee on Finance  
 Representative Leong introduced Mr. Tai Sheng Wang, the 1999 Small Business Administration Exporter of the Year, and President of Super Foods, Inc.
- 210 Committee on Education, then to the Committee on Finance  
 Representative Leong then introduced Mr. Kent and Mrs. Lori Untermann, the 1999 Small Business Administration Entrepreneurial Success of the Year.
- 211 Jointly to the Committee on Economic Development and Business Concerns and the Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance  
 Representative Auwae introduced Mrs. Puanani Burgess, the 1999 Small Business Administration Minority Small Business Advocate of the Year, and Executive Director of Kaala Farms.
- 219 Committee on Judiciary and Hawaiian Affairs  
 Representative Auwae then asked Mr. Hayden Burgess, husband of Mrs. Burgess, and their two children, who were seated in the gallery, to stand to be recognized.

**INTRODUCTION OF RESOLUTION  
(FLOOR PRESENTATION)**

The following resolution (H.R. No. 252) was announced by the Clerk and the following action taken:

H.R. No. 252, entitled: "HOUSE RESOLUTION COMMENDING HAWAII'S 1999 SMALL BUSINESS ADMINISTRATION AWARD WINNERS," was offered by Representative Herkes.

On motion by Representative Herkes, seconded by Representative Luke and carried, H.R. No. 252 was adopted, with Representatives Chang, Hiraki, Lee, Leong, Marumoto, McDermott, Menor, Nakasone, Okamura, Rath, Saiki, Souki, Takumi and Yoshinaga being excused.

Representative Herkes introduced Ms. Carol Van Camp, the 1999 Small Business Administration Women in Business Advocate of the Year, and Manager of the Prince Kuhio Plaza in Hilo.

Representative Whalen introduced Mr. William Wong, the 1999 Small Business Administration Accountant Advocate of the Year for the State of Hawaii and Region IX.

Representative Morihara introduced Mr. David Lawrence, the 1999 Small Business Administration Financial Services Advocate of the Year.

Representative Morihara then asked Mrs. Cindy Lawrence, wife of Mr. Lawrence, who was seated in the gallery, to stand to be recognized.

Representative Luke introduced Mr. Jonathan Lee, the 1999 Small Business Administration Young Entrepreneur of the Year, and President of Chun Ha, Inc.

Representative Ito introduced Mr. Steve Lopez, the 1999 Small Business Administration Welfare to Work Small Business of the Year, and Distribution Warehouse Manager for Jeans Warehouse, Inc.

Representative Fox introduced Ms. Laura Crites, the 1999 Small Business Administration Welfare to Work Associate of the Year, and Director of Women's Financial Resource Center.

Representative Herkes then introduced and asked the following guests, who were seated in the gallery, to stand to be recognized: Ms. Jane Sawyer and Mr. Andrew Poepoe from the Small Business Administration; Mr. Skip Langell, husband of Ms. Carol Van Camp; and Mrs. William Wong, wife of Mr. Wong, and their young son, William.

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

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

**ANNOUNCEMENTS**

At this time, Representative Morita was permitted a late introduction and she introduced, on behalf of Representatives Kawakami, Kanohe and herself, 23 students from Kapa'a Elementary School who are also members of the Ukulele Band. They were accompanied by their teacher, Mrs. Diane Horita; and parents, Mrs. Karleen Abalos, Mrs. Anne Eulalio, Mrs. Jackie Godinaz, Mrs. Kathy Louis, Mrs. Nelli Okamura and Mr. James Karimoto.

Representative Case rose and stated:

"Mr. Speaker, yesterday in Washington, D.C., it was announced that one of our own Representative Brian Schatz had won a major national award that I wanted to note to us. Specifically, the National Oceanic and Atmospheric Administration has honored Brian with the 1999 Environmental Hero Award for his participation with two other members of our Hawaii community in the founding of Youth for Environmental Services, which has now expanded to the Mainland and is threatening to take over the whole country soon. So I simply wanted to congratulate Brian for that recognition."

The Chair then called on Representative Thielen who responded:

"Mr. Speaker, I am not clear what my announcement should be, but it may be to thank our members for participating in the Second Annual Hemp Aloha Friday in honor of Earth Day.

"Thank you, Mr. Speaker."

Representative Arakaki rose and announced:

"I guess at this point in the legislative session, Mr. Speaker, like you and me and my colleagues, we're probably suffering from over-attendantomyelitis, but I have several meetings I need to announce.

"The first one is our Keiki Caucus meeting, which comes with lunch, and that's in Room 329. Everyone's invited. We also have our Early Childhood Education and Care meeting at 2:00 p.m. in Room 329. Also, our CPS Roundtable at 3:00 p.m. in Room 329, and our Long-Term Care Joint Legislative Committee at 4:00 p.m. in Room 329. Thank you."

Representative Morita rose and announced:

"The Ukulele Band will also be playing in the Rotunda later this afternoon, I think at about 1:00 p.m. So please come and enjoy the music more. Thank you."

The Chair then asked:

"Representative Garcia and Representative Schatz, your match this afternoon is at 1:00 for the members?"

Representative Garcia answered:

"Yes, Mr. Speaker, your Chairman of Public Safety, together with your Vice Chair of Ocean and Marine Resources, in the great tradition of the House in feats of strength and skill, will be defending the honor of this House at 1:00 p.m. out at the Rotunda near the Queen Liliuokalani statue, so please come and please try to cheer instead of jeer and we will do our best, all in the good cause of the Foodbank.

Representative Meyer rose and stated:

"On behalf of Representative Leong, I just want to remind all the members that there is a competition today on door decorations for the benefit of the Foodbank, so be sure to go and look at each other's doors. Thank you."

#### ADJOURNMENT

At 12:35 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 19, 1999. (Representatives Chang, Hiraki, Lee, Leong, Marumoto, McDermott, Menor, Nakasone, Okamura, Rath, Saiki, Souki, Takumi and Yoshinaga were excused.)

FIFTY-FIRST DAY

**Monday, April 19, 1999**

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:39 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Brian Y. Yamane, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Chang, Goodenow, Kahikina, Menor and Okamura, 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. 205 and 206) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 205 informing the House that on April 12, 1999, he signed the following bill into law:

Senate Bill No. 922 as Act 11, entitled: "RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE".

Gov. Msg. No. 206 informing the House that on April 13, 1999, he signed the following bill into law:

Senate Bill No. 1122 as Act 12, entitled: "RELATING TO FIREARMS".

**INTRODUCTION**

Representative Case introduced members of Speaker Say's family: Mr. Bill and Mrs. Ellen Chang visiting from Mill Valley, California; Mr. Wayne Say; mother Mrs. Clara Say; and "long time friend of the family", Mrs. Woo.

**ORDER OF THE DAY**

**COMMITTEE REASSIGNMENTS**

The following House Bills were re-referred to committee by the Speaker:

**H.B.  
Nos.**

**Re-referred to:**

- 139 Committee on Economic Development and Business Concerns, then to the Committee on Labor and Public Employment, then to the Committee on Finance
- 140 Committee on Economic Development and Business Concerns, then to the Committee on Labor and Public Employment, then to the Committee on Finance
- 150 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 162 Committee on Legislative Management, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 336 Committee on Agriculture, then to the Committee on Finance

- 375 Committee on Finance, then to the Committee on Economic Development and Business Concerns, then to the Committee on Human Services and Housing, then to the Committee on Consumer Protection and Commerce
- 377 Committee on Finance, then jointly to the Committee on Tourism and the Committee on Economic Development and Business Concerns, then jointly to the Committee on Education and the Committee on Higher Education
- 645 Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 747 Committee on Labor and Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance
- 765 Committee on Transportation, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 945 Committee on Agriculture, then to the Committee on Finance
- 955 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 1028 Jointly to the Committee on Economic Development and Business Concerns and the Committee on Transportation, then to the Committee on Finance
- 1138 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 1177 Committee on Ocean Recreation and Marine Resources, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 1181 Committee on Ocean Recreation and Marine Resources, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 1471 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 1593 Committee on Economic Development and Business Concerns, then to the Committee on Water and Land Use, then to the Committee on Labor and Public Employment, then to the Committee on Finance

The following Senate Bills were re-referred to committee by the Speaker:

**S.B.  
Nos.**

**Re-referred to:**

- 4 Committee on Finance, then to the Committee on Labor and Public Employment, then to the Committee on Legislative Management
- 285 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 513 Committee on Human Services and Housing, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 605 Committee on Labor and Public Employment, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance



	<u>Nos.</u>	<u>Re-referred to:</u>
646		Committee on Water and Land Use, then to the Committee on Labor and Public Employment, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
798		Committee on Energy and Environmental Protection, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
809		Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
825		Committee on Labor and Public Employment, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
951		Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance
957		Jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Services and Housing, then to the Committee on Finance
1003		Committee on Human Services and Housing, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
1011		Committee on Culture and the Arts, then to the Committee on Labor and Public Employment, then to the Committee on Finance
1032		Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
1071		Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
1091		Committee on Ocean Recreation and Marine Resources, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
1274		Jointly to the Committee on Public Safety and Military Affairs and the Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
1325		Committee on Finance, then to the Committee on Economic Development and Business Concerns, then to the Committee on Tourism
1501		Committee on Education, then jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Finance
1512		Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
1518		Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Finance
1583		Committee on Finance, then to the Committee on Economic Development and Business Concerns, then jointly to the Committee on Higher Education and the Committee on Education
	27	Committee on Finance
	37	Committee on Finance
	86	Jointly to the Committee on Human Services and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
	103	Committee on Finance
	168	Committee on Finance
	184	Jointly to the Committee on Human Services and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
	202	Committee on Energy and Environmental Protection, then to the Committee on Finance

#### 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/Hamakawa, Co-Chairs; Lee, Takai and Moses.

##### **H.B. No. 4, HD 1, SD 1:**

Representatives Hiraki/P. Oshiro, Co-Chairs; Goodenow and Moses.

##### **H.B. No. 8, HD 1, SD 2:**

Representatives Hiraki/P. Oshiro/Goodenow, Co-Chairs; and Fox.

##### **H.B. No. 11, HD 1, SD 1:**

Representatives Hiraki, Chair; Morita and Rath.

##### **H.B. No. 20, HD 2, SD 2:**

Representatives P. Oshiro/Takamine, Co-Chairs; Lee and Marumoto.

##### **H.B. No. 32, HD 2, SD 2:**

Representatives Abinsay/P. Oshiro/Garcia, Co-Chairs; and Thielen.

##### **H.B. No. 37, HD 1, SD 2:**

Representatives Herkes/Takai/Luke, Co-Chairs; Suzuki and Leong.

##### **H.B. No. 71, HD 2, SD 1:**

Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa and Auwae.

##### **H.B. No. 72, HD 2, SD 1:**

Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa and Auwae.

##### **H.B. No. 83, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Chang, Hamakawa, Takumi and Auwae.

##### **H.B. No. 86, SD 1:**

Representatives Takamine, Chair; Kawakami, Nakasone and Marumoto.

##### **H.B. No. 98, HD 1, SD 1:**

Representatives Yoshinaga/Takamine, Co-Chairs; Nakasone and Moses.

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

#### S.C.R.

**H.B. No. 100, HD 1, SD 1:**

Representatives Takamine, Chair; Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer and Moses.

**H.B. No. 104, HD 1, SD 2:**

Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Suzuki and Meyer.

**H.B. No. 122, HD 2, SD 1:**

Representatives Herkes/Nakasone, Co-Chairs; Suzuki and Rath.

**H.B. No. 133, SD 1:**

Representatives Herkes/Menor/Kawakami, Co-Chairs; Luke, Suzuki and Whalen.

**H.B. No. 138, HD 2, SD 1:**

Representatives Abinsay/Hamakawa, Co-Chairs; Kaho'ohalahala and Whalen.

**H.B. No. 139, HD 1, SD 2:**

Representatives Herkes/Yoshinaga/Saiki, Co-Chairs; Luke, Suzuki and Meyer.

**H.B. No. 140, SD 2:**

Representatives Herkes/Yoshinaga/Luke, Co-Chairs; Saiki, Suzuki and Meyer.

**H.B. No. 142, HD 1, SD 2:**

Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Nakasone, Suzuki and Meyer.

**H.B. No. 150, HD 2, SD 1:**

Representatives Ito/P. Oshiro/Takamine, Co-Chairs; and Kawakami.

**H.B. No. 154, HD 1, SD 1:**

Representatives Takai/Kawakami, Co-Chairs; Ahu Isa, Stegmaier and Leong.

**H.B. No. 157, HD 2, SD 2:**

Representatives Hamakawa/Garcia/Saiki, Co-Chairs; and Pendleton.

**H.B. No. 159, HD 2, SD 2:**

Representatives Yoshinaga/Hamakawa, Co-Chairs; Garcia, Nakasone and Moses.

**H.B. No. 160, SD 1:**

Representatives P. Oshiro, Chair; Hamakawa, Lee, Takumi and Auwae.

**H.B. No. 161, HD 1, SD 2:**

Representatives P. Oshiro/Saiki, Co-Chairs; Lee, Luke and Thielen.

**H.B. No. 162, HD 1, SD 2:**

Representatives Kanoho/Hamakawa/Takamine, Co-Chairs; Ahu Isa and Halford.

**H.B. No. 165, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Chang, Hamakawa and Takumi.

**H.B. No. 167, HD 3, SD 2:**

Representatives Hiraki/P. Oshiro/Goodenow, Co-Chairs; Nakasone and Fox.

**H.B. No. 170, HD 2, SD 1:**

Representatives Arakaki/Santiago/Menor/Kawakami, Co-Chairs; Suzuki and Whalen.

**H.B. No. 171, HD 2, SD 2:**

Representatives Santiago/P. Oshiro, Co-Chairs; Lee and Thielen.

**H.B. No. 172, HD 1, SD 2:**

Representatives Santiago/Lee/Kawakami, Co-Chairs; Kahikina and Meyer.

**H.B. No. 174, SD 1:**

Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Meyer.

**H.B. No. 176, HD 2, SD 2:**

Representatives Santiago/Suzuki, Co-Chairs; Goodenow, Kahikina and Leong.

**H.B. No. 177, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.

**H.B. No. 212, HD 1, SD 1:**

Representatives Hiraki/Hamakawa, Co-Chairs; Goodenow and Whalen.

**H.B. No. 221, HD 2, SD 1:**

Representatives Chang/Ahu Isa, Co-Chairs; Suzuki and Halford.

**H.B. No. 232, HD 2, SD 1:**

Representatives Herkes/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Meyer.

**H.B. No. 235, HD 2, SD 2:**

Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa, Kahikina and Moses.

**H.B. No. 248, HD 1, SD 1:**

Representatives Morihara/Saiki, Co-Chairs; Schatz, Takai and Leong.

**H.B. No. 252, HD 3, SD 2:**

Representatives Morihara/Menor/Ahu Isa, Co-Chairs; Kawakami and Leong.

**H.B. No. 260, HD 2, SD 1:**

Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Pendleton.

**H.B. No. 266, HD 2, SD 2:**

Representatives Yoshinaga/P. Oshiro, Co-Chairs; Catalani, Lee and Pendleton.

**H.B. No. 273, HD 2, SD 2:**

Representatives Arakaki/P. Oshiro, Co-Chairs; Kahikina, Lee and Whalen.

**H.B. No. 274, HD 3, SD 2:**

Representatives Arakaki/P. Oshiro/Saiki, Co-Chairs; Lee and Whalen.

**H.B. No. 294, HD 1, SD 2:**

Representatives Santiago/Yamane, Co-Chairs; Kahikina and Leong.

**H.B. No. 300, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Whalen.

**H.B. No. 307, HD 2, SD 1:**

Representatives Takai/Kanoho, Co-Chairs; Schatz, Suzuki and Marumoto.

**H.B. No. 310, HD 1, SD 1:**

Representatives Ito/Kawakami, Co-Chairs; Goodenow and Meyer.

**H.B. No. 314, SD 2:**

- Representatives Takai/Kanoho, Co-Chairs; Stegmaier and Fox.
- H.B. No. 318, SD 1:**  
Representatives Ito/Kawakami, Co-Chairs; Goodenow and Meyer.
- H.B. No. 325, HD 2, SD 1:**  
Representatives Santiago/Menor/P. Oshiro, Co-Chairs; Garcia and Leong.
- H.B. No. 326, HD 1, SD 1:**  
Representatives Santiago/Arakaki/Menor/Yamane, Co-Chairs; and McDermott.
- H.B. No. 328, HD 1, SD 2:**  
Representatives Santiago/Menor, Co-Chairs; Lee and McDermott.
- H.B. No. 333, HD 2, SD 1:**  
Representatives Abinsay/Takamine, Co-Chairs; Saiki, Suzuki and Rath.
- H.B. No. 336, HD 1, SD 1:**  
Representatives Abinsay/Saiki, Co-Chairs; Morihara, Suzuki and Rath.
- H.B. No. 351, HD 2, SD 1:**  
Representatives Santiago/Menor/Hamakawa, Co-Chairs; Garcia and Whalen.
- H.B. No. 353, HD 2, SD 1:**  
Representatives Menor/Suzuki, Co-Chairs; Cachola, Nakasone and Fox.
- H.B. No. 374, HD 2, SD 1:**  
Representatives Abinsay/Takamine, Co-Chairs; Saiki, Suzuki and Rath.
- H.B. No. 375, HD 1, SD 1:**  
Representatives Takamine/Herkes/Arakaki/Menor, Co-Chairs; Nakasone, Souki, Suzuki, Meyer and Whalen.
- H.B. No. 377, HD 2, SD 2:**  
Representatives Takamine/Ahu Isa/Herkes/Ito/Morihara, Co-Chairs; Nakasone, Suzuki, Halford and Meyer.
- H.B. No. 389, SD 1:**  
Representatives Ito/Nakasone, Co-Chairs; Morihara, Schatz and Moses.
- H.B. No. 411, HD 1, SD 1:**  
Representatives Menor, Chair; Hiraki, Lee, Morita and Thielen.
- H.B. No. 424, HD 2, SD 2:**  
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Marumoto.
- H.B. No. 440, HD 2, SD 2:**  
Representatives Garcia/Menor/Yamane, Co-Chairs; and Pendleton.
- H.B. No. 460, HD 2, SD 1:**  
Representatives Menor/Nakasone, Co-Chairs; Ahu Isa, Lee and Whalen.
- H.B. No. 499, HD 2, SD 2:**  
Representatives Yoshinaga/P. Oshiro/Takamine, Co-Chairs; Catalani, Goodenow and Moses.
- H.B. No. 500, HD 3, SD 1:**  
Representatives Cachola/Hamakawa/Kanoho, Co-Chairs; Schatz and Meyer.
- H.B. No. 510, HD 1, SD 2:**
- Representatives Ito/Luke, Co-Chairs; Ahu Isa, Morihara and McDermott.
- H.B. No. 512, HD 2, SD 2:**  
Representatives Ito/Menor/Luke, Co-Chairs; Ahu Isa, Morihara and McDermott.
- H.B. No. 519, SD 2:**  
Representatives Ito/Menor/Luke, Co-Chairs; Ahu Isa, Morihara and McDermott.
- H.B. No. 522, HD 3, SD 2:**  
Representatives Yoshinaga/Ito/Catalani, Co-Chairs; Goodenow and Moses.
- H.B. No. 531, SD 2:**  
Representatives Garcia/Catalani, Co-Chairs; Ahu Isa, Kaho'ohalahala and Pendleton.
- H.B. No. 532, HD 3, SD 2:**  
Representatives Ito/P. Oshiro/Kawakami, Co-Chairs; Garcia, Lee and Pendleton.
- H.B. No. 547, HD 3, SD 2:**  
Representatives Santiago/Menor/Hamakawa/Yamane, Co-Chairs; and Marumoto.
- H.B. No. 557, HD 2, SD 1:**  
Representatives Abinsay/Saiki, Co-Chairs; Suzuki and Rath.
- H.B. No. 562, SD 2:**  
Representatives Abinsay/Menor, Co-Chairs; Chang, Kaho'ohalahala and Whalen.
- H.B. No. 582, HD 2, SD 2:**  
Representatives Cachola/P. Oshiro, Co-Chairs; Hamakawa, Kanoho and Auwae.
- H.B. No. 602, SD 1:**  
Representatives Hiraki/Goodenow, Co-Chairs; Nakasone and Fox.
- H.B. No. 632, HD 2, SD 1:**  
Representatives Santiago/Yamane, Co-Chairs; Kahikina, Saiki and Fox.
- H.B. No. 634, HD 1, SD 1:**  
Representatives Takai/Schatz, Co-Chairs; Santiago and Fox.
- H.B. No. 635, HD 2, SD 1:**  
Representatives Santiago/Takamine, Co-Chairs; Kawakami and Leong.
- H.B. No. 645, SD 2:**  
Representatives Garcia/Kanoho, Co-Chairs; Kaho'ohalahala and Pendleton.
- H.B. No. 657, HD 2, SD 1:**  
Representatives Menor/Ahu Isa, Co-Chairs; Nakasone and Marumoto.
- H.B. No. 658, HD 1, SD 1:**  
Representatives Menor, Chair; Cachola, Garcia, Lee and Whalen.
- H.B. No. 661, HD 3, SD 2:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Souki and Halford.
- H.B. No. 664, HD 1, SD 1:**  
Representatives Menor, Chair; Garcia, Lee, Takumi and Rath.
- H.B. No. 677, HD 1, SD 2:**  
Representatives Morita/Takumi/Morihara/Schatz, Co-Chairs; and Meyer.

**H.B. No. 700, HD 1, SD 2:**

Representatives Takamine, Chair; Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer and Moses.

**H.B. No. 715, SD 1:**

Representatives Hiraki/P. Oshiro, Co-Chairs; Garcia, Goodenow and Whalen.

**H.B. No. 718, HD 1, SD 2:**

Representatives Hiraki/Cachola/Takamine, Co-Chairs; Goodenow and Fox.

**H.B. No. 719, HD 2, SD 1:**

Representatives Hiraki/Goodenow, Co-Chairs; Nakasone and Moses.

**H.B. No. 743, HD 3, SD 1:**

Representatives Santiago/Menor/Yamane, Co-Chairs; Kawakami, Lee and Moses.

**H.B. No. 747, HD 1, SD 2:**

Representatives Yoshinaga/Kanoho/Catalani, Co-Chairs; Nakasone, Suzuki and Moses.

**H.B. No. 749, HD 3, SD 2:**

Representatives Santiago/Menor/Kawakami, Co-Chairs; Lee and Halford.

**H.B. No. 753, HD 2, SD 2:**

Representatives Ahu Isa, Chair; Kaho'ohalahala, Luke, Saiki, Suzuki and Fox.

**H.B. No. 756, HD 2, SD 2:**

Representatives Herkes/Menor/Luke, Co-Chairs; Chang and Rath.

**H.B. No. 765, HD 1, SD 2:**

Representatives Hiraki/Menor/Takamine, Co-Chairs; Goodenow, Suzuki and Whalen.

**H.B. No. 797, HD 2, SD 1:**

Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Meyer.

**H.B. No. 806, HD 2, SD 2:**

Representatives Cachola/Kanoho, Co-Chairs; Garcia, Takumi and Meyer.

**H.B. No. 827, HD 3, SD 1:**

Representatives Ahu Isa/Cachola/Saiki, Co-Chairs; Herkes and Fox.

**H.B. No. 830, HD 1, SD 2:**

Representatives Herkes/Menor, Co-Chairs; Chang, Lee and Rath.

**H.B. No. 842, HD 2, SD 1:**

Representatives Morita/Kawakami, Co-Chairs; Garcia, Schatz and Meyer.

**H.B. No. 850, HD 1, SD 1:**

Representatives Menor/Hamakawa/Saiki, Co-Chairs; Lee and Auwae.

**H.B. No. 854, SD 1:**

Representatives Takamine, Chair; Kawakami and Meyer.

**H.B. No. 855, HD 1, SD 1:**

Representatives Ito/Kawakami, Co-Chairs; Arakaki, Santiago and Leong.

**H.B. No. 895, HD 2, SD 2:**

Representatives Santiago/Yamane, Co-Chairs; Kahikina, Souki and Fox.

**H.B. No. 898, HD 2, SD 1:**

Representatives Abinsay/Nakasone, Co-Chairs; Morihara, Suzuki and Halford.

**H.B. No. 945, HD 1, SD 1:**

Representatives Abinsay/Nakasone, Co-Chairs; Morihara, Suzuki and Halford.

**H.B. No. 949, HD 2, SD 2:**

Representatives Abinsay/Takamine, Co-Chairs; Chang, Saiki and Whalen.

**H.B. No. 955, HD 1, SD 1:**

Representatives P. Oshiro/Suzuki, Co-Chairs; Kaho'ohalahala, Nakasone and Whalen.

**H.B. No. 985, HD 1, SD 2:**

Representatives Nakasone, Chair; Kanoho, Suzuki and Marumoto.

**H.B. No. 988, HD 2, SD 2:**

Representatives Hamakawa/Takamine, Co-Chairs; Kaho'ohalahala, Kawakami and Auwae.

**H.B. No. 989, HD 1, SD 2:**

Representatives P. Oshiro/Takamine, Co-Chairs; Hamakawa, Kawakami and Auwae.

**H.B. No. 990, HD 1, SD 1:**

Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa, Yamane and Marumoto.

**H.B. No. 997, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala and Whalen.

**H.B. No. 999, HD 1, SD 1:**

Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Whalen.

**H.B. No. 1006, HD 2, SD 2:**

Representatives P. Oshiro/Kanoho, Co-Chairs; Garcia, Hamakawa, Yamane and Thielen.

**H.B. No. 1012, HD 1, SD 1:**

Representatives Morita/Herkes/Schatz, Co-Chairs; Garcia and Thielen.

**H.B. No. 1013, SD 1:**

Representatives Chang/Takamine, Co-Chairs; Ahu Isa, Kawakami, Suzuki and Auwae.

**H.B. No. 1017, HD 1, SD 2:**

Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott.

**H.B. No. 1018, HD 2, SD 1:**

Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott.

**H.B. No. 1020, HD 2, SD 2:**

Representatives Herkes/Luke, Co-Chairs; Suzuki and Rath.

**H.B. No. 1028, HD 1, SD 1:**

Representatives Herkes/Hiraki/Luke, Co-Chairs; Goodenow and Whalen.

**H.B. No. 1035, HD 1, SD 2:**

Representatives Yoshinaga/Suzuki, Co-Chairs; Catalani, Goodenow and Moses.

**H.B. No. 1037, SD 1:**

- Representatives P. Oshiro/Takamine, Co-Chairs; Hamakawa, Kawakami and Pendleton.
- H.B. No. 1038, HD 1, SD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Kanoho, Kawakami and Moses.
- H.B. No. 1041, HD 2, SD 2:**  
Representatives Yoshinaga/Suzuki, Co-Chairs; Goodenow, Nakasone and Moses.
- H.B. No. 1048, HD 1, SD 1:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Moses.
- H.B. No. 1061, HD 2, SD 1:**  
Representatives Arakaki/Santiago/Kanoho, Co-Chairs; Kahikina and Fox.
- H.B. No. 1063, HD 1, SD 1:**  
Representatives Menor, Chair; Hiraki, Kaho'ohalahala, Lee and Rath.
- H.B. No. 1071, HD 1, SD 2:**  
Representatives Yoshinaga/Menor/Yamane, Co-Chairs; Catalani, Lee, Suzuki, Marumoto and Whalen.
- H.B. No. 1073, HD 1, SD 2:**  
Representatives Menor/Hamakawa, Co-Chairs; Lee and Thielen.
- H.B. No. 1079, HD 3, SD 1:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Morita and Thielen.
- H.B. No. 1080, HD 2, SD 1:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Morita and Thielen.
- H.B. No. 1083, HD 2, SD 1:**  
Representatives Menor/Kawakami, Co-Chairs; Chang, Takumi, Yamane and Auwae.
- H.B. No. 1085, HD 1, SD 1:**  
Representatives Ito/Santiago/Kawakami, Co-Chairs; Saiki and Leong.
- H.B. No. 1086, SD 1:**  
Representatives Ito, Chair; Arakaki, Morihara, Stegmaier and McDermott.
- H.B. No. 1088, HD 2, SD 2:**  
Representatives Ito/Kawakami, Co-Chairs; Saiki, Stegmaier and Leong.
- H.B. No. 1095, HD 1, SD 2:**  
Representatives P. Oshiro/Kanoho, Co-Chairs; Hamakawa, Kahikina and Marumoto.
- H.B. No. 1111, HD 2, SD 2:**  
Representatives P. Oshiro/Nakasone, Co-Chairs; Catalani, Hamakawa and Marumoto.
- H.B. No. 1115, HD 2, SD 1:**  
Representatives Arakaki/Menor/Kahikina, Co-Chairs; Morita, Stegmaier and Halford.
- H.B. No. 1117, HD 3, SD 2:**  
Representatives Arakaki/P. Oshiro/Saiki, Co-Chairs; Lee and Whalen.
- H.B. No. 1119, HD 1, SD 1:**  
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Stegmaier and Pendleton.
- H.B. No. 1124, SD 1:**
- Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Stegmaier and Pendleton.
- H.B. No. 1138, HD 1, SD 2:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Garcia and McDermott.
- H.B. No. 1142, HD 3, SD 2:**  
Representatives Morita/P. Oshiro/Schatz, Co-Chairs; Takumi and Thielen.
- H.B. No. 1149, HD 1, SD 1:**  
Representatives Santiago/Takamine, Co-Chairs; Kawakami, Yamane and Meyer.
- H.B. No. 1153, HD 1, SD 1:**  
Representatives Santiago/Hamakawa, Co-Chairs; Lee, Yamane and Thielen.
- H.B. No. 1160, HD 1, SD 2:**  
Representatives Yoshinaga/Hamakawa, Co-Chairs; Catalani, Takai and Auwae.
- H.B. No. 1162, HD 2, SD 1:**  
Representatives Yoshinaga/Catalani, Co-Chairs; Nakasone and Moses.
- H.B. No. 1166, HD 1, SD 2:**  
Representatives Yoshinaga/Catalani, Co-Chairs; Nakasone and Rath.
- H.B. No. 1170, HD 2, SD 1:**  
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Leong.
- H.B. No. 1172, HD 2, SD 1:**  
Representatives Cachola/Takamine, Co-Chairs; Garcia, Kanoho, Kawakami and Moses.
- H.B. No. 1177, HD 2, SD 1:**  
Representatives Takumi/P. Oshiro/Takamine, Co-Chairs; Morita and Thielen.
- H.B. No. 1178, HD 1, SD 1:**  
Representatives Takumi/P. Oshiro, Co-Chairs; Morita, Schatz and Thielen.
- H.B. No. 1180, SD 1:**  
Representatives Takumi/P. Oshiro, Co-Chairs; Morita, Schatz and Thielen.
- H.B. No. 1181, HD 1, SD 2:**  
Representatives Takumi/Hamakawa/Schatz, Co-Chairs; Garcia and Marumoto.
- H.B. No. 1183, HD 2, SD 2:**  
Representatives Cachola/Takumi/Schatz, Co-Chairs; Kanoho and Thielen.
- H.B. No. 1186, SD 1:**  
Representatives Cachola/P. Oshiro, Co-Chairs; Kanoho, Morita and Thielen.
- H.B. No. 1197, HD 2, SD 1:**  
Representatives Suzuki, Chair; Ahu Isa, Nakasone, Yamane and Meyer.
- H.B. No. 1198, HD 1, SD 1:**  
Representatives Takamine, Chair; Kawakami, Nakasone and Moses.
- H.B. No. 1203, HD 1, SD 1:**  
Representatives Menor/Suzuki, Co-Chairs; Hiraki, Nakasone and Halford.
- H.B. No. 1267, HD 1, SD 2:**



- Representatives Menor/Hamakawa, Co-Chairs; Chang and Pendleton.
- H.B. No. 1276, HD 1, SD 2:**  
Representatives Menor, Chair; Cachola, Lee and Whalen.
- H.B. No. 1277, HD 1, SD 1:**  
Representatives Morita/Takamine, Co-Chairs; Garcia, Schatz and Thielen.
- H.B. No. 1280, HD 2, SD 2:**  
Representatives Abinsay/Takamine, Co-Chairs; Chang, Saiki and Halford.
- H.B. No. 1296, HD 1, SD 1:**  
Representatives Takumi, Chair; Garcia, Morita, Schatz and Meyer.
- H.B. No. 1361, HD 2, SD 2:**  
Representatives Herkes/Hiraki/Menor/Yamane, Co-Chairs; and Marumoto.
- H.B. No. 1367, HD 2, SD 1:**  
Representatives Santiago/Arakaki/Hamakawa/Yamane, Co-Chairs; and Marumoto.
- H.B. No. 1401, HD 2, SD 1:**  
Representatives Hiraki/Menor, Co-Chairs; Kaho'ohalahala, Takumi and Fox.
- H.B. No. 1409, HD 2, SD 1:**  
Representatives Cachola/Kanoho, Co-Chairs; Catalani and Marumoto.
- H.B. No. 1411, HD 1, SD 1:**  
Representatives Menor, Chair; Cachola, Garcia, Herkes and Whalen.
- H.B. No. 1416, HD 2, SD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Souki, Suzuki and Marumoto.
- H.B. No. 1450, HD 1, SD 2:**  
Representatives Takamine, Chair; Ahu Isa, Catalani, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Saiki, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer and Moses.
- H.B. No. 1454, HD 2, SD 2:**  
Representatives P. Oshiro/Yamane, Co-Chairs; Hiraki and Auwae.
- H.B. No. 1460, HD 2, SD 2:**  
Representatives Garcia/Hamakawa/Kanoho, Co-Chairs; and Pendleton.
- H.B. No. 1471, HD 1, SD 1:**  
Representatives P. Oshiro/Kanoho, Co-Chairs; Ahu Isa, Hamakawa and Auwae.
- H.B. No. 1496, HD 1, SD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Whalen.
- H.B. No. 1497, HD 1, SD 1:**  
Representatives P. Oshiro, Chair; Chang, Hamakawa, Hiraki and Whalen.
- H.B. No. 1522, HD 1, SD 1:**  
Representatives Menor/Nakasone, Co-Chairs; Goodenow, Takumi and Marumoto.
- H.B. No. 1548, HD 1, SD 1:**  
Representatives Morita/Schatz, Co-Chairs; Takumi and Thielen.
- H.B. No. 1575, HD 2, SD 1:**  
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Stegmaier and McDermott.
- H.B. No. 1593, HD 1, SD 2:**  
Representatives Herkes/Cachola/Yoshinaga/Luke, Co-Chairs; and Meyer.
- H.B. No. 1594, HD 1, SD 1:**  
Representatives Santiago/Kawakami, Co-Chairs; Kahikina and Fox.
- H.B. No. 1620, HD 1, SD 2:**  
Representatives Herkes/Luke, Co-Chairs; Saiki and Halford.
- H.B. No. 1622, HD 1, SD 1:**  
Representatives Menor/Hamakawa, Co-Chairs; Lee and Auwae.
- H.B. No. 1623, HD 1, SD 1:**  
Representatives Menor, Chair; Cachola, Herkes, Lee and Whalen.
- H.B. No. 1624, HD 2, SD 1:**  
Representatives Menor/Yamane, Co-Chairs; Morita, Suzuki and Thielen.
- H.B. No. 1628, SD 2:**  
Representatives Abinsay/Saiki, Co-Chairs; Ahu Isa, Ito, Morihara and Halford.
- H.B. No. 1636, HD 2, SD 1:**  
Representatives Hiraki/Goodenow, Co-Chairs; Nakasone, Takai and Fox.
- H.B. No. 1637, HD 2, SD 2:**  
Representatives Hiraki/Ito/Goodenow, Co-Chairs; Morihara and Marumoto.
- H.B. No. 1641, HD 1, SD 2:**  
Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and McDermott.
- H.B. No. 1649, HD 2, SD 1:**  
Representatives Menor/Takamine, Co-Chairs; Catalani, Kaho'ohalahala, Souki and Whalen.
- H.B. No. 1660, HD 2, SD 1:**  
Representatives Morihara/Schatz, Co-Chairs; Ito, Yamane and Marumoto.
- H.B. No. 1663, HD 2, SD 2:**  
Representatives Santiago/Ito/Menor/P. Oshiro/Takamine, Co-Chairs; and McDermott.
- H.B. No. 1664, HD 3, SD 1:**  
Representatives Santiago/Menor/Takamine, Co-Chairs; Chang and Halford.
- H.B. No. 1675, HD 1, SD 1:**  
Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa, Yamane and Marumoto.
- H.B. No. 1683, HD 2, SD 2:**  
Representatives Herkes/Takamine, Co-Chairs; Chang, Kawakami, Suzuki and Whalen.
- H.B. No. 1693, HD 1, SD 1:**  
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina and Pendleton.
- H.B. No. 1711, HD 2, SD 1:**  
Representatives Takumi/Schatz, Co-Chairs; Goodenow, Kanoho and Marumoto.
- H.B. No. 1726, HD 1, SD 1:**

- Representatives Arakaki/Santiago/Yamane, Co-Chairs; Kahikina and McDermott.
- 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. 4, SD 2, HD 2:**  
Representatives Takamine/Yoshinaga/Kanoho, Co-Chairs; Nakasone, Suzuki and Moses.
- S.B. No. 5, SD 2, HD 2:**  
Representatives Abinsay/Saiki, Co-Chairs; Ahu Isa, Ito, Morihara and Halford.
- S.B. No. 20, SD 1, HD 2:**  
Representatives Menor/Suzuki, Co-Chairs; Cachola, Nakasone and Fox.
- S.B. No. 21, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 27, HD 1:**  
Representatives Hiraki/Menor, Co-Chairs; Goodenow, Lee and Fox.
- S.B. No. 36, SD 2, HD 1:**  
Representatives Menor, Chair; Cachola, Lee and Whalen.
- S.B. No. 44, SD 1, HD 2:**  
Representatives Herkes/Takamine, Co-Chairs; Nakasone, Suzuki and Meyer.
- S.B. No. 46, SD 2, HD 2:**  
Representatives Ito/Kawakami, Co-Chairs; Okamura, Takai and Leong.
- S.B. No. 59, SD 1, HD 1:**  
Representatives Herkes/Takamine, Co-Chairs; Nakasone, Suzuki and Marumoto.
- S.B. No. 102, SD 3, HD 2:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Souki and Halford.
- S.B. No. 131, SD 3, HD 3:**  
Representatives Arakaki/Santiago/Menor/Yoshinaga/Kawakami, Co-Chairs; and Fox.
- S.B. No. 157, SD 1, HD 2:**  
Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Pendleton.
- S.B. No. 176, HD 2:**  
Representatives Arakaki/P. Oshiro, Co-Chairs; Kahikina, Lee and Whalen.
- S.B. No. 178, HD 1:**  
Representatives Santiago/Kawakami, Co-Chairs; Arakaki, Kahikina and Pendleton.
- S.B. No. 186, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Hiraki, Souki and Auwae.
- S.B. No. 194, SD 2, HD 2:**  
Representatives Arakaki/Santiago/Menor/Kawakami, Co-Chairs; Suzuki and Whalen.
- S.B. No. 207, HD 2:**  
Representatives Morita/Schatz, Co-Chairs; Kanoho, Luke and Meyer.
- S.B. No. 223, SD 2, HD 1:**  
Representatives Garcia/Kanoho, Co-Chairs; Catalani, Kaho'ohalahala and Pendleton.
- S.B. No. 236, SD 1, HD 1:**  
Representatives Menor/Hamakawa, Co-Chairs; Lee and Thielen.
- S.B. No. 238, SD 1, HD 2:**  
Representatives Menor/Suzuki, Co-Chairs; Cachola, Nakasone and Fox.
- S.B. No. 285, SD 1, HD 1:**  
Representatives Menor/Suzuki, Co-Chairs; Cachola, Yamane and Whalen.
- S.B. No. 365, SD 1, HD 1:**  
Representatives P. Oshiro/Menor, Co-Chairs; Garcia, Lee and Whalen.
- S.B. No. 392, SD 2, HD 2:**  
Representatives Hiraki/Kanoho, Co-Chairs; Goodenow, Nakasone and Marumoto.
- S.B. No. 450, SD 1, HD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Kanoho, Nakasone and Marumoto.
- S.B. No. 456, SD 2, HD 1:**  
Representatives Morihara/P. Oshiro/Kawakami, Co-Chairs; Kahikina and Leong.
- S.B. No. 513, SD 2, HD 2:**  
Representatives Arakaki/Menor/Hamakawa/Kawakami, Co-Chairs; and Thielen.
- S.B. No. 528, SD 2, HD 1:**  
Representatives Menor/Nakasone, Co-Chairs; Lee, Suzuki and Fox.
- S.B. No. 550, SD 2, HD 1:**  
Representatives Ito/Kanoho, Co-Chairs; Morihara, Okamura and McDermott.
- S.B. No. 560, SD 1, HD 1:**  
Representatives Takumi, Chair; Garcia, Morita, Schatz and Meyer.
- S.B. No. 570, SD 1, HD 2:**  
Representatives Kahikina/Yamane, Co-Chairs; Stegmaier and McDermott.
- S.B. No. 585, SD 1, HD 2:**  
Representatives P. Oshiro/Garcia/Luke, Co-Chairs; Kaho'ohalahala and Whalen.
- S.B. No. 588, SD 1, HD 1:**  
Representatives Garcia/Hamakawa, Co-Chairs; Kaho'ohalahala, Morita and Whalen.
- S.B. No. 590, SD 1, HD 1:**  
Representatives P. Oshiro/Luke, Co-Chairs; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 591, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Thielen.
- S.B. No. 592, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Thielen.
- S.B. No. 594, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Thielen.

- S.B. No. 605, SD 1, HD 2:**  
Representatives Yoshinaga/P. Oshiro/Nakasone, Co-Chairs; Catalani and Marumoto.
- S.B. No. 607, SD 1, HD 2:**  
Representatives Cachola/Hamakawa/Kanoho, Co-Chairs; Schatz and Meyer.
- S.B. No. 616, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Garcia, Hamakawa, Takumi and Auwae.
- S.B. No. 628, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 630, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 631, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 635, SD 1, HD 2:**  
Representatives Yoshinaga/Hamakawa, Co-Chairs; Goodenow, Lee and Whalen.
- S.B. No. 638, SD 1, HD 2:**  
Representatives Herkes/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Meyer.
- S.B. No. 646, SD 2, HD 3:**  
Representatives Cachola/Yoshinaga/P. Oshiro/Kanoho, Co-Chairs; Saiki and Meyer.
- S.B. No. 654, SD 1, HD 2:**  
Representatives Kanoho/Takamine, Co-Chairs; Ahu Isa and Halford.
- S.B. No. 663, SD 1, HD 1:**  
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Nakasone and Fox.
- S.B. No. 664, SD 1, HD 1:**  
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Nakasone and Fox.
- S.B. No. 676, SD 1, HD 2:**  
Representatives Hiraki, Chair; Morita and Rath.
- S.B. No. 680, SD 1, HD 2:**  
Representatives P. Oshiro/Nakasone, Co-Chairs; Goodenow, Hamakawa and Whalen.
- S.B. No. 700, SD 2, HD 1:**  
Representatives Hiraki/P. Oshiro, Co-Chairs; Morita, Okamura and Fox.
- S.B. No. 709, SD 1, HD 2:**  
Representatives Hiraki/Goodenow, Co-Chairs; Nakasone, Takai and Fox.
- S.B. No. 737, SD 2, HD 1:**  
Representatives Morita/Hamakawa, Co-Chairs; Schatz, Takumi and Pendleton.
- S.B. No. 738, SD 1, HD 1:**  
Representatives Morita/Hamakawa, Co-Chairs; Schatz, Takumi and Pendleton.
- S.B. No. 776, HD 1:**  
Representatives Menor, Chair; Garcia, Lee, Takumi and Rath.
- S.B. No. 777, SD 2, HD 1:**
- Representatives Menor/Hamakawa, Co-Chairs; Chang and Pendleton.
- S.B. No. 779, SD 2, HD 2:**  
Representatives Santiago/Menor, Co-Chairs; Cachola and Whalen.
- S.B. No. 788, SD 2, HD 2:**  
Representatives Santiago/Suzuki, Co-Chairs; Goodenow, Kahikina and Leong.
- S.B. No. 798, SD 2, HD 2:**  
Representatives Morita/Hamakawa/Kanoho, Co-Chairs; Cachola and Auwae.
- S.B. No. 809, SD 2, HD 1:**  
Representatives Takumi/Kanoho, Co-Chairs; Schatz and Auwae.
- S.B. No. 816, SD 1, HD 2:**  
Representatives Chang/Takamine, Co-Chairs; Ahu Isa, Suzuki and Meyer.
- S.B. No. 822, SD 2, HD 2:**  
Representatives Menor/Yamane, Co-Chairs; Garcia, Lee and Marumoto.
- S.B. No. 823, SD 1, HD 2:**  
Representatives Arakaki/Hamakawa, Co-Chairs; Lee, Stegmaier and Thielen.
- S.B. No. 825, SD 2, HD 2:**  
Representatives Yoshinaga/P. Oshiro/Catalani, Co-Chairs; Lee and Pendleton.
- S.B. No. 829, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Auwae.
- S.B. No. 830, SD 1, HD 2:**  
Representatives Lee/Nakasone, Co-Chairs; Garcia, Suzuki and Whalen.
- S.B. No. 844, SD 2, HD 2:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Herkes and Leong.
- S.B. No. 856, SD 2, HD 2:**  
Representatives Arakaki/Santiago/Menor/Kanoho, Co-Chairs; and Marumoto.
- S.B. No. 889, SD 1, HD 1:**  
Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa, Luke and Whalen.
- S.B. No. 896, SD 1, HD 1:**  
Representatives Hamakawa, Chair; Kaho'ohalahala, Morita and Auwae.
- S.B. No. 901, SD 2, HD 1:**  
Representatives P. Oshiro/Saiki, Co-Chairs; Hamakawa, Luke and Pendleton.
- S.B. No. 919, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Lee, Takumi and Whalen.
- S.B. No. 921, HD 1:**  
Representatives P. Oshiro/Goodenow, Co-Chairs; Hamakawa, Saiki and Whalen.
- S.B. No. 942, SD 1, HD 1:**  
Representatives Cachola/Kanoho, Co-Chairs; Goodenow, Schatz and Marumoto.
- S.B. No. 947, SD 2, HD 1:**

- Representatives Menor/Hamakawa, Co-Chairs; Lee and Thielen.
- S.B. No. 949, SD 1, HD 2:**  
Representatives Herkes/Menor/Hamakawa/Luke, Co-Chairs; and Rath.
- S.B. No. 951, SD 1, HD 1:**  
Representatives Morihara/Ito/Yoshinaga/Catalani, Co-Chairs; and Leong.
- S.B. No. 953, SD 2, HD 2:**  
Representatives Morita/Nakasone, Co-Chairs; Garcia, Schatz and Marumoto.
- S.B. No. 957, SD 2, HD 1:**  
Representatives Menor/Arakaki/Yamane, Co-Chairs; and Whalen.
- S.B. No. 992, SD 2, HD 2:**  
Representatives Santiago/Takamine, Co-Chairs; Kahikina, Yamane and Meyer.
- S.B. No. 994, SD 2, HD 3:**  
Representatives Arakaki/Hamakawa/Yamane, Co-Chairs; Stegmaier and Auwae.
- S.B. No. 1003, SD 1, HD 1:**  
Representatives Arakaki/P. Oshiro/Saiki, Co-Chairs; and Whalen.
- S.B. No. 1011, HD 2:**  
Representatives Takai/Yoshinaga/Kawakami, Co-Chairs; Stegmaier and Rath.
- S.B. No. 1016, SD 1, HD 1:**  
Representatives Hamakawa/Saiki, Co-Chairs; Ahu Isa, Schatz and Fox.
- S.B. No. 1018, SD 1, HD 2:**  
Representatives Lee/Yamane, Co-Chairs; Ahu Isa, Garcia and Fox.
- S.B. No. 1021, HD 1:**  
Representatives Menor/Yamane, Co-Chairs; Ahu Isa, Lee and Marumoto.
- S.B. No. 1024, SD 3, HD 1:**  
Representatives Morita/P. Oshiro/Schatz, Co-Chairs; Takumi and Thielen.
- S.B. No. 1026, HD 1:**  
Representatives Santiago/Yamane, Co-Chairs; Kahikina and Fox.
- S.B. No. 1032, SD 1, HD 2:**  
Representatives Santiago/P. Oshiro/Yamane, Co-Chairs; Garcia and Whalen.
- S.B. No. 1034, SD 1, HD 2:**  
Representatives Santiago/Takamine, Co-Chairs; Kawakami, Suzuki and Marumoto.
- S.B. No. 1036, SD 3, HD 1:**  
Representatives Santiago/Arakaki/Kawakami, Co-Chairs; Saiki and Fox.
- S.B. No. 1046, SD 3, HD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Nakasone, Suzuki and Meyer.
- S.B. No. 1048, SD 2, HD 1:**  
Representatives Arakaki/Menor/Kahikina, Co-Chairs; Morita, Stegmaier and Halford.
- S.B. No. 1049, SD 2, HD 1:**
- Representatives Arakaki/Kahikina, Co-Chairs; Goodenow, Stegmaier and McDermott.
- S.B. No. 1050, SD 2, HD 1:**  
Representatives Arakaki/P. Oshiro/Saiki, Co-Chairs; Lee and Whalen.
- S.B. No. 1055, SD 1, HD 1:**  
Representatives Arakaki/Kahikina, Co-Chairs; Ahu Isa, Stegmaier and McDermott.
- S.B. No. 1057, HD 1:**  
Representatives Arakaki/Kawakami, Co-Chairs; Kahikina, Stegmaier and Pendleton.
- S.B. No. 1058, SD 2, HD 1:**  
Representatives Arakaki/P. Oshiro/Saiki, Co-Chairs; Stegmaier and McDermott.
- S.B. No. 1071, SD 1, HD 2:**  
Representatives Herkes/Menor/Ahu Isa, Co-Chairs; Chang, Lee and Rath.
- S.B. No. 1079, SD 1, HD 3:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Chang and Rath.
- S.B. No. 1082, SD 2, HD 2:**  
Representatives Cachola/Takamine, Co-Chairs; Garcia, Kanoho, Kawakami and Moses.
- S.B. No. 1088, SD 1, HD 1:**  
Representatives Takumi/P. Oshiro, Co-Chairs; Morita, Schatz and Thielen.
- S.B. No. 1089, SD 1, HD 1:**  
Representatives Takumi/P. Oshiro/Schatz, Co-Chairs; Garcia and Marumoto.
- S.B. No. 1091, SD 1, HD 2:**  
Representatives Takumi/Hamakawa/Schatz, Co-Chairs; Garcia and Marumoto.
- S.B. No. 1101, SD 1, HD 2:**  
Representatives Hamakawa/Nakasone, Co-Chairs; Morita, Suzuki and Auwae.
- S.B. No. 1102, SD 1, HD 2:**  
Representatives Yoshinaga/Suzuki, Co-Chairs; Nakasone, Okamura and Marumoto.
- S.B. No. 1117, SD 1, HD 2:**  
Representatives Yoshinaga/Nakasone, Co-Chairs; Kanoho, Suzuki and Marumoto.
- S.B. No. 1118, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Chang, Hamakawa, Hiraki and Whalen.
- S.B. No. 1119, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Chang, Hamakawa, Lee and Whalen.
- S.B. No. 1124, SD 2, HD 1:**  
Representatives Menor/Suzuki, Co-Chairs; Garcia, Yamane and Fox.
- S.B. No. 1125, HD 1:**  
Representatives Menor, Chair; Hiraki, Kaho'ohalahala, Lee and Rath.
- S.B. No. 1127, SD 1, HD 3:**  
Representatives Santiago/Menor/Takamine, Co-Chairs; Chang and Moses.
- S.B. No. 1128, SD 2, HD 1:**

- Representatives Santiago/Menor/Yamane, Co-Chairs; Ahu Isa and Fox.
- S.B. No. 1129, SD 2, HD 2:**  
Representatives Menor/Takamine, Co-Chairs; Garcia, Yamane and Halford.
- S.B. No. 1130, SD 1, HD 1:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Garcia, Yamane and Leong.
- S.B. No. 1131, SD 1, HD 2:**  
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Moses.
- S.B. No. 1136, SD 2, HD 2:**  
Representatives Santiago/Menor/Kawakami, Co-Chairs; Takumi and Rath.
- S.B. No. 1137, HD 2:**  
Representatives Yoshinaga/Suzuki, Co-Chairs; Nakasone, Okamura and Marumoto.
- S.B. No. 1139, SD 1, HD 2:**  
Representatives Menor/Saiki, Co-Chairs; Chang, Luke and Halford.
- S.B. No. 1140, SD 2, HD 2:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Garcia and Halford.
- S.B. No. 1142, SD 2, HD 1:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Morita and Thielen.
- S.B. No. 1144, SD 1, HD 2:**  
Representatives Menor/Takamine, Co-Chairs; Herkes, Kawakami and Thielen.
- S.B. No. 1145, SD 2, HD 2:**  
Representatives Menor/Kawakami, Co-Chairs; Chang, Takumi, Yamane and Auwae.
- S.B. No. 1147, SD 2, HD 2:**  
Representatives Yoshinaga/Catalani, Co-Chairs; Nakasone, Takai and Marumoto.
- S.B. No. 1149, SD 1, HD 2:**  
Representatives Yoshinaga/Hamakawa, Co-Chairs; Goodenow, Okamura and Pendleton.
- S.B. No. 1151, SD 1, HD 1:**  
Representatives Yoshinaga/P. Oshiro, Co-Chairs; Chang, Nakasone and Auwae.
- S.B. No. 1155, SD 1, HD 2:**  
Representatives Ito/Yoshinaga/Catalani, Co-Chairs; Okamura, Stegmaier and Fox.
- S.B. No. 1156, SD 2, HD 1:**  
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Leong.
- S.B. No. 1157, SD 1, HD 1:**  
Representatives Ito/Saiki, Co-Chairs; Morihara and Leong.
- S.B. No. 1158, SD 1, HD 1:**  
Representatives P. Oshiro/Kanoho, Co-Chairs; Schatz and Meyer.
- S.B. No. 1160, SD 2, HD 2:**  
Representatives Hamakawa/Saiki, Co-Chairs; Luke, P. Oshiro and Whalen.
- S.B. No. 1163, SD 1, HD 2:**
- Representatives Garcia/Hamakawa/Kanoho, Co-Chairs; Chang and Whalen.
- S.B. No. 1177, SD 1, HD 1:**  
Representatives Herkes/Suzuki, Co-Chairs; Luke, Nakasone and Meyer.
- S.B. No. 1178, SD 2, HD 2:**  
Representatives Herkes/Suzuki, Co-Chairs; Luke, Nakasone and Meyer.
- S.B. No. 1180, SD 1, HD 1:**  
Representatives Suzuki, Chair; Goodenow, Nakasone and Fox.
- S.B. No. 1212, SD 2, HD 1:**  
Representatives Hiraki/P. Oshiro, Co-Chairs; Chang, Takai and Whalen.
- S.B. No. 1229, SD 1, HD 3:**  
Representatives Arakaki/Cachola/Yamane, Co-Chairs; Garcia, Kahikina and Pendleton.
- S.B. No. 1235, SD 1, HD 1:**  
Representatives Menor/Yamane, Co-Chairs; Chang, Goodenow and Whalen.
- S.B. No. 1238, SD 2, HD 2:**  
Representatives Menor/Ahu Isa, Co-Chairs; Herkes, Yamane and Whalen.
- S.B. No. 1256, SD 2, HD 1:**  
Representatives Hiraki/Goodenow, Co-Chairs; Okamura and Fox.
- S.B. No. 1261, SD 1, HD 1:**  
Representatives Menor/Yamane, Co-Chairs; Morita, Suzuki and Thielen.
- S.B. No. 1262, HD 1:**  
Representatives Menor, Chair; Cachola, Herkes, Lee and Whalen.
- S.B. No. 1270, SD 1, HD 2:**  
Representatives Ito/P. Oshiro, Co-Chairs; Arakaki, Morihara, Stegmaier and McDermott.
- S.B. No. 1274, HD 1:**  
Representatives Garcia/Hamakawa/Ito/Saiki, Co-Chairs; Suzuki and Pendleton.
- S.B. No. 1276, SD 1, HD 2:**  
Representatives Ito/Saiki, Co-Chairs; Morihara and Leong.
- S.B. No. 1279, SD 2, HD 2:**  
Representatives Herkes/Menor/Luke, Co-Chairs; Chang and Rath.
- S.B. No. 1282, SD 2, HD 2:**  
Representatives Yoshinaga/Suzuki, Co-Chairs; Nakasone, Okamura and Marumoto.
- S.B. No. 1294, SD 1, HD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Moses.
- S.B. No. 1300, SD 1, HD 2:**  
Representatives Yoshinaga/Catalani, Co-Chairs; Nakasone, Takai and Meyer.
- S.B. No. 1307, SD 1, HD 1:**  
Representatives Ito/Ahu Isa, Co-Chairs; Morihara, Stegmaier, Takai and Leong.
- S.B. No. 1321, SD 2, HD 2:**

- Representatives Takumi/Suzuki, Co-Chairs; Garcia, Schatz and Fox.
- S.B. No. 1325, SD 1, HD 2:**  
Representatives Takamine/Herkes/Ahu Isa, Co-Chairs; Nakasone, Souki, Suzuki, Auwae and Marumoto.
- S.B. No. 1379, SD 2, HD 1:**  
Representatives P. Oshiro, Chair; Hamakawa, Kaho'ohalahala, Lee and Whalen.
- S.B. No. 1421, SD 1, HD 2:**  
Representatives P. Oshiro/Kanoho, Co-Chairs; Garcia and Fox.
- S.B. No. 1452, HD 3:**  
Representatives Santiago/Menor/Takamine, Co-Chairs; Chang and Halford.
- S.B. No. 1462, SD 1, HD 2:**  
Representatives P. Oshiro/Kanoho, Co-Chairs; Ahu Isa, Hamakawa and Auwae.
- S.B. No. 1470, HD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Kanoho, Kawakami and Moses.
- S.B. No. 1475, SD 1, HD 2:**  
Representatives Yoshinaga/Ito/Catalani, Co-Chairs; Goodenow and Moses.
- S.B. No. 1481, SD 1, HD 1:**  
Representatives Garcia/Takamine, Co-Chairs; Chang, Nakasone and Pendleton.
- S.B. No. 1485, SD 1, HD 1:**  
Representatives P. Oshiro, Chair; Garcia, Hamakawa, Lee and Whalen.
- S.B. No. 1499, SD 1, HD 2:**  
Representatives Arakaki/Kahikina, Co-Chairs; Goodenow, Stegmaier and Pendleton.
- S.B. No. 1501, SD 3, HD 3:**  
Representatives Ito/Arakaki/Santiago/Yoshinaga/Takamine, Co-Chairs; and Leong.
- S.B. No. 1502, SD 1, HD 1:**  
Representatives Hamakawa, Chair; Cachola, Kaho'ohalahala and Thielen.
- S.B. No. 1504, SD 1, HD 1:**  
Representatives Santiago/Kawakami, Co-Chairs; Kahikina, Lee and Leong.
- S.B. No. 1512, SD 1, HD 1:**  
Representatives P. Oshiro/Goodenow, Co-Chairs; Hamakawa and Thielen.
- S.B. No. 1517, SD 1, HD 1:**  
Representatives Menor, Chair; Cachola, Garcia, Herkes and Whalen.
- S.B. No. 1518, HD 1:**  
Representatives Santiago/Yoshinaga/Yamane, Co-Chairs; Arakaki, Kanoho, Nakasone, Leong and Marumoto.
- S.B. No. 1519, SD 3, HD 2:**  
Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott.
- S.B. No. 1544, SD 2, HD 2:**  
Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Souki, Suzuki and Marumoto.
- S.B. No. 1583, SD 2, HD 2:**
- Representatives Takamine/Herkes/Morihara/Ito, Co-Chairs; Nakasone, Suzuki, Halford and Meyer.
- S.B. No. 1607, SD 2, HD 2:**  
Representatives Herkes/Suzuki, Co-Chairs; Luke, Morihara and Fox.
- S.B. No. 1635, SD 2, HD 2:**  
Representatives P. Oshiro/Suzuki, Co-Chairs; Kaho'ohalahala, Kanoho, Saiki and Fox.
- S.B. No. 1638, SD 2, HD 1:**  
Representatives Ito/Yoshinaga/Catalani, Co-Chairs; and Leong.
- S.B. No. 970, SD 1, HD 1:**  
Representatives Menor, Chair; Lee and Thielen.
- S.B. No. 1132, HD 1:**  
Representatives Menor, Chair; Garcia and Whalen.
- S.B. No. 1134, SD 1, HD 1:**  
Representatives Menor, Chair; Garcia and Whalen.
- S.B. No. 1143, HD 1:**  
Representatives Menor, Chair; Garcia and Whalen.

#### 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. 47, HD 1, SD 1:**  
Representatives Santiago/Menor, Co-Chairs; and Whalen.

**H.B. No. 1145, SD 2:**  
Representatives Santiago/Takamine, Co-Chairs; and Marumoto.

#### ANNOUNCEMENT

Representative Case: "Mr. Speaker, there will be a short meeting of all conference committee chairs and co-chairs in our Majority Caucus Room immediately after session. That would be all Standing Committee chairs together with the 13 additional members who are co-chairs. And if you have any question about whether you are a co-chair, I have the list right here. We'll have a caucus right now. Thank you."

#### ADJOURNMENT

At 11:45 o'clock a.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 20, 1999. (Representatives Cachola, Chang, Kahikina, Menor and Okamura were excused.)



## FIFTY-SECOND DAY

**Tuesday, April 20, 1999**

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:38 o'clock a.m., with the Speaker presiding.

The invocation was rendered in song by the San Gabriel Academy Chorale from San Gabriel, California, after which the Roll was called showing all members present with the exception of Representatives Kahikina, Kaho'ohalahala, Kanohe, Morihara, Okamura, Stegmaier, Takamine, Takumi, Whalen and Yoshinaga, who were excused.

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

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 743 and 744) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 743, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills on April 19, 1999:

**H.B. No. 1, HD1, SD1:**

Senators Kawamoto/Matsunaga, Co-Chairs; Bunda and Slom.

**H.B. No. 4, HD1, SD1:**

Senators Kawamoto/Chumbley, Co-Chairs; Bunda, Iwase and Slom.

**H.B. No. 7, SD1:**

Senators Kawamoto, Chair; Bunda, Iwase and Slom.

**H.B. No. 8, HD1, SD2:**

Senators Kawamoto/Chumbley, Co-Chairs; Bunda, Iwase and Slom.

**H.B. No. 11, HD1, SD1:**

Senators Kawamoto, Chair; Bunda, Iwase, Taniguchi and Slom.

**H.B. No. 20, HD2, SD2:**

Senators Chumbley/Matsunaga/Taniguchi/Fukunaga/Levin, Co-Chairs; Ihara and Anderson.

**H.B. No. 32, HD2, SD2:**

Senators Inouye/Matsunaga/Chumbley, Co-Chairs; and Slom.

**H.B. No. 37, HD1, SD2:**

Senators Inouye/Fukunaga, Co-Chairs; Buen, Taniguchi and Anderson.

**H.B. No. 47, HD1, SD1:**

Senators Kanno/Taniguchi, Co-Chairs; Inouye and Slom.

**H.B. No. 71, HD2, SD1:**

Senators Chumbley/Matsunaga, Co-Chairs; Ihara, Sakamoto and Anderson.

**H.B. No. 72, HD2, SD1:**

Senators Chumbley/Matsunaga, Co-Chairs; and Ihara.

**H.B. No. 77, HD1, SD1:**

Senators Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.

**H.B. No. 83, HD1, SD1:**

Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.

**H.B. No. 86, SD1:**

Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.

**H.B. No. 98, HD1, SD1:**

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Anderson.

**H.B. No. 100, HD1, SD1:**

Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.

**H.B. No. 104, HD1, SD2:**

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Nakata and Slom.

**H.B. No. 122, HD2, SD1:**

Senators Tam, Chair; Hanabusa and Anderson.

**H.B. No. 133, SD1:**

Senators Inouye/Fukunaga/Levin, Co-Chairs; Taniguchi and Slom.

**H.B. No. 138, HD2, SD1:**

Senators Inouye/Chumbley/Matsunaga, Co-Chairs; Buen and Slom.

**H.B. No. 139, HD1, SD2:**

Senators Kawamoto/Fukunaga/Levin, Co-Chairs; Bunda and Iwase.

**H.B. No. 140, SD2:**

Senators Kawamoto/Fukunaga/Levin, Co-Chairs; Bunda and Iwase.

**H.B. No. 142, HD1, SD2:**

Senators Nakata/Fukunaga, Co-Chairs; Chun Oakland, D. Ige, Ihara, Taniguchi and Anderson.

**H.B. No. 150, HD2, SD1:**

Senators D. Ige/Fukunaga/Levin/Chumbley/Matsunaga, Co-Chairs; and Sakamoto.

**H.B. No. 154, HD1, SD1:**

Senators D. Ige/Fukunaga, Co-Chairs; Chumbley, Sakamoto and Slom.

**H.B. No. 157, HD2, SD2:**

Senators Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Chun Oakland and Anderson.

**H.B. No. 159, HD2, SD2:**

Senators Nakata/Chumbley/Matsunaga, Co-Chairs; Chun Oakland, Kanno and Slom.

**H.B. No. 160, SD1:**

Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.

**H.B. No. 161, HD1, SD2:**

Senators Kawamoto/Matsunaga, Co-Chairs; Bunda, Iwase and Slom.

**H.B. No. 162, HD1, SD2:**

Senators Chumbley/Fukunaga, Co-Chairs; D. Ige, Ihara and Anderson.

**H.B. No. 165, HD1, SD1:**

- Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Sakamoto.
- H.B. No. 167, HD3, SD2:**  
Senators Kawamoto/Chumbley/Matsunaga, Co-Chairs; Bunda, Iwase and Slom.
- H.B. No. 170, HD2, SD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 171, HD2, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 172, HD1, SD2:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 174, SD1:**  
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.
- H.B. No. 176, HD2, SD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Chun, Taniguchi and Anderson.
- H.B. No. 177, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 212, HD1, SD1:**  
Senators Kawamoto/Chumbley/Matsunaga, Co-Chairs; Bunda, Iwase and Slom.
- H.B. No. 221, HD2, SD1:**  
Senators Inouye/Fukunaga/Levin, Co-Chairs; Taniguchi and Slom.
- H.B. No. 232, HD2, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; D. Ige, Taniguchi and Anderson.
- H.B. No. 235, HD2, SD2:**  
Senators Hanabusa/Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Chun, Nakata, Tanaka and Anderson.
- H.B. No. 248, HD1, SD1:**  
Senators D. Ige/Fukunaga, Co-Chairs; Chumbley and Slom.
- H.B. No. 252, HD3, SD2:**  
Senators D. Ige/Kanno/Taniguchi, Co-Chairs; Sakamoto and Slom.
- H.B. No. 260, HD2, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Chun and Anderson.
- H.B. No. 266, HD2, SD2:**  
Senators Nakata/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- H.B. No. 273, HD2, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; and Anderson.
- H.B. No. 274, HD3, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 294, HD1, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 300, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 307, HD2, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- H.B. No. 310, HD1, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- H.B. No. 314, SD2:**  
Senators D. Ige/Fukunaga, Co-Chairs; Bunda, Sakamoto and Slom.
- H.B. No. 318, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 325, HD2, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 326, HD1, SD1:**  
Senators Taniguchi/Kanno/Fukunaga, Co-Chairs; Chun Oakland and Slom.
- H.B. No. 328, HD1, SD2:**  
Senators Chun Oakland/Taniguchi, Co-Chairs; Bunda, Ihara and Slom.
- H.B. No. 333, HD2, SD1:**  
Senators Inouye/Levin, Co-Chairs; M. Ige and Slom.
- H.B. No. 336, HD1, SD1:**  
Senators Inouye/Levin, Co-Chairs; Buen, D. Ige and Slom.
- H.B. No. 351, HD2, SD1:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; Kanno and Anderson.
- H.B. No. 353, HD2, SD1:**  
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 374, HD2, SD1:**  
Senators Inouye/Fukunaga/Levin, Co-Chairs; Buen and Slom.
- H.B. No. 375, HD1, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; Chun Oakland, Nakata and Anderson.
- H.B. No. 377, HD2, SD2:**  
Senators D. Ige/Inouye/Fukunaga/Levin, Co-Chairs; Sakamoto, Tam and Slom.
- H.B. No. 389, SD1:**  
Senators D. Ige/Fukunaga, Co-Chairs; Sakamoto and Slom.
- H.B. No. 411, HD1, SD1:**  
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 424, HD2, SD2:**  
Senators Inouye/Hanabusa/Levin, Co-Chairs; Buen, Tanaka and Slom.
- H.B. No. 440, HD2, SD2:**  
Senators Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 460, HD2, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 499, HD2, SD2:**  
Senators Kanno/Taniguchi/Hanabusa/Fukunaga/Levin, Co-Chairs; Nakata and Anderson.
- H.B. No. 500, HD3, SD1:**

- Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 510, HD1, SD2:**  
Senators D. Ige/Levin, Co-Chairs; Chumbley and Slom.
- H.B. No. 512, HD2, SD2:**  
Senators D. Ige/Fukunaga, Co-Chairs; Chun Oakland and Slom.
- H.B. No. 519, SD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 522, HD3, SD2:**  
Senators Nakata/D. Ige/Fukunaga, Co-Chairs; Chun Oakland, Taniguchi and Slom.
- H.B. No. 531, SD2:**  
Senators Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Chun Oakland and Anderson.
- H.B. No. 532, HD3, SD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 547, HD3, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 557, HD2, SD1:**  
Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- H.B. No. 562, SD2:**  
Senators Inouye/Taniguchi, Co-Chairs; Buen and Slom.
- H.B. No. 582, HD2, SD2:**  
Senators Hanabusa/Chumbley/Matsunaga, Co-Chairs; Chun, Nakata, Tanaka and Anderson.
- H.B. No. 602, SD1:**  
Senators Kawamoto, Chair; Bunda, Iwase, Taniguchi and Slom.
- H.B. No. 632, HD2, SD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 634, HD1, SD1:**  
Senators D. Ige/Levin, Co-Chairs; Bunda and Anderson.
- H.B. No. 635, HD2, SD1:**  
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.
- H.B. No. 645, SD2:**  
Senators Kawamoto/Levin, Co-Chairs; Bunda, Taniguchi and Slom.
- H.B. No. 657, HD2, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 658, HD1, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 661, HD3, SD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 664, HD1, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 677, HD1, SD2:**  
Senators Inouye/D. Ige/Fukunaga, Co-Chairs; Buen, Sakamoto and Slom.
- H.B. No. 700, HD1, SD2:**  
Senators Fukunaga/Levin/Hanabusa, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.
- H.B. No. 715, SD1:**  
Senators Kawamoto/Chumbley, Co-Chairs; Bunda, Iwase and Slom.
- H.B. No. 718, HD1, SD2:**  
Senators Hanabusa/Fukunaga, Co-Chairs; Chun, Kanno, Nakata, Tanaka and Anderson.
- H.B. No. 719, HD2, SD1:**  
Senators Kawamoto/Fukunaga/Levin, Co-Chairs; Bunda, Iwase, Taniguchi and Slom.
- H.B. No. 743, HD3, SD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Chun Oakland and Slom.
- H.B. No. 746, HD1, SD1:**  
Senators D. Ige, Chair; Bunda and Slom.
- H.B. No. 747, HD1, SD2:**  
Senators Tam/Fukunaga/Levin, Co-Chairs; Chun, D. Ige, Nakata and Anderson.
- H.B. No. 749, HD3, SD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 753, HD2, SD2:**  
Senators Kawamoto/Inouye/Fukunaga/Levin, Co-Chairs; Bunda, D. Ige and Slom.
- H.B. No. 756, HD2, SD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Hanabusa, Ihara and Tam.
- H.B. No. 765, HD1, SD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Bunda and Kawamoto.
- H.B. No. 797, HD2, SD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Buen and Slom.
- H.B. No. 806, HD2, SD2:**  
Senators Hanabusa/Levin, Co-Chairs; Chun, Nakata and Tanaka.
- H.B. No. 827, HD3, SD1:**  
Senators Hanabusa/Inouye/Levin, Co-Chairs; Buen, Chun, Tanaka and Anderson.
- H.B. No. 830, HD1, SD2:**  
Senators Inouye/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 842, HD2, SD1:**  
Senators Nakata/Levin, Co-Chairs; M. Ige and Slom.
- H.B. No. 850, HD1, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Inouye.
- H.B. No. 854, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; and Sakamoto.
- H.B. No. 855, HD1, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 877, HD1, SD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 895, HD2, SD2:**  
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.

- H.B. No. 898, HD2, SD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Buen and Slom.
- H.B. No. 945, HD1, SD1:**  
Senators Inouye/Levin, Co-Chairs; Buen, M. Ige and Slom.
- H.B. No. 949, HD2, SD2:**  
Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- H.B. No. 955, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 970, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 971, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 972, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 973, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 978, SD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Buen and Slom.
- H.B. No. 980, HD2, SD1:**  
Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- H.B. No. 985, HD1, SD2:**  
Senators Tam/Levin/Fukunaga, Co-Chairs; Matsuura and Tanaka.
- H.B. No. 988, HD2, SD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 989, HD1, SD2:**  
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; and Sakamoto.
- H.B. No. 990, HD1, SD1:**  
Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Chun, Kanno, Nakata, Tanaka and Anderson.
- H.B. No. 997, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 999, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 1006, HD2, SD2:**  
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 1008, SD2:**  
Senators Chumbley/Matsunaga/Levin/Fukunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 1012, HD1, SD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Buen and Kawamoto.
- H.B. No. 1013, SD1:**  
Senators Inouye/Levin/Fukunaga, Co-Chairs; Buen, Taniguchi and Slom.
- H.B. No. 1017, HD1, SD2:**  
Senators Tam/Levin, Co-Chairs; Buen and Anderson.
- H.B. No. 1018, HD2, SD1:**  
Senators Tam/Levin, Co-Chairs; Buen and Anderson.
- H.B. No. 1020, HD2, SD2:**  
Senators Inouye/Levin, Co-Chairs; Taniguchi and Slom.
- H.B. No. 1028, HD1, SD1:**  
Senators Inouye/Fukunaga/Levin, Co-Chairs; Kawamoto, Tam, Taniguchi and Slom.
- H.B. No. 1035, HD1, SD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Nakata and Slom.
- H.B. No. 1037, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1038, HD1, SD2:**  
Senators Nakata/Levin/Fukunaga, Co-Chairs; D. Ige, M. Ige, Kanno and Slom.
- H.B. No. 1041, HD2, SD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Nakata and Slom.
- H.B. No. 1048, HD1, SD1:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 1061, HD2, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; Chun, Chun Oakland and Anderson.
- H.B. No. 1063, HD1, SD1:**  
Senators Kanno/Taniguchi, Co-Chairs; Bunda and Slom.
- H.B. No. 1071, HD1, SD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Bunda and Anderson.
- H.B. No. 1073, HD1, SD2:**  
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; Ihara and Slom.
- H.B. No. 1079, HD3, SD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 1080, HD2, SD1:**  
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; and Slom.
- H.B. No. 1083, HD2, SD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 1085, HD1, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 1086, SD1:**  
Senators D. Ige, Chair; Bunda and Slom.
- H.B. No. 1088, HD2, SD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 1095, HD1, SD2:**  
Senators Hanabusa/Levin, Co-Chairs; Chun, Kanno, Nakata, Tanaka and Anderson.
- H.B. No. 1111, HD2, SD2:**  
Senators D. Ige/Taniguchi/Chumbley/Matsunaga, Co-Chairs; Kanno and Sakamoto.

- H.B. No. 1115, HD2, SD1:**  
Senators Chun Oakland/Matsunaga, Co-Chairs; and Anderson.
- H.B. No. 1117, HD3, SD2:**  
Senators Chun Oakland/Chumbley, Co-Chairs; and Anderson.
- H.B. No. 1119, HD1, SD1:**  
Senators Chun Oakland/Chumbley, Co-Chairs; and Anderson.
- H.B. No. 1124, SD1:**  
Senators Chun Oakland/Nakata, Co-Chairs; and Slom.
- H.B. No. 1138, HD1, SD2:**  
Senators Chun Oakland/Chumbley/Matsunaga/Levin, Co-Chairs; and Kanno
- H.B. No. 1142, HD3, SD2:**  
Senators Nakata/Matsunaga, Co-Chairs; Ihara, Kanno and Slom.
- H.B. No. 1145, SD2:**  
Senators Chun Oakland/Kawamoto/Fukunaga/Levin, Co-Chairs; Bunda, Taniguchi and Slom.
- H.B. No. 1146, SD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1149, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1153, HD1, SD1:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; and Anderson.
- H.B. No. 1160, HD1, SD2:**  
Senators Nakata/Matsunaga, Co-Chairs; Kanno and Slom.
- H.B. No. 1162, HD2, SD1:**  
Senators Nakata/Fukunaga, Co-Chairs; M. Ige and Slom.
- H.B. No. 1166, HD1, SD2:**  
Senators Nakata/Tam/Levin, Co-Chairs; Kanno and Slom.
- H.B. No. 1170, HD2, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- H.B. No. 1172, HD2, SD1:**  
Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Chun, Nakata, Tanaka and Anderson.
- H.B. No. 1177, HD2, SD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Buen, M. Ige and Slom.
- H.B. No. 1178, HD1, SD1:**  
Senators Inouye/Chumbley/Matsunaga, Co-Chairs; Buen, Kawamoto and Slom.
- H.B. No. 1180, SD1:**  
Senators Inouye, Chair; Buen and Slom.
- H.B. No. 1181, HD1, SD2:**  
Senators Inouye/Chumbley/Matsunaga, Co-Chairs; Buen and Slom.
- H.B. No. 1183, HD2, SD2:**  
Senators Hanabusa/Inouye/Levin, Co-Chairs; Buen, Nakata, Tanaka and Anderson.
- H.B. No. 1186, SD1:**  
Senators Inouye/Chumbley/Matsunaga, Co-Chairs; Buen and Slom.
- H.B. No. 1188, SD1:**  
Senators Hanabusa, Chair; Tanaka and Anderson.
- H.B. No. 1197, HD2, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1198, HD1, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Anderson.
- H.B. No. 1203, HD1, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; Taniguchi and Anderson.
- H.B. No. 1257, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 1267, HD1, SD2:**  
Senators Kanno/Taniguchi/Chumbley/Matsunaga, Co-Chairs; Bunda and Anderson.
- H.B. No. 1276, HD1, SD2:**  
Senators Tam/Fukunaga/Levin, Co-Chairs; Hanabusa, Ihara, Matsunaga and Anderson.
- H.B. No. 1277, HD1, SD1:**  
Senators Nakata/Kanno, Co-Chairs; M. Ige and Slom.
- H.B. No. 1280, HD2, SD2:**  
Senators Inouye/Levin, Co-Chairs; Buen, Taniguchi and Slom.
- H.B. No. 1296, HD1, SD1:**  
Senators Hanabusa/Inouye/Fukunaga/Levin, Co-Chairs; Chun, M. Ige, Nakata, Tanaka and Anderson.
- H.B. No. 1361, HD2, SD2:**  
Senators Inouye/Kanno/Taniguchi, Co-Chairs; Buen, M. Ige and Slom.
- H.B. No. 1367, HD2, SD1:**  
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.
- H.B. No. 1401, HD2, SD1:**  
Senators Kawamoto/Taniguchi, Co-Chairs; Bunda, Iwase and Slom.
- H.B. No. 1409, HD2, SD1:**  
Senators Hanabusa/Levin, Co-Chairs; Tanaka and Anderson.
- H.B. No. 1411, HD1, SD1:**  
Senators Kanno/Taniguchi, Co-Chairs; Bunda and Slom.
- H.B. No. 1416, HD2, SD2:**  
Senators Kanno/Taniguchi/Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Ihara and Slom.
- H.B. No. 1450, HD1, SD2:**  
Senators Levin/Fukunaga/Chumbley/Matsunaga, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.
- H.B. No. 1454, HD2, SD2:**  
Senators Chumbley/Matsunaga/Fukunaga/Levin, Co-Chairs; Ihara and Anderson.
- H.B. No. 1460, HD2, SD2:**  
Senators Chumbley/Matsunaga/Levin, Co-Chairs; Tanaka and Anderson.
- H.B. No. 1471, HD1, SD1:**

- Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 1496, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.
- H.B. No. 1497, HD1, SD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- H.B. No. 1522, HD1, SD1:**  
Senators Kanno/Taniguchi/Kawamoto/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1548, HD1, SD1:**  
Senators Nakata, Chair; M. Ige, Ihara and Slom.
- H.B. No. 1575, HD2, SD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 1593, HD1, SD2:**  
Senators Kawamoto/Tam, Co-Chairs; Bunda, Hanabusa and Iwase.
- H.B. No. 1594, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1616, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 1617, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 1620, HD1, SD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 1621, HD1, SD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 1622, HD1, SD1:**  
Senators Kawamoto/Chumbley/Matsunaga, Co-Chairs; Bunda, Ihara, Iwase and Slom.
- H.B. No. 1623, HD1, SD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 1624, HD2, SD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- H.B. No. 1628, SD2:**  
Senators Inouye/Kanno/Taniguchi/Levin, Co-Chairs; Buen, M. Ige and Slom.
- H.B. No. 1636, HD2, SD1:**  
Senators Kawamoto/Matsunaga, Co-Chairs; Bunda, Iwase and Slom.
- H.B. No. 1637, HD2, SD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 1641, HD1, SD2:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 1649, HD2, SD1:**  
Senators Fukunaga/Levin, Co-Chairs; D. Ige, Taniguchi and Anderson.
- H.B. No. 1660, HD2, SD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- H.B. No. 1663, HD2, SD2:**  
Senators Chun Oakland/D. Ige/Levin, Co-Chairs; Kanno, Taniguchi and Slom.
- H.B. No. 1664, HD3, SD1:**  
Senators Taniguchi/Kanno/Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 1675, HD1, SD1:**  
Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Chun, Nakata, Tanaka and Anderson.
- H.B. No. 1683, HD2, SD2:**  
Senators D. Ige/Inouye/Levin, Co-Chairs; Sakamoto and Slom.
- H.B. No. 1693, HD1, SD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; Kawamoto and Anderson.
- H.B. No. 1711, HD2, SD1:**  
Senators Hanabusa/Inouye/Levin, Co-Chairs; Buen, Chun, M. Ige, Nakata, Tanaka and Anderson.
- H.B. No. 1726, HD1, SD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- Sen. Com. No. 744, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills on April 19, 1999:
- S.B. No. 4, SD2, HD2:**  
Senators Tam/Levin/Fukunaga, Co-Chairs; Nakata and Anderson.
- S.B. No. 5, SD2, HD2:**  
Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- S.B. No. 21, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara, Tanaka and Anderson.
- S.B. No. 27, HD1:**  
Senators Kawamoto, Chair; Bunda, Iwase and Slom.
- S.B. No. 36, SD2, HD1:**  
Senators Tam/Matsunaga/Chumbley, Co-Chairs; Hanabusa, Ihara and Anderson.
- S.B. No. 40, HD2:**  
Senators Kanno/Taniguchi, Co-Chairs; Inouye and Slom.
- S.B. No. 44, SD1, HD2:**  
Senators Fukunaga/Levin, Co-Chairs; D. Ige, Iwase, Nakata, Taniguchi and Anderson.
- S.B. No. 46, SD2, HD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Chumbley, Sakamoto and Slom.
- S.B. No. 59, SD1, HD1:**  
Senators Tam, Chair; Hanabusa and Anderson.
- S.B. No. 102, SD3, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Chun, D. Ige, Kawamoto and Anderson.
- S.B. No. 131, SD3, HD3:**



- Senators Chun Oakland/Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Bunda, Chun, Kawamoto and Slom.
- S.B. No. 157, SD1, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Chun and Anderson.
- S.B. No. 176, HD2:**  
Senators Chun Oakland/Chumbley/Matsunaga, Co-Chairs; and Anderson.
- S.B. No. 178, HD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Buen, Chun and Anderson.
- S.B. No. 186, SD1, HD1:**  
Senators Chumbley/Matsunaga/Kanno/Taniguchi, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 194, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 207, HD2:**  
Senators Nakata/Levin, Co-Chairs; M. Ige, Ihara and Slom.
- S.B. No. 223, SD2, HD1:**  
Senators Chumbley/Matsunaga/Levin, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 236, SD1, HD1:**  
Senators Kanno/Taniguchi/Chumbley, Co-Chairs; Ihara and Anderson.
- S.B. No. 238, SD1, HD2:**  
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- S.B. No. 285, SD1, HD1:**  
Senators Tam/Fukunaga, Co-Chairs; Hanabusa, Ihara and Anderson.
- S.B. No. 365, SD1, HD1:**  
Senators Taniguchi/Kanno, Co-Chairs; Bunda and Ihara.
- S.B. No. 392, SD2, HD2:**  
Senators Kawamoto/Levin, Co-Chairs; Bunda, Iwase and Slom.
- S.B. No. 450, SD1, HD2:**  
Senators Tam/Fukunaga/Levin, Co-Chairs; Chun and Anderson.
- S.B. No. 456, SD2, HD1:**  
Senators D. Ige/Hanabusa/Fukunaga/Levin, Co-Chairs; Chumbley, Chun Oakland and Slom.
- S.B. No. 513, SD2, HD2:**  
Senators Chun Oakland/Kanno/Taniguchi, Co-Chairs; Bunda and Fukunaga.
- S.B. No. 528, SD2, HD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 550, SD2, HD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- S.B. No. 560, SD1, HD1:**  
Senators Hanabusa, Chair; Matsuura, Tanaka and Anderson.
- S.B. No. 570, SD1, HD2:**  
Senators Inouye/Levin, Co-Chairs; M. Ige and Slom.
- S.B. No. 585, SD1, HD2:**
- Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 588, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 590, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 594, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 605, SD1, HD2:**  
Senators Chumbley/Matsunaga/Levin, Co-Chairs; Ihara and Anderson.
- S.B. No. 607, SD1, HD2:**  
Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.
- S.B. No. 616, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 628, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 630, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara, Sakamoto and Anderson.
- S.B. No. 631, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 635, SD1, HD2:**  
Senators Nakata/Chumbley/Matsunaga, Co-Chairs; Ihara, Kanno and Slom.
- S.B. No. 638, SD1, HD2:**  
Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.
- S.B. No. 646, SD2, HD3:**  
Senators Tam/Fukunaga/Levin, Co-Chairs; Hanabusa, D. Ige, Kawamoto, Matsunaga and Anderson.
- S.B. No. 654, SD1, HD2:**  
Senators Fukunaga/Levin, Co-Chairs; D. Ige, Kawamoto and Anderson.
- S.B. No. 663, SD1, HD1:**  
Senators Kawamoto, Chair; Bunda, Iwase and Slom.
- S.B. No. 664, SD1, HD1:**  
Senators Kawamoto, Chair; Bunda, Iwase and Slom.
- S.B. No. 676, SD1, HD2:**  
Senators Kawamoto, Chair; Bunda, Iwase and Slom.
- S.B. No. 680, SD1, HD2:**  
Senators Kawamoto/Chumbley/Matsunaga, Co-Chairs; Bunda, Ihara, Taniguchi and Slom.
- S.B. No. 700, SD2, HD1:**  
Senators Kawamoto/Taniguchi, Co-Chairs; Bunda, Iwase and Slom.
- S.B. No. 709, SD1, HD2:**  
Senators Kawamoto/Matsunaga, Co-Chairs; Bunda, Ihara, Iwase and Slom.

- S.B. No. 737, SD2, HD1:**  
Senators Nakata/Chun Oakland, Co-Chairs; M. Ige, Ihara and Anderson.
- S.B. No. 738, SD1, HD1:**  
Senators Nakata/Chun Oakland, Co-Chairs; M. Ige, Ihara and Anderson.
- S.B. No. 776, HD1:**  
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- S.B. No. 777, SD2, HD1:**  
Senators Kanno/Taniguchi/Chumbley/Matsunaga, Co-Chairs; Hanabusa and Anderson.
- S.B. No. 779, SD2, HD2:**  
Senators Chun Oakland/Kanno/Taniguchi, Co-Chairs; Ihara and Slom.
- S.B. No. 788, SD2, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Chun, Kawamoto and Anderson.
- S.B. No. 798, SD2, HD2:**  
Senators Nakata/Chun Oakland/Fukunaga, Co-Chairs; M. Ige, Ihara and Anderson.
- S.B. No. 809, SD2, HD1:**  
Senators Inouye/Fukunaga, Co-Chairs; Kawamoto and Slom.
- S.B. No. 816, SD1, HD2:**  
Senators Inouye/Fukunaga/D. Ige, Co-Chairs; Taniguchi and Slom.
- S.B. No. 822, SD2, HD2:**  
Senators Chun Oakland/Kanno/Taniguchi, Co-Chairs; Bunda, Hanabusa and Anderson.
- S.B. No. 823, SD1, HD2:**  
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 825, SD2, HD2:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 829, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 830, SD1, HD2:**  
Senators Taniguchi/Kanno, Co-Chairs; Bunda and Ihara.
- S.B. No. 844, SD2, HD2:**  
Senators Chun Oakland/Kanno/Taniguchi, Co-Chairs; Bunda and Slom.
- S.B. No. 856, SD2, HD2:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; Chun, Kawamoto and Anderson.
- S.B. No. 889, SD1, HD1:**  
Senators Chumbley/Matsunaga/Levin/Fukunaga, Co-Chairs; Tanaka and Anderson.
- S.B. No. 901, SD2, HD1:**  
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 919, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; and Sakamoto.
- S.B. No. 921, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara, Sakamoto and Anderson.
- S.B. No. 942, SD1, HD1:**  
Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- S.B. No. 947, SD2, HD1:**  
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; Ihara, Matsuura and Anderson.
- S.B. No. 949, SD1, HD2:**  
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; Bunda, Inouye and Slom.
- S.B. No. 951, SD1, HD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- S.B. No. 953, SD2, HD2:**  
Senators Nakata/Inouye/Hanabusa/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 957, SD2, HD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 970, SD1, HD1:**  
Senators Taniguchi/Kanno/Chumbley, Co-Chairs; Hanabusa and Slom.
- S.B. No. 992, SD2, HD2:**  
Senators Chun Oakland/Levin, Co-Chairs; Buen and Anderson.
- S.B. No. 994, SD2, HD3:**  
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.
- S.B. No. 1003, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland, Sakamoto and Anderson.
- S.B. No. 1011, HD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 1018, SD1, HD2:**  
Senators Chun Oakland, Chair; Iwase and Anderson.
- S.B. No. 1021, HD1:**  
Senators Chun Oakland, Chair; Levin and Anderson.
- S.B. No. 1024, SD3, HD1:**  
Senators Nakata/Matsunaga, Co-Chairs; Ihara, Kanno and Slom.
- S.B. No. 1026, HD1:**  
Senators Chun Oakland/Levin/Fukunaga, Co-Chairs; Iwase and Anderson.
- S.B. No. 1032, SD1, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1034, SD1, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Chun.
- S.B. No. 1036, SD3, HD1:**  
Senators Chun Oakland/Fukunaga, Co-Chairs; Chun and Anderson.
- S.B. No. 1046, SD3, HD2:**  
Senators Nakata/Fukunaga/Levin, Co-Chairs; Chun Oakland, Kanno, Taniguchi and Anderson.
- S.B. No. 1048, SD2, HD1:**  
Senators Chun Oakland/Matsunaga, Co-Chairs; Iwase, Levin and Anderson.

- S.B. No. 1049, SD2, HD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- S.B. No. 1050, SD2, HD1:**  
Senators Chun Oakland/Chumbley, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1055, SD1, HD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- S.B. No. 1057, HD1:**  
Senators Chun Oakland/Nakata, Co-Chairs; and Slom.
- S.B. No. 1058, SD2, HD1:**  
Senators Chun Oakland/Matsunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1071, SD1, HD2:**  
Senators Inouye/Levin, Co-Chairs; Taniguchi and Slom.
- S.B. No. 1079, SD1, HD3:**  
Senators Inouye, Chair; Buen and Slom.
- S.B. No. 1082, SD2, HD2:**  
Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Kanno, Kawamoto, Taniguchi and Anderson.
- S.B. No. 1088, SD1, HD1:**  
Senators Inouye/Matsunaga, Co-Chairs; M. Ige, Ihara and Slom.
- S.B. No. 1089, SD1, HD1:**  
Senators Inouye, Chair; Kawamoto and Slom.
- S.B. No. 1091, SD1, HD2:**  
Senators Inouye/Chumbley, Co-Chairs; Buen, Ihara and Slom.
- S.B. No. 1101, SD1, HD2:**  
Senators Tam/Taniguchi, Co-Chairs; Bunda, Matsuura and Anderson.
- S.B. No. 1102, SD1, HD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Matsuura and Anderson.
- S.B. No. 1117, SD1, HD2:**  
Senators Tam, Chair; Levin, Matsunaga, Tanaka and Anderson.
- S.B. No. 1118, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1119, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 1124, SD2, HD1:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; Ihara, Inouye and Slom.
- S.B. No. 1125, HD1:**  
Senators Kanno/Taniguchi, Co-Chairs; Bunda and Slom.
- S.B. No. 1127, SD1, HD3:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Matsuura and Anderson.
- S.B. No. 1128, SD2, HD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1129, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Hanabusa, Ihara and Anderson.
- S.B. No. 1130, SD1, HD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 1131, SD1, HD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1132, HD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 1134, SD1, HD1:**  
Senators Kanno/Taniguchi, Co-Chairs; and Ihara.
- S.B. No. 1136, SD2, HD2:**  
Senators Kanno/Taniguchi/Levin, Co-Chairs; and Slom.
- S.B. No. 1137, HD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1139, SD1, HD2:**  
Senators Taniguchi/Kanno, Co-Chairs; Bunda and Slom.
- S.B. No. 1140, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 1142, SD2, HD1:**  
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; Inouye and Slom.
- S.B. No. 1143, HD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 1144, SD1, HD2:**  
Senators Kanno/Taniguchi/Levin, Co-Chairs; Bunda and Nakata.
- S.B. No. 1145, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1147, SD2, HD2:**  
Senators Nakata/Fukunaga, Co-Chairs; Chun Oakland, D. Ige, Kanno and Slom.
- S.B. No. 1149, SD1, HD2:**  
Senators Nakata, Chair; M. Ige, Ihara, Kanno and Slom.
- S.B. No. 1151, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Ihara.
- S.B. No. 1155, SD1, HD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- S.B. No. 1156, SD2, HD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 1157, SD1, HD1:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- S.B. No. 1158, SD1, HD1:**  
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 1160, SD2, HD2:**  
Senators Taniguchi/Kanno/Chun Oakland/Chumbley, Co-Chairs; and Slom.

- S.B. No. 1177, SD1, HD1:**  
Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.
- S.B. No. 1178, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1180, SD1, HD1:**  
Senators Fukunaga/Levin, Co-Chairs; Chun, Chun Oakland and Taniguchi.
- S.B. No. 1212, SD2, HD1:**  
Senators Kawamoto/Chumbley, Co-Chairs; Bunda, Iwase, Sakamoto and Slom.
- S.B. No. 1229, SD1, HD3:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Tam and Anderson.
- S.B. No. 1235, SD1, HD1:**  
Senators Chun Oakland/Kanno/Taniguchi/  
Fukunaga/Levin, Co-Chairs; Bunda, Chun and Slom.
- S.B. No. 1238, SD2, HD2:**  
Senators Kanno/Taniguchi/D. Ige/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 1256, SD2, HD1:**  
Senators Kawamoto/Fukunaga/Levin, Co-Chairs; Buen, Bunda, Iwase and Slom.
- S.B. No. 1261, SD1, HD1:**  
Senators Taniguchi/Kanno/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 1262, HD1:**  
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 1270, SD1, HD2:**  
Senators D. Ige, Chair; Bunda, Chumbley and Slom.
- S.B. No. 1274, HD1:**  
Senators D. Ige/Chumbley/Fukunaga/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 1276, SD1, HD2:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Sakamoto and Slom.
- S.B. No. 1279, SD2, HD2:**  
Senators Taniguchi/Kanno/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 1282, SD2, HD2:**  
Senators Kanno/Taniguchi/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 1294, SD1, HD2:**  
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1300, SD1, HD2:**  
Senators Fukunaga/Levin, Co-Chairs; Taniguchi and Anderson.
- S.B. No. 1307, SD1, HD1:**  
Senators D. Ige, Chair; Sakamoto and Slom.
- S.B. No. 1321, SD2, HD2:**  
Senators Inouye/Hanabusa, Co-Chairs; Buen, Tanaka and Slom.
- S.B. No. 1325, SD1, HD2:**  
Senators Fukunaga/Levin, Co-Chairs; D. Ige, Nakata and Anderson.
- S.B. No. 1379, SD2, HD1:**  
Senators Kawamoto/Matsunaga, Co-Chairs; Bunda, Iwase and Slom.
- S.B. No. 1452, HD3:**  
Senators Taniguchi/Kanno/Chun Oakland/Levin, Co-Chairs; and Anderson.
- S.B. No. 1462, SD1, HD2:**  
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 1470, HD2:**  
Senators Nakata/Fukunaga/Levin, Co-Chairs; D. Ige, M. Ige and Slom.
- S.B. No. 1475, SD1, HD2:**  
Senators Nakata/D. Ige/Fukunaga, Co-Chairs; Chun Oakland, Taniguchi and Slom.
- S.B. No. 1481, SD1, HD1:**  
Senators Kawamoto/Levin, Co-Chairs; Bunda, Iwase and Slom.
- S.B. No. 1485, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 1499, SD1, HD2:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 1501, SD3, HD3:**  
Senators D. Ige/Fukunaga/Levin, Co-Chairs; Chumbley, Chun Oakland, Sakamoto and Slom.
- S.B. No. 1502, SD1, HD1:**  
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 1504, SD1, HD1:**  
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Nakata.
- S.B. No. 1512, SD1, HD1:**  
Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1517, SD1, HD1:**  
Senators Kanno/Taniguchi, Co-Chairs; Bunda, Inouye and Slom.
- S.B. No. 1518, HD1:**  
Senators Tam/Levin/Fukunaga, Co-Chairs; Chun Oakland, D. Ige, Nakata and Anderson.
- S.B. No. 1519, SD3, HD2:**  
Senators Tam/Levin, Co-Chairs; Buen and Anderson.
- S.B. No. 1544, SD2, HD2:**  
Senators Kanno/Taniguchi/Chumbley/Matsunaga/  
Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1583, SD2, HD2:**  
Senators D. Ige/Inouye/Nakata/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 1607, SD2, HD2:**  
Senators Inouye/Fukunaga, Co-Chairs; D. Ige, Nakata and Slom.
- S.B. No. 1635, SD2, HD2:**

Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Chun, D. Ige, Kanno, Kawamoto, Tanaka and Anderson.

**S.B. No. 1638, SD2, HD1:**

Senators Nakata/Levin/D. Ige, Co-Chairs; M. Ige and Slom.

**INTRODUCTIONS**

Representative Pendleton introduced members of the San Gabriel Academy Chorale, who are presently on a concert tour in Hawaii.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:52 o'clock a.m., Representative Pendleton introduced a group of fourth and fifth grade students from Enchanted Lakes Elementary School. They were accompanied by their teacher, Ms. Tina Clark.

Representative Menor introduced a group of second grade students from Wheeler Elementary School. They were accompanied by their teachers and parents.

**ORDER OF THE DAY**

**ANNOUNCEMENTS**

At this time, the members of the House and audience stood for a moment of silence in memory of the slain students at Columbine High School in Littleton, Colorado.

Representative Leong rose and stated:

"I would like to make an announcement about our Foodbank sale which has concluded. On your desks is the information and total amounts of how much we earned, how much rice we bought, and we want to thank all of you, all of you who participated, so much because we went over our goal. We had 48,383 pounds of food this year compared to 20,000 pounds last year. And you'll notice, it tells in total on the back of the page what contest they won. We want to thank all the dunkees that helped with the dunk booth, and with all the sales. We couldn't have done it without your help. There are hungry people in Hawaii. Thank you so much, and my fellow coordinator, we also thank you for your help.

"Mahalo!"

Representative Case: "We will have a brief Majority caucus in the Caucus Room after session. Thank you."

**ADJOURNMENT**

At 11:55 o'clock a.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 21, 1999. (Representatives Kanohe, Morihara, Okamura, Takamine and Whalen were excused.)

## FIFTY-THIRD DAY

Wednesday, April 21, 1999

The House of Representatives of the Twentieth degislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mr. Kahu Cordell, Youth Pastor at Kawaiahao Church, and his wife Mrs. Timmy Kekoa, after which the Roll was called showing all members present with the exception of Representatives Ahu Isa, Catalani, Garcia, Herkes, Ito, Kahikina, Meyer, Okamura, Saiki and Takamine, who were excused.

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

## GOVERNOR'S MESSAGE

Gov. Msg. No. 207, transmitting copies of the 1998 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, 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. 745 and 746) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 745 informing the House that the President had, on April 20, 1999, added Senator Kawamoto as an additional conferee on the part of the Senate at the Conference on House Bill No. 718, HD 1, SD 2.

Sen. Com. No. 746 informing the House that the President had, on April 20, 1999, added Senator M. Ige as an additional member on the part of the Senate at the Conference on Senate Bill No. 1089, SD 1, HD 1.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Stegmaier introduced a visitor from Washington, D.C. and Director of the Commerce and Economic Development Task Force of the American Legislative Exchange Council, Mr. Matt Lathrop.

Representative Goodenow introduced his father, Mr. Steve Goodenow, who was seated in the gallery.

At 11:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:05 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1951) recommending that S.C.R. No. 43, S.D. 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was referred to the Committee on Finance with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1952) recommending that S.C.R. No. 118, S.D. 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was referred to the Committee on Finance with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1953) recommending that S.C.R. No. 165, S.D. 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 165, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was referred to the Committee on Finance, with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1954) recommending that S.C.R. No. 65, S.D. 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 65, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was referred to the Committee on Finance with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1955) recommending that S.C.R. No. 151, S.D. 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," was referred to the Committee on Finance



with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1956) recommending that S.C.R. No. 111, S.D. 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONVENE A WORKING GROUP TO STUDY THE USE OF GENETIC INFORMATION AND GENETIC TEST RESULTS FOR INSURANCE COVERAGE PURPOSES," was referred to the Committee on Consumer Protection and Commerce with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representatives Santiago and Yoshinaga, for the Committees on Health and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 1957) recommending that S.C.R. No. 64, S.D. 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 64, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY DISABLED PERSONS," was referred to the Committee on Finance, with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representatives Santiago and Yoshinaga, for the Committees on Health and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 1958) recommending that S.C.R. No. 112, S.D. 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT AND USE OF WORKPLACE SAFETY PROTOCOLS ADDRESSING NEEDLESTICK INJURIES," was referred to the Committee on Finance with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1959) recommending that S.C.R. No. 149, S.D. 2, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 2, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS," was referred to the Committee on Finance, with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine being excused.

#### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine were excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House in disagreeing to the amendments proposed by the Senate to the House Bill No. 1013 (SD 1) reconsider its action taken on April 6, 1999, seconded by Representative Marumoto and carried. (Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine were excused.)

#### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto 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 Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura, Saiki and Takamine were excused.)

#### FINAL READING

##### H.B. No. 1013, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1013 and H.B. No. 1013, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura and Saiki being excused.

The Chair directed the Clerk to note that H.B. No. 1013, had passed Final Reading at 12:07 o'clock p.m.

#### ANNOUNCEMENTS

Representative Yoshinaga rose and requested waiver of the 48-hour hearing notice requirement for the Labor and Public Employment Committee, jointly with the Economic Development and Business Concerns Committee, to hear S.C.R. Nos. 53, SD 1, and 201, tomorrow, Thursday, 10:00 o'clock a.m. in Conference Room 423, and the Chair "so ordered."

Representative Takumi rose and requested waiver of the 48-hour hearing notice requirement for the Ocean Recreation and Marine Resources Committee, for the purpose of hearing S.C.R. No. 195, tomorrow morning at 10:00 o'clock a.m. in Conference Room 312, and the Chair "so ordered."

Representative Morita rose and requested waiver of the 48-hour hearing notice requirement for the Energy and Environmental Protection Committee, to hear S.C.R. Nos. 104, SD 1; 187, SD 1; and 202, tomorrow morning at 9:00 o'clock a.m. in Conference Room 312, and the Chair "so ordered."

#### ADJOURNMENT

At 12:10 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 22, 1999. (Representatives Ahu Isa, Catalani, Chang, Fox, Garcia, Kahikina, Meyer, Okamura and Saiki were excused.)

## FIFTY-FOURTH DAY

Thursday, April 22, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:44 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Reverend Bill Cababat of the Believers Christian Fellowship of Pacific Palisades, after which the Roll was called showing all members present with the exception of Representatives Auwae, Goodenow, Menor, Morihara and Okamura, who were excused.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, reading of the Journals of the House of Representatives of the Thirty-Fifth through Forty-Seventh Days was dispensed with, and the Journals of the Thirty-Fifth through Forty-Seventh Days were subsequently approved. (Representatives Auwae, Goodenow, Menor, Morihara and Okamura were excused.)

## GOVERNOR'S MESSAGE

The following communication (Gov. Msg. No. 208) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 208, informing the House that on April 15, 1999, he signed the following bills into law:

House Bill No. 622 as Act 13, entitled: "RELATING TO HEALTH INSURANCE";

House Bill No. 849 as Act 14, entitled: "RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS";

House Bill No. 992 as Act 15, entitled: "RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION";

House Bill No. 1034 as Act 16, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1114 as Act 17, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1430 as Act 18, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 1444 as Act 19, entitled: "RELATING TO THE DISPOSITION OF NOTARY RECORDS"; and

House Bill No. 1485 as Act 20, entitled: "RELATING TO DISTRICT COURT".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 747 and 748) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 747, informing the House that the Senate has made the following changes to Senate conferees assignments for the House Bills listed below on April 21, 1999:

**H.B. No. 139, HD 1, SD 2:**

Adds Senator Tam as a member.

**H.B. No. 140, SD 2:**

Adds Senator Tam as a member.

**H.B. No. 150, HD 2, SD 1:**

Adds Senator Chun as a member.

**H.B. No. 985, HD 1, SD 2:**

Senator Chun replaces Senator Matsuura as a member.

Sen. Com. No. 748, informing the House that on April 21, 1999, the President added Senator Chun as an additional member on the part of the Senate at the conference on Senate Bill No. 1518, HD 1.

## INTRODUCTIONS

The following introductions were made to the members of the House:

Representative McDermott introduced Mr. Richard Fryer, a constituent.

Representative Stegmaier introduced Mr. James H. Douglas, a former legislator, and presently the Treasurer for the State of Vermont.

Representative M. Oshiro introduced Lt. Rich Pease of the Salvation Army.

Representative Takai introduced Ms. Elena Lopes, a sixth grader at Waiiau Elementary School. She was accompanied by her grandmother, Mrs. Betty Lopes, and Mrs. Lisa Waipa, both with the House Sergeant-at-Arms Office.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

The following House Bills (H.B. Nos. 122 and 522) and Senate Bill (S.B. No. 1475) were re-referred to committee by the Speaker:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
122	Committee on Economic Development and Business Concerns, then to the Committee on Human Services and Housing, then to the Committee on Finance
522	Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance
<u>S.B. No.</u>	
1475	Committee on Education, then to the Committee on Labor and Public Employment, then to the Committee on Finance

## STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1960) recommending that S.C.R. No. 28, SD 1, be referred to the Committee on Finance.

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

Committee was adopted and S.C.R. No. 28, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1961) recommending that S.C.R. No. 210, SD 2, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 210, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1962) recommending that S.C.R. No. 145, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 145, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1963) recommending that S.C.R. No. 18 be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1964) recommending that S.C.R. No. 77, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 77, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTION LEGISLATIVE ROUNDTABLE AND THE APPLESEED PUBLIC INTEREST LAW FOUNDATION TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 1965) recommending that S.C.R. No. 194, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 194, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COLLABORATION OF THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII, COUNTY DEPARTMENTS OF PARKS AND RECREATION, AND OTHER AGENCIES AND ORGANIZATIONS TO IMPROVE THE FITNESS AND PHYSICAL ACTIVITY OF HAWAII'S CHILDREN AND YOUTH," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1966) recommending that S.C.R. No. 34, SD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 34, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1967) recommending that S.C.R. No. 58 be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1968) recommending that S.C.R. No. 110, SD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 110, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1969) recommending that S.C.R. No. 105, SD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 105, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

Representatives Morihara and Santiago, for the Committees on Higher Education and Health, presented a joint report (Stand. Com. Rep. No. 1970) recommending that S.C.R. No. 91, SD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 91, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," was referred to the Committee on Finance, with Representatives Auwae, Goodenow, Menor and Okamura being excused.

#### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House bill. (Representatives Auwae, Goodenow, Menor and Okamura were excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Case moved to reconsider action previously taken in disagreeing to the amendments made by the Senate, and to give notice of the intention to agree to the amendments in H.B. No. 1, HD 1, SD 1, seconded by Representative Marumoto and carried. (Representatives Auwae, Goodenow, Menor and Okamura were excused.)

At 11:55 o'clock a.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:56 o'clock a.m.

#### ANNOUNCEMENTS

Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day, seconded by Representative Pendleton and carried. (Representatives Auwae, Goodenow, Menor and Okamura were excused.)

Representative Yonamine then moved that all Standing Committee Reports received by the Clerk's Office up to 12:00 o'clock midnight this legislative day be adopted and that the Senate Concurrent Resolutions attached thereto proceed to their designated committees, seconded by Representative Pendleton and carried. (Representatives Auwae, Goodenow, Menor and Okamura were excused.)

The Chair then stated:

"Members, the advance notice requirement for decision making only is hereby waived for those Senate Concurrent Resolutions which have had at least one public hearing in a House committee and which would have been referred to the final committee by the 12:00 o'clock midnight filing deadline. Committee Chairs are nevertheless encouraged to announce decision making sessions as they are scheduled. The stated accommodation is being made to meet the Second Crossover deadline for Senate Concurrent Resolutions scheduled for Monday, April 26, 1999."

At 11:58 o'clock a.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

#### STANDING COMMITTEE REPORTS

In accordance with the motion made earlier, the following Standing Committee Reports (Stand. Com. Rep. Nos. 1971 through 1982) were received in the Clerk's Office up to 12:00 o'clock midnight this legislative day and the following actions taken:

Stand. Com. Rep. No. 1971 (OMR) was adopted and S.C.R. No. 195, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1972 (HSH) was adopted and S.C.R. No. 144, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1973 (EEP) was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1974 (LAB) was adopted and S.C.R. No. 53, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AMEND ITS RULES FOR EMPLOYERS PAYING STATE WITHHOLDING TAXES FOR NONRESIDENTS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1975 (LAB) was adopted and S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," was referred to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 1976 (HSH/JHA) was adopted and S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1977 (HSH/JHA) was adopted and S.C.R. No. 184, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1978 (HSH) was adopted and S.C.R. No. 199, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR NORTH ATLANTIC TREATY ORGANIZATION, UNITED STATES, AND HAWAII-BASED MILITARY AND HUMANITARIAN EFFORTS TO ENSURE THE SAFETY AND WELL-BEING OF CHILDREN AND FAMILIES IN KOSOVO," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1979 (CPC) was adopted and S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1980 (CPC) was adopted and S.C.R. No. 30, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A POLICY AND ISSUE STUDY CONCERNING THE UNDERGROUNDING OF OVERHEAD UTILITY FACILITIES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1981 (CPC) was adopted and S.C.R. No. 152, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM 'MEDICAL NECESSITY' TO DETERMINE THE MOST APPROPRIATE DEFINITION OF 'MEDICAL NECESSITY,' OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1982 (CPC) was adopted and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was referred to the Committee on Finance.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 26, 1999.

## FIFTY-FIFTH DAY

Monday, April 26, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered, partly in Hawaiian chant, by Aunty Malia Craver, Mrs. Millie Kawa'a and Mrs. Ilima Dela Cruz from the Queen Liliuokalani Children's Center Organization, after which the Roll was called showing all members present with the exception of Representatives Kaho'ohalahala, Menor, Meyer, Morihara, Okamura, Takamine and Yoshinaga, who were excused.

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

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 749) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 749, informing the House that the Senate has made the following changes to Senate conferees assignments for the House Bills listed below:

**H.B. No. 955, HD 1, SD 1:**  
Discharging Senator Ihara as a member; and

**H.B. No. 1620, HD 1, SD 2:**  
Adding Senator Bunda as a member.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

The following House Bill was re-referred to committee by the Speaker:

**H.B.**  
**No.      Re-referred to:**

1663 Committee on Health, then to the Committee on Labor and Public Employment, then to the Committee on Finance

## STANDING COMMITTEE REPORTS

Representatives Abinsay and Morita, for the Committees on Agriculture and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 1983) recommending that S.C.R. No. 132, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO IMPLEMENT THE 1996 FOOD QUALITY PROTECTION ACT USING SOUND SCIENCE AND REAL-WORLD DATA FROM THE DATA CALL-IN PROCESS FOR REALISTIC RISK ASSESSMENTS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representatives Morita and Cachola, for the Committees on Energy and Environmental Protection and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 1984) recommending that S.C.R. No. 104, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 104, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ESTABLISH THE STATE OF HAWAII AS A GLOBAL LABORATORY FOR RESEARCH ON THREATENED, ENDANGERED, AND EXTINCT SPECIES ISSUES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1985) recommending that S.C.R. No. 201, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 201, be adopted, seconded by Representative Yonamine.

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

Representative Rath then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This resolution makes the assumption that those contractors, who are licensed contractors in the State of Hawaii, who do not have workers' compensation insurance are doing something wrong. The truth of the matter, in this resolution going forward, what they intended to overlook most probably and most possibly is the widespread use of leased employees for small contractors.

"I think it's wrong to make the assumption that somebody has gone out and gotten a license and operates as a licensed contractor, not an unlicensed contractor, who already has to have insurance by virtue of getting to be able to get that license has to file tax statements with a license in DCCA. I think it's wrong to make that assumption that this person is doing something wrongful simply because he claims not to have employees where in fact he may have leased employees or as many contractors do, sub-contract. For that reason, I will be voting against it, Mr. Speaker."

Representative Moses then rose and asked the Clerk to register a no vote for him, and asked that Representative Rath's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Whalen then rose and asked the Clerk to register a no vote for him, and asked that Representative Rath's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 201, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO COORDINATE THEIR EFFORTS AND ENFORCE WORKERS' COMPENSATION MANDATORY COVERAGE REQUIREMENTS," was adopted with Representatives Halford, Moses, Rath and Whalen voting no and Representatives Menor, Meyer and Okamura being excused.

Representative P. Oshiro, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1986) recommending that S.C.R. No. 45, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 45, entitled:



"SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO RESTORE REDRESS FUNDS TO COMPENSATE INDIVIDUALS OF JAPANESE ANCESTRY WHO WERE UNJUSTLY INTERNED DURING WORLD WAR II," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 1987) recommending that S.C.R. No. 130, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 130, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE COMMEMORATIVE STAMPS AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO, AND THE 100TH INFANTRY BATTALION AND THE 442ND REGIMENTAL COMBAT TEAM FOR THEIR SACRIFICES AND ACTS OF VALOR DURING WORLD WAR II," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1988) recommending that S.C.R. No. 186, S.D. 1, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 186, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE HAWAII COUNCIL OF PRIVATE SCHOOLS AND REQUESTING IT TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative P. Oshiro, for the Committee on Judiciary and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1989) recommending that S.C.R. No. 219, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 219, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME COURT TO REVIEW COURT RULES AND, IF NECESSARY, TO ESTABLISH GUIDELINES FOR GIFT-GIVING BY COURT REPORTERS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1990) recommending that S.C.R. No. 43, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR PROPOSED ARTIFICIAL REEF AND DERELICT WRECK PLACEMENT ON THE VOYAGER SUBMARINES, HAWAII DIVE SITE, OAHU, HAWAII," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1991) recommending that S.C.R. No. 195, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 195, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF BOTH FAST AND SUBMERGED LANDS AT KEAUHOU, NORTH KONA, ON THE ISLAND OF HAWAII TO A PRIVATE ENTITY FOR MAINTENANCE PURPOSES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1992) recommending that S.C.R. No. 3, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 3, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING APPROVAL OF THE FORD ISLAND DEVELOPMENT PROJECT BY THE U.S. CONGRESS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1993) recommending that S.C.R. No. 20, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 20, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1994) recommending that S.C.R. No. 26, S.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 26, S.D. 1, be adopted, seconded by Representative Yonamine.

Representative Whalen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like to thank the CPC Chair for holding the bill which would basically require coverage for this type of counseling. And although he put the resolution in, I still have to vote no because, as everyone here knows, this is the first step to actually mandating coverage.

"My opposition arises, Mr. Speaker, from my short stint here, but I believe it was last year we passed a bill out to license them, if I remember, or certify them. Either way, the testimony was clearly that they were not interested in being reimbursed or having insurance coverage. They merely wanted licensure or certification so the public would know and the public would be protected against 'quacks.' They swore up and down, they were not interested in medical coverage. Well, we all know that as bills arise, I doubt very seriously that the ink was dry on the Governor's signature before the lobbying effort began to license so they can get medical coverage.

"So, Mr. Speaker, either (1) the industry does not want this and for some reason we're trying to foster this coverage; or (2) the industry lied to us and I think we should take a stand and not listen to special interest and hold them to their word and not reward their deceptive testimony by going ahead and moving down this road towards mandatory coverage. For those reasons, I'll be voting no."

Representative Rath then rose and asked the Clerk to register a no vote for him, and asked that Representative Whalen's remarks be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING THE INCLUSION OF MARRIAGE AND FAMILY THERAPY WITHIN MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was adopted with Representatives Rath and Whalen voting no and Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1995) recommending that S.C.R. No. 28, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 28, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1996) recommending that S.C.R. No. 30, S.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 30, S.D. 1, be adopted, seconded by Representative Yonamine.

Representative Case rose in support of the measure and asked that his comments be inserted into the Journal and the Chair "so ordered."

Representative Case's remarks are as follows:

"Mr. Speaker, over the past decade we have been increasingly challenged to alter conventional but outdated practices, move away from short-term reaction to long-term vision, and adjust to advances in medicine and technology. The accelerating debate over whether high-voltage electric transmission lines should be undergrounded as a matter of public policy contains elements of all of these challenges.

"In short, throughout our country and the world these lines are being undergrounded, for various reasons. One is that underground lines are basically more reliable. Another is that they are safer because of lack of exposure both physically and to electromagnetic emissions. A third is the environmental degradation and attendant quality of life and economic consequences of overhead lines. In Hawaii, for exactly these reasons, lines are undergrounded in many residential and commercial areas and, by county ordinance, along many roads and in public areas.

"Unfortunately, by and large these advances have not been led or even facilitated or supported by the electric utilities, who have in most instances actively opposed any undergrounding initiatives. While the utilities' public relations departments work in overdrive to disguise or spin their actions, the utilities' base-level reason is that in many instances the out-of-pocket installation costs of overhead lines is less than for underground lines, and utilities and their executives and decision-makers are focussed almost exclusively on costs, revenues, profits and bonuses for this year and next year, not for the long or even mid-term, and certainly not on any social and economic consequences beyond their own balance sheets.

"Yet the direct longer-term costs of overhead lines, especially versus underground lines, are undeniable. For example, when one takes into account not only installation but maintenance costs as well (lower on underground lines), and amortizes them over the useful lives of the lines (decades

longer for underground lines), the financial differences between overhead and underground lines narrow dramatically.

"Similarly, the indirect and hidden costs to society of overhead lines, both socially and economically, cannot be avoided. For example, isn't there a cost both socially and economically of environmental degradation? Aren't there costs to consumers and businesses from overhead lines that fail because of exposure to the elements? Don't we all bear the costs of traffic accidents related to overhead transmission facilities? Can we really say that there are no costs from EMF exposure?

"Creative solutions exist and have been implemented elsewhere. In Hawaii, however the utilities' basic approach has been to dispute the problem, deny the evidence, and divide the opposition. What could have been a cooperative effort, with all interested parties contributing their information and ideas and arriving at workable solutions, has instead become polarized, with only the already-overloaded Public Utilities Commission responsible for assembling the relevant information and fashioning a solution (but applying laws which currently tip the scales decidedly toward overheading).

"This resolution advances what the utilities could do but decline to do, and what the PUC should do but is logistically challenged to do. It directs an independent body, the Legislative Reference Bureau, to devote the time and resources to an objective review of the policies and issues concerning the undergrounding of overhead utility facilities. While the resolution adequately describes the scope of the study and provides LRB with flexibility to evaluate whatever related issues are necessary, the particular areas of focus and needs for factual information include the following: (a) how exactly have other jurisdictions identified, addressed and resolved the related issues; (b) what exactly are all of the cost considerations and how are they best identified and quantified; and (c) what specific statutory changes would effectuate which specific public policy goals?

"Mr. Speaker, this Legislature (and other policy and decision-makers) has been called upon repeatedly over recent years to make basic policy judgments on issues relating to undergrounding in response to rising public sentiment against overhead lines. In virtually all instances, the utilities (and decision-makers) have said: 'This is premature: we don't have enough information'. All the while, of course, the utilities push as hard as they possibly can to impose more and more overhead lines on our communities. Done properly, as I am sure LRB will do, this study will eliminate this excuse and allow us once and for all to address and decide the merits of this basic policy call for our state. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A POLICY AND ISSUE STUDY CONCERNING THE UNDERGROUNDING OF OVERHEAD UTILITY FACILITIES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1997) recommending that S.C.R. No. 33, S.D. 1, H.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 33, S.D. 1, H.D. 1, be adopted, seconded by Representative Yonamine.

Representative Kaho'ohalahala rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. This is the Kaumalapau Harbor Restoration and I want to thank this body for continuing to support this. This again is the lifeline for the people of Lana'i.

It's their only harbor that will bring in goods, supplies, food, clothing, machinery and fuel to the most important part of the island that needs to be delivered. With this support we can get the restoration of Kaumalapau Harbor under way. And I'd like to ask this body to continue to support this through. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 33, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING URGENT ATTENTION TO AN EXPEDITIOUS PLAN OF ACTION TO RESTORE KAUMALAPAU HARBOR," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1998) recommending that S.C.R. No. 34, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 34, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT FOR HOME ORGANIC PRODUCE COOPERATIVES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1999) recommending that S.C.R. No. 53, S.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 53, S.D. 1, be adopted, seconded by Representative Yonamine.

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

Representative Moses then rose to speak in opposition to the measure, stating:

"My reasons are straight out of the measure and from the committee hearings. In the measure on line 22, page 1, it has that the 'rule is being used by unscrupulous members of the construction industry.' And I asked in the hearing who are these 'unscrupulous members?' And the answer was 'we don't know.' How many are there? We don't know. How much money are they taking away from the state? We don't know. So if we don't know, why are we passing this resolution? But I strongly object to those words, 'unscrupulous members of the construction industry.' I don't understand why we're labeling anybody in that fashion from this body. Thank you, Mr. Speaker."

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

Representative Halford continued, stating:

"My objection primarily is that it's not good for us to move in the direction of requiring people to pay tax when they will owe no tax. Thank you."

Representative Marumoto then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

Representative Leong then rose and asked the Clerk to register a no vote for her, 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.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO

AMEND ITS RULES FOR EMPLOYERS PAYING STATE WITHHOLDING TAXES FOR NONRESIDENTS," was adopted with Representatives Halford, Leong, Marumoto, Moses, Pendleton and Rath voting no and Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2000) recommending that S.C.R. No. 58, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE FOUNDATION ON CULTURE AND ARTS AND THE OFFICE OF HAWAIIAN AFFAIRS TO WORK EXPEDITIOUSLY WITH HALAU HALOA, THE NATIONAL ACADEMY OF HAWAIIAN PERFORMING ARTS, TO COMPLETE THE PLANNING FOR THE EIGHTH PACIFIC FESTIVAL OF ARTS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2001) recommending that S.C.R. No. 65, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 65, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FROM THE DEPARTMENT OF HEALTH IN ESTABLISHING A ROOFING MATERIAL RECYCLING PROGRAM," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2002) recommending that S.C.R. No. 77, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 77, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHILD PROTECTION LEGISLATIVE ROUNDTABLE AND THE APPLESEED PUBLIC INTEREST LAW FOUNDATION TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2003) recommending that S.C.R. No. 86, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 86, be adopted, seconded by Representative Yonamine.

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

"This is regarding the follow-up management audit of the Child Support Enforcement Agency. This would require the auditor to follow-up yet again with another audit.

"In testimony before the House, we have been told the case load of CSEA is about 671 cases per case worker. But from the annual reports of the U.S. Office of Child Support Enforcement, it appears the Hawaii case load is much lower, 284 cases per worker, and is well below the national average of 380 cases per worker. There is a big discrepancy here in the figures.

"I am troubled by the fact that CSEA is second from the bottom -- number 53 out of 54 states and territories -- in the efficiency of our child support collections effort. Only one state collects less money per dollar of effort than we do. As it

is, we only collect 40 percent of current child support owed. Hawaii collects \$2.18 for every dollar spent, while Michigan collects \$6.63 per dollar. There is clearly room for improvement in CSEA and a follow-up audit can help ensure our children get the support they deserve.

"Each of us has received numerous constituent complaints about CSEA. They come from custodial parents who say it takes months for them to get child support payments. Non-custodial parents complain that they do not get credited for the payments they make. Everyone complains they cannot get through to anyone at CSEA by telephone, and have to wait several hours to talk to a real person. CSEA will dispute this, but there are still real problems there.

"Just last week, the First Circuit Court certified a class action suit by custodial parents against CSEA. These parents want the interest on their child support payments that the agency now keeps to finance their own operation. I believe this suit has merit, and it clearly demonstrates the public is not happy with this agency.

"Finally, our laws appear to require all child support payments to go through CSEA. Non-custodial parents who do support their children have to send their money through this agency. We can instantly reduce the workload of this agency by about half by eliminating this step. CSEA becomes just another bureaucracy inserted in the process slowing down child support payments.

"Instead, CSEA should focus its efforts on those who are late or who do not pay child support rather than spend money to simply deposit checks and then write new ones. Federal law requires only that we put public assistance recipients and those who request collection assistance into the child support system. Our 'opt out' system is not utilized. Our system is now clogged with thousands of cases that do not require collection. I strongly support yet another follow-up audit of this agency for the sake of our children. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP MANAGEMENT AUDIT OF THE CHILD SUPPORT ENFORCEMENT AGENCY," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2004) recommending that S.C.R. No. 105, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO ESTABLISH AND OPERATE THE PACIFIC CENTER FOR ADVANCED TECHNOLOGY TRAINING AND EDUCATION," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2005) recommending that S.C.R. No. 110, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE HAWAII COUNCIL OF HERITAGE AND CULTURE CONSIDER A MONTH-LONG CELEBRATION IN HONOR OF HAWAII'S DIVERSE CULTURES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2006) recommending that S.C.R. No. 112, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEVELOPMENT AND USE OF WORKPLACE SAFETY PROTOCOLS ADDRESSING NEEDLESTICK INJURIES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2007) recommending that S.C.R. No. 118, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN PARTNERSHIP WITH THE COUNTY OF HAWAII AND ALL CONCERNED PARTIES TO DEVELOP A MASTER PLAN FOR KEEPING POHOIKI BOAT RAMP SAFE AND CLEAN NOW AND IN THE FUTURE," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2008) recommending that S.C.R. No. 144, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 144, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF HAWAII'S HOPE VI GRANT APPLICATION TO ASSIST PUBLIC HOUSING PROJECTS AND URGING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ACT FAVORABLY ON THE APPLICATION," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2009) recommending that S.C.R. No. 145, H.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 145, H.D. 1, be adopted, seconded by Representative Yonamine.

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

"The title of this resolution is 'Requesting Hawaii's Congressional Delegation to Obtain Additional Federal Funds for the Education of Military Dependents.' I think we all agree we'd love to get more money from the federal government. That would be wonderful. What I'd like to see, perhaps next year when we come back, is look at if we can place a mechanism that would, mechanically, when we got money from the federal government it would be used to supplement our education budget and not supplant it.

"Mr. Speaker, as you know, we recently had a situation where we got an additional \$15.9 million in federal money from the Department of Education. This money wasn't programmed for, it wasn't budgeted, we didn't expect it. Congresswoman Mink's office actually requested that the impact aide take a look at our numbers and evaluate it and see if we're getting the correct amount. She deserves the credit for finding this additional money. It was due to some of the students not being weighted properly. Students who live on base are weighted more than other students, et cetera. A very technical subject.

"But we got this \$15.9 million, we didn't expect it, and it came into the State. I ran into you one day at the post office, Mr. Speaker, and I said: 'Hey, we can fix Radford now.' And you said: 'It's already in the general fund, Bob.' So we have to find a mechanism to ensure that this education money, particularly in a case where it's unexpected, goes to education.

"Now it doesn't necessarily have to go to my school, but all schools in the State. And I have one more thing and I just forgot it. 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.C.R. No. 145, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2010) recommending that S.C.R. No. 151, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A FIVE-YEAR STATEWIDE, COMPREHENSIVE STRATEGIC PLAN FOR SERVICES AND SUPPORTS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES OR MENTAL RETARDATION," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2011) recommending that S.C.R. No. 152, S.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PATIENT BILL OF RIGHTS AND RESPONSIBILITIES TASK FORCE TO MAKE A THOROUGH STUDY OF THE ISSUES RELATING TO THE USE OF THE TERM 'MEDICAL NECESSITY' TO DETERMINE THE MOST APPROPRIATE DEFINITION OF 'MEDICAL NECESSITY,' OR TO DEVELOP NEW TERMS TO BETTER RESOLVE THE ISSUES EXAMINED," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2012) recommending that S.C.R. No. 165, S.D. 1, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 165, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2013) recommending that S.C.R. No. 188, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 188, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING

THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CREATE A JOB CLASSIFICATION FOR ADVANCED PRACTICE REGISTERED NURSES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2014) recommending that S.C.R. No. 194, S.D. 1, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 194, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COLLABORATION OF THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII, COUNTY DEPARTMENTS OF PARKS AND RECREATION, AND OTHER AGENCIES AND ORGANIZATIONS TO IMPROVE THE FITNESS AND PHYSICAL ACTIVITY OF HAWAII'S CHILDREN AND YOUTH," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2015) recommending that S.C.R. No. 199, H.D. 1, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 199, H.D. 1, be adopted, seconded by Representative Yonamine.

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

"I just want to add my comments because I think some people might question why we're getting involved with the conflict in Kosovo and Yugoslavia. I guess my response would be, I think as a community here in Hawaii, and since we represent the people of Hawaii, we certainly should express our concerns for any inhumanity that's going on in that part of the world, even though it's a world away.

"I also think we need to remind ourselves and others that the reason why the United States decided to get into this conflict was to relieve the suffering of the people in Kosovo. Ultimately when we talk about military action, it's usually the children and the elderly who suffer. We've seen many very disturbing pictures that attest to that. So I think rather than focusing on the conflict itself, we want to really support the humanitarian efforts going on in that part of the world. And certainly, there are many here in Hawaii who are part of that overall effort and we want to support their efforts as well. So I urge everyone to support this resolution. Thank you, Mr. Speaker."

Representative Goodenow then rose in support of the measure with reservations and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Goodenow's remarks are as follows:

"Mr. Speaker, I understand the good intentions behind this resolution. It is in the spirit of concern for the people of Kosovo and our citizens involved in the crisis that I vote in support of this measure.

"My main reservation, however, is that the many complex issues surrounding this problem have not been adequately studied by this body. In this respect our members are no more informed or misinformed than the general public. While it is true that we should represent our constituents, we were not elected to represent them at the federal level. Our constituents have voted for national representatives to perform that function. Thank you."



Representative Moses then rose to speak in support of the measure, stating:

"I'd like to say that the resolution is good and very well put and it talks about the children and the elderly. I want to talk about the people that aren't mentioned, and that's the men of normal military age which seemed to have vanished from Kosovo. We don't know where they are either. So I want to say that they suffer, too. Some of them don't suffer very long, they end up in the ground, but we should not forget them neither. It may not be up to the State of Hawaii, but it's up to the government to find out where they are. What happened to them? That should be recorded for posterity also. 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.C.R. No. 199, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR NORTH ATLANTIC TREATY ORGANIZATION, UNITED STATES, AND HAWAII-BASED MILITARY AND HUMANITARIAN EFFORTS TO ENSURE THE SAFETY AND WELL-BEING OF CHILDREN AND FAMILIES IN KOSOVO," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2016) recommending that S.C.R. No. 18, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2017) recommending that S.C.R. No. 202, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 202, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A MEETING TO CONSIDER MEANS TO ATTRACT CARBON INVESTMENTS TO MITIGATE GLOBAL WARMING THROUGH SUSTAINABLE FORESTRY IN HAWAII," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2018) recommending that S.C.R. No. 210, S.D. 2, be adopted.

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 210, S.D. 2, be adopted, seconded by Representative Yonamine.

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

"This measure calls on the Department of Education to do a study before moving sixth grade students to intermediate schools. The Superintendent in the Honolulu district had declared that it was his intent to do this and to mandate that every sixth grade student be moved to intermediate schools as of the Fall of this year. There was considerable concern and opposition primarily by parents. The State Superintendent chose to put a moratorium on that decision. And, hopefully, this resolution will help to cause a thorough study of such a move before any decision is made to move sixth graders to the intermediate schools.

"While it may have been helpful, that kind of a move may have been helpful to resolve some bureaucratic problems, but our interest is the well-being of the students. And I'm glad that this study will probably reveal that those particular students would be adversely affected by such a move, and that there are other more reasonable changes that should be made to keep the interest of students uppermost in our minds. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 210, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON THE PLAN TO MOVE SIXTH GRADE STUDENTS FROM ELEMENTARY SCHOOLS TO INTERMEDIATE SCHOOLS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2019) recommending that S.C.R. No. 64, S.D. 1, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 64, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY DISABLED PERSONS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2020) recommending that S.C.R. No. 184, S.D. 1, H.D. 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 184, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2021) recommending that S.C.R. No. 91, S.D. 1, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 91, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2022) recommending that S.C.R. No. 149, S.D. 2, H.D. 1, as amended in HD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 2, H.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS," was adopted with Representatives Menor, Meyer and Okamura being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 2023) recommending that S.C.R. No. 4, S.D. 1, as amended in HD 1, be adopted.



On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 4, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS," was adopted with Representatives Menor, Meyer and Okamura being excused.

#### ANNOUNCEMENTS

Representative Yoshinaga: "I'd like to request a waiver of the 24-hour notice rule on conference committee bills."

At 12:08 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

The Chair stated: "Chair Yoshinaga, the Chair will agree to the 24-hour waiver."

Representative Yoshinaga: "Thank you, Mr. Speaker. So your Conference Committee will meet to resolve differences between the last House and Senate versions of the following measures tomorrow at 10:00 o'clock a.m. in Conference Room 16 regarding: H.B. No. 1071, Relating to Insurance Codes; S.B. No. 1102, Relating to the Public Employees' Health Fund; H.B. No. 1035, Relating to Employees' Retirement System; H.B. No. 98, Relating to Pensioners' Bonus Extension; S.B. No. 1282, Relating to Investments of the Employees' Retirement System; S.B. No. 1294, Relating to the Public Employees' Health Fund; H.B. No. 1041, Relating to Public Employees' Health Fund; H.B. No. 1048, Relating to Public Employees' Health Fund; H.B. No. 104, Relating to Health Fund; and finally S.B. No. 1137, Relating to Public Employees' Health Fund. Thank you, Mr. Speaker."

The Chair stated: "So in recognition of the waiver of the 24-hour notice of the conference, the Chair would like to state for the record that I would first of all have to get a concurrence of the Senate President for a waiver. So based on that condition of the concurrence of the Senate President, you may proceed if we have approval from the Senate President."

Representative Goodenow: "Mr. Speaker, Malia Craver who said the prayer this morning requested that we close with a prayer. So Representative Kahikina and I were going to close with a prayer attributed to St. Francis if that's okay to proceed at this time. Thank you."

The Chair responded: "After the gavel has been pounded for adjournment."

#### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 27, 1999, with Representatives Goodenow and Kahikina concluding with a prayer. (Representatives Menor, Meyer and Okamura were excused.)

## FIFTY-SIXTH DAY

Tuesday, April 27, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Pastor Sam Webb of Grace Bible Church, after which the Roll was called showing all members present with the exception of Representatives Cachola, Kaho'ohalahala, Kawakami, Menor, Okamura, Schatz, Stegmaier, Takai and Takamine, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 209 through 212) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 209, informing the House that on April 22, 1999, he signed the following bills into law:

Senate Bill No. 1478 as Act 21, entitled: "RELATING TO PLANTS";

House Bill No. 102 as Act 22, entitled: "RELATING TO WAGE PAYMENTS"; and

House Bill No. 1492 as Act 23, entitled: "RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION".

Gov. Msg. No. 210, informing the House that on April 23, 1999, he signed the following bills into law:

House Bill No. 1026 as Act 24, entitled: "RELATING TO INSURANCE PREMIUM TAXES";

House Bill No. 1042 as Act 25, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1044 as Act 26, entitled: "RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES";

House Bill No. 1121 as Act 27, entitled: "RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997";

House Bill No. 1165 as Act 28, entitled: "RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND"; and

House Bill No. 1168 as Act 29, entitled: "RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM".

Gov. Msg. No. 211, informing the House that on April 23, 1999, he signed the following bills into law:

House Bill No. 50 as Act 30, entitled: "RELATING TO TEMPORARY DISABILITY INSURANCE";

House Bill No. 250 as Act 31, entitled: "RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII";

House Bill No. 979 as Act 32, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 983 as Act 33, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION";

Senate Bill No. 1051 as Act 34, entitled: "RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS";

Senate Bill No. 1080 as Act 35, entitled: "RELATING TO PLANNING AND COMMUNITY DEVELOPMENT"; and

Senate Bill No. 1460 as Act 36, entitled: "RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF".

Gov. Msg. No. 212, transmitting Senate Bill No. 1280, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 23, 1999

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1280

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1280, entitled: 'A Bill for an Act Relating to Motor Carriers.'

This bill is identical to House Bill No. 1034, which was passed by the Legislature and transmitted to me on April 7, 1999. Since I intend to approve House Bill No. 1034, there is no need to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 1280 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 750 through 774) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 750, returning H.C.R. No. 12, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE OFFICE ON AGING, IN PARTNERSHIP WITH HOSPICE HAWAII, TO EDUCATE HEALTHCARE PROVIDERS AND THE GENERAL PUBLIC ON THE BENEFITS OF HOSPICE," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 751, returning H.C.R. No. 15, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 752, returning H.C.R. No. 22, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE PUBLIC UTILITIES COMMISSION TO SUBMIT A STATUS REPORT ON DOCKET NO. 96-0493, INSTITUTING A PROCEEDING ON ELECTRIC COMPETITION, INCLUDING AN INVESTIGATION OF THE ELECTRIC UTILITY INFRASTRUCTURE IN THE STATE," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 753, returning H.C.R. No. 35, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY, THE HAWAII PAROLING AUTHORITY, AND THE JUDICIARY TO EXPLORE AND FUND ALTERNATIVES TO INCARCERATION FOR NONVIOLENT FEMALE OFFENDERS," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 754, returning H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO USE ALL AVAILABLE INFORMATION TO PROCEED WITH THE SYSTEMATIC IDENTIFICATION OF INMATES CURRENTLY INCARCERATED WHO HAVE DUAL OCCURRING DIAGNOSES OF MENTAL DISORDERS AND ALCOHOL OR SUBSTANCE ABUSE," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 755, returning H.C.R. No. 63, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO REVISE ITS STRATEGIC PLAN," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 756, returning H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO LOOK AT DOMESTIC VIOLENCE POLICIES AND PROCEDURES OF THE CRIMINAL JUSTICE SYSTEM ON OAHU AND IDENTIFY GAPS," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 757, returning H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF INDIVIDUAL DEVELOPMENT ACCOUNTS," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 758, returning H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO EXTEND ITS SERVICES OF THE NEUROPSYCHOLOGY DEPARTMENT UNTIL APPROPRIATE AND ADEQUATE ALTERNATIVES ARE FOUND," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 759, returning H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF INFORMATION PRACTICES TO COORDINATE A COMPREHENSIVE ANALYSIS OF CURRENT PROTECTIONS OF THE PRIVACY OF PERSONAL INFORMATION AND TO SUBMIT PROPOSED LEGISLATION TO THE 2000 LEGISLATIVE SESSION," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 760, returning H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SUPPORT HAWAII'S CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 761, returning H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP

A STATEWIDE PROGRAM FOR HAWAII'S SCHOOLS THAT FOCUSES ON STRONG ACADEMIC STANDARDS, ASSESSMENT TESTING, AND ACCOUNTABILITY," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 762, returning H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS, THE PRESIDENT OF THE UNITED STATES, AND THE SECRETARY OF HEALTH AND HUMAN SERVICES TO SUPPORT THE HAWAII CONGRESSIONAL DELEGATION'S EFFORT TO AMEND THE SOCIAL SECURITY ACT TO INCREASE HAWAII'S FEDERAL MEDICAL ASSISTANCE PERCENTAGE(FMAP)," which was adopted by the Senate on April 26, 1999.

Sen. Com. No. 763, returning H.C.R. No. 4, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXPAND AND MAKE PERMANENT THE TEMPORARY VISA WAIVER PROGRAM ESTABLISHED UNDER THE IMMIGRATION CONTROL AND REFORM ACT OF 1986," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 764, returning H.C.R. No. 6, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALTERNATIVE ACCESS ROUTES TO MAJOR COMMUNITIES CURRENTLY SERVED BY A SINGLE ACCESS ROADWAY," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 765, returning H.C.R. No. 9, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO VIGOROUSLY PURSUE CIVIL LITIGATION OF THE GASOLINE CASE, AND TO EXPRESS THE LEGISLATURE'S SUPPORT FOR THIS EFFORT," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 766, returning H.C.R. No. 47, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HONOLULU CITY COUNCIL TO ADOPT RESOLUTION NO. 98-226, PROPOSING AMENDMENTS TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, RELATING TO ZONING OF ADULT ESTABLISHMENTS," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 767, returning H.C.R. No. 56, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE TO CONFIRM THE NOMINATION OF GENERAL ERIC SHINSEKI AS THE 34TH CHIEF OF STAFF OF THE UNITED STATES ARMY," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 768, returning H.C.R. No. 64, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION'S SUPPORT FOR THE DESIGNATION AND ESTABLISHMENT OF A NATIONAL GUARD RAPID ASSESSMENT AND INITIAL DETECTION TEAM IN HAWAII TO ASSIST THE STATE IN RESPONDING TO NUCLEAR, BIOLOGICAL, OR CHEMICAL THREATS," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 769, returning H.C.R. No. 94, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING ALL SCHOOLS IN HAWAII TO INCLUDE MUSIC AS A REGULAR AND INTEGRAL PART OF THEIR CORE CURRICULUM," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 770, returning H.C.R. No. 220, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE AIRPORT DIVISION OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO WORK CLOSELY WITH AIR CARRIERS SERVING HAWAII TO DEVELOP STRATEGIES TO EFFECTIVELY REDUCE AIRPORT SYSTEM COSTS TO ACHIEVE LOW AND STABLE AIRPORT LANDING FEES, RATES, AND CHARGES," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 771, returning H.C.R. No. 232, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO ADOPT INFANT AND CHILD CARDIOPULMONARY RESUSCITATION, RESPIRATORY RESUSCITATION, AND FIRST AID TRAINING IN THEIR ADMINISTRATIVE RULES GOVERNING LICENSURE AND REGISTRATION OF CHILD CARE PROVIDERS," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 772, returning H.C.R. No. 236, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO INCREASE EFFORTS TO RECRUIT NON-RESIDENT STUDENTS TO STUDY MEDICINE AT THE JOHN A. BURNS SCHOOL OF MEDICINE AND TO SECURE RESEARCH FUNDS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," which was adopted by the Senate on April 26, 1999, in an amended form.

Sen. Com. No. 773, returning H.C.R. No. 237, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A TEMPORARY ADVISORY COMMISSION TO RECOMMEND A NEW FINANCIAL STRUCTURE FOR LOWER EDUCATION THAT IS COORDINATED WITH EDUCATION GOALS," which was adopted by the Senate on April 26, 1999, in an amended form.

By unanimous consent, H.C.R. Nos. 4, HD 1; 6; 9, HD 1; 47; 56, HD 1; 64, HD 1; 94; 220, HD 1; 232, HD 1; 236, HD 1; and 237, HD 1, as amended by the Senate, were placed on the Clerk's desk.

Sen. Com. No. 774, informing the House that the Senate has made the following changes to Senate conferee assignments for the House Bill listed below:

**H.B. No. 1663, HD 2, SD 2:**

Discharge Senator D. Ige as a Co-Chair.

Discharge Senators Kanno, Taniguchi and Slom as members.

Add Senator Fukunaga as a Co-Chair.

Add Senators Chumbley, Chun, D. Ige, Nakata and Anderson as members.

**ORDER OF THE DAY**

**CONFERENCE COMMITTEE REPORTS**

Representative Takumi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 560, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 560, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and S.B. No. 560, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN

ACT RELATING TO SPECIAL MANAGEMENT AREAS," was deferred for a period of 48 hours.

Representatives Takumi and Suzuki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1321, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 1321, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and S.B. No. 1321, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN LEASING," was deferred for a period of 48 hours.

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

Representative Case moved that the House disagree to the amendments proposed by the Senate in H.C.R. Nos. 4, HD 1, SD 1; 6, SD 1; 9, HD 1, SD 1; 47, SD 1; 56, HD 1, SD 1; 64, HD 1, SD 1; 94, SD 1; 220, HD 1, SD 1; 232, HD 1, SD 1; 236, HD 1, SD 1; and 237, HD 1, SD 1, seconded by Representative Yonamine.

At 11:45 o'clock a.m., Representative Garcia asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:46 o'clock a.m.

The motion to disagree to the amendments proposed by the Senate in the above-mentioned House Concurrent Resolutions was put to vote by the Chair and carried. (Representatives Cachola, Kawakami, Menor, Okamura, Schatz, Takai and Takamine were excused.)

**ANNOUNCEMENT**

Representative Case: "Mr. Speaker, this is a reminder that we will have a Majority caucus immediately after session in our Caucus Room."

**ADJOURNMENT**

At 11:48 o'clock a.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 28, 1999. (Representatives Cachola, Kawakami, Menor, Okamura, Schatz, Takai and Takamine were excused.)

## FIFTY-SEVENTH DAY

**Wednesday, April 28, 1999**

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Mr. Josh Reppun, Coordinator of "Teachers and Students at Work for Hawaii", after which the Roll was called showing all members present with the exception of Representatives Cachola, Goodenow, Okamura, Saiki, Takamine, Takumi and Yoshinaga, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 213 and 214) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 213 returning House Bill No. 1431, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 27, 1999

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1431

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1431, entitled, 'A Bill for an Act Relating to Public Financial Disclosure Statements.'

The purpose of House Bill No. 1431 is to require public financial disclosures, without dollar amounts, from members of the University of Hawaii Board of Regents, the Board of Land and Natural Resources, the Board of Agriculture, and the Hawaiian Home Commission.

The University's Board of Regents has adopted a rather stringent conflict of interest policy that requires the regents to declare any possible conflict and to recuse themselves from matters that might have even an appearance of conflict. Since the Legislature has given the University autonomy over its own affairs, I believe that the regents should be allowed to administer their own conflict of interest policy without further legislatively imposed requirements.

Moreover, service on all of these boards is voluntary and uncompensated. Public disclosure of private financial interests of the uncompensated members appears to unnecessarily burdensome, especially when there has been no problem with the existing requirements, and may have a chilling effect on my ability to convince the most appropriate and qualified individuals to serve on these boards.

On the other hand, if public financial disclosures are considered to be necessary notwithstanding the seemingly unnecessary burden and the probable chilling effects, there appears to be no rational basis for requiring the members of only these four boards out of the 160 State boards and

commissions to file public financial disclosures. The members of other executive and regulatory boards and commissions should likewise be required to file public financial disclosures.

For the foregoing reasons, I am returning House Bill No. 1431 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 214, informing the House that on April 26, 1999, he signed the following bills into law:

Senate Bill No. 484 as Act 37, entitled: "RELATING TO PERSONAL PROPERTY";

Senate Bill No. 716 as Act 38, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY";

Senate Bill No. 808 as Act 39, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 1062 as Act 40, entitled: "RELATING TO AGRICULTURAL PARK LEASES";

Senate Bill No. 1086 as Act 41, entitled: "RELATING TO BOATING PENALTIES";

Senate Bill No. 1216 as Act 42, entitled: "RELATING TO BICYCLING";

Senate Bill No. 1326 as Act 43, entitled: "RELATING TO LENDER EXEMPTIONS";

Senate Bill No. 1403 as Act 44, entitled: "RELATING TO THE TRAFFIC CODE";

Senate Bill No. 1641 as Act 45, entitled: "RELATING TO THE PUBLIC LIBRARY SYSTEM";

House Bill No. 10 as Act 46, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 791 as Act 47, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

House Bill No. 936 as Act 48, entitled: "RELATING TO COMMERCIAL PAPER";

House Bill No. 996 as Act 49, entitled: "RELATING TO MEETINGS OF STATE AND COUNTY BOARDS";

House Bill No. 1072 as Act 50, entitled: "RELATING TO REVERSE MORTGAGES";

House Bill No. 1120 as Act 51, entitled: "RELATING TO PERSONAL CARE SERVICES PAYMENT";

House Bill No. 1125 as Act 52, entitled: "RELATING TO RECOVERY OF MEDICAL PAYMENTS";

House Bill No. 1350 as Act 53, entitled: "RELATING TO THE USE OF RECYCLED OIL"; and

House Bill No. 1703 as Act 54, entitled: "RELATING TO WAIMANALO".

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 775 through 782) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 775, informing the House that the Senate has reconsidered its action of April 15, 1999, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments. The Senate further informed the House that said bills have passed Final Reading on April 27, 1999:

Senate Bill No. 737, SD 2, HD 1, entitled: "RELATING TO NOISE"; and

Senate Bill No. 738, SD 1, HD 1, entitled: "RELATING TO NOISE POLLUTION".

Sen. Com. No. 776, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolutions on April 27, 1999:

S.C.R. No. 4, SD 1, HD 1, entitled: "OBSERVING 1999 AS THE INTERNATIONAL YEAR OF OLDER PERSONS";

S.C.R. No. 33, SD 1, HD 1, entitled: "REQUESTING URGENT ATTENTION TO AN EXPEDITIOUS PLAN OF ACTION TO RESTORE KAUMALAPAU HARBOR";

S.C.R. No. 64, SD 1, HD 1, entitled: "REQUESTING A HAWAII STATE LAW ON EMPLOYMENT OF SEVERELY DISABLED PERSONS";

S.C.R. No. 77, HD 1, entitled: "REQUESTING THE CHILD PROTECTION LEGISLATIVE ROUNDTABLE AND THE APPLESEED PUBLIC INTEREST LAW FOUNDATION TO EXAMINE AND DISCUSS SELECTED ISSUES RELATING TO CHILD ABUSE";

S.C.R. No. 91, SD 1, HD 1, entitled: "URGING THE DEPARTMENT OF HEALTH TO FOSTER AN IMPROVED PARTNERSHIP WITH THE UNIVERSITY OF HAWAII SCHOOL OF PUBLIC HEALTH";

S.C.R. No. 130, HD 1, entitled: "REQUESTING THE UNITED STATES POSTAL SERVICE AND THE MEMBERS OF THE CITIZENS' STAMP ADVISORY COMMITTEE TO ISSUE COMMEMORATIVE STAMPS AND STATIONERY TO HONOR SPARK M. MATSUNAGA (1916-1990), UNITED STATES SENATOR AND CONGRESSMAN, AND WORLD WAR II HERO, AND THE 100TH INFANTRY BATTALION AND THE 442ND REGIMENTAL COMBAT TEAM FOR THEIR SACRIFICES AND ACTS OF VALOR DURING WORLD WAR II";

S.C.R. No. 145, HD 1, entitled: "REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO OBTAIN ADDITIONAL FEDERAL FUNDS FOR THE EDUCATION OF MILITARY DEPENDENTS";

S.C.R. No. 149, SD 2, HD 2, entitled: "REQUESTING A STUDY FOR A COMPREHENSIVE REVIEW TO ASSESS SERVICES FOR DEAF, HARD OF HEARING, AND DEAF-BLIND POPULATIONS";

S.C.R. No. 165, SD 1, HD 1, entitled: "REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP AND IMPLEMENT A COORDINATED PUBLIC AND PRIVATE SECTOR ENHANCEMENT PROGRAM";

S.C.R. No. 184, SD 1, HD 1, entitled: "REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE";

S.C.R. No. 186, SD 1, HD 1, entitled: "RECOGNIZING THE HAWAII COUNCIL OF PRIVATE SCHOOLS AND

REQUESTING IT TO REPORT ON ITS ACTIONS, FUNCTIONS, AND DUTIES";

S.C.R. No. 194, SD 1, HD 1, entitled: "URGING THE COLLABORATION OF THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, THE UNIVERSITY OF HAWAII, COUNTY DEPARTMENTS OF PARKS AND RECREATION, AND OTHER AGENCIES AND ORGANIZATIONS TO IMPROVE THE FITNESS AND PHYSICAL ACTIVITY OF HAWAII'S CHILDREN AND YOUTH"; and

S.C.R. No. 199, HD 1, entitled: "EXPRESSING SUPPORT FOR NORTH ATLANTIC TREATY ORGANIZATION, UNITED STATES, AND HAWAII-BASED MILITARY AND HUMANITARIAN EFFORTS TO ENSURE THE SAFETY AND WELL-BEING OF CHILDREN AND FAMILIES IN KOSOVO".

Sen. Com. No. 777, returning H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION TO RESTRUCTURE THE DEPARTMENT OF EDUCATION TO ENSURE ACCOUNTABILITY AT ALL LEVELS," which was adopted by the Senate on April 27, 1999.

Sen. Com. No. 778, returning H.C.R. No. 14, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING EFFECTIVE PAIN MANAGEMENT PROGRAMS BE REQUIRED IN ALL HEALTHCARE INSTITUTIONS," which was adopted by the Senate on April 27, 1999.

Sen. Com. No. 779, returning H.C.R. No. 18, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPAND FAMILY AND PARENTING CLASSES TRAINING AND GUIDANCE FOR HIGH SCHOOL STUDENTS," which was adopted by the Senate on April 27, 1999.

Sen. Com. No. 780, returning H.C.R. No. 76, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COLLABORATIVE PARTNERSHIP TO INCREASE THE NUMBER OF CHILDREN WHO HAVE AN OPPORTUNITY TO EAT A NUTRITIOUS BREAKFAST IN THE PUBLIC AND PRIVATE SCHOOLS, PRE-SCHOOLS, AND GROUP CARE," which was adopted by the Senate on April 27, 1999.

Sen. Com. No. 781, returning H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON CHILD AND ADOLESCENT MENTAL HEALTH," which was adopted by the Senate on April 27, 1999.

Sen. Com. No. 782, returning H.C.R. No. 208, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE LEGISLATURE FOR THE MILLENNIUM PROJECT," which was adopted by the Senate on April 27, 1999.

## INTRODUCTION

Representative Souki introduced the Ombudsman from the State of Iowa, Mr. William C. Angrick II, and his wife Mrs. MaryJo Angrick, and the Ombudsman of the State of Hawaii, Mr. Robin Matsunaga.

## ORDER OF THE DAY

### SUSPENSION OF RULES

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



(Representatives McDermott, Okamura and Yoshinaga were excused.)

### RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House, in disagreeing to the amendment proposed by the Senate to the following House Bills, reconsider its action taken on:

March 25, 1999: H.B. Nos. 7 (SD 1); 1188 (SD 1);

March 30, 1999: H.B. No. 1203, HD 1 (SD 1);

April 9, 1999: H.B. Nos. 77, HD 1 (SD 1); 248, HD 1 (SD 1); 746, HD 1 (SD 1); 842, HD 2 (SD 1);

April 15, 1999: H.B. Nos. 8, HD 1 (SD 2); 440, HD 2 (SD 2); 715 (SD 1); 753, HD 2 (SD 2); 997, HD 1 (SD 1); 1012, HD 1 (SD 1); and 1186 (SD 1), seconded by Representative Marumoto and carried. (Representatives McDermott, Okamura and Yoshinaga were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 7 (SD 1); 8, HD 1 (SD 2); 77, HD 1 (SD 1); 248, HD 1 (SD 1); 440, HD 2 (SD 2); 715 (SD 1); 746, HD 1 (SD 1); 753, HD 2 (SD 2); 842, HD 2 (SD 1); 997, HD 1 (SD 1); 1012, HD 1 (SD 1); 1186 (SD 1); 1188 (SD 1); and 1203, HD 1 (SD 1).

At 11:50 o'clock a.m., Representative Marumoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:51 o'clock a.m.

### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto 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 McDermott, Okamura and Yoshinaga were excused.)

### FINAL READING

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

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

Representative Case moved that the House agree to the amendments proposed by the Senate to H.B. No. 1, HD 1, and H.B. No. 1, HD 1, SD 1, pass Final Reading, seconded by Representative Marumoto.

Representative Hiraki rose to speak in support of the measure and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Hiraki continued, stating:

"I'd also like to especially thank the House Leadership, our Minority Leader, Chair of Judiciary, and the Keiki Caucus for this bill. It really shows your concern and commitment to protecting our keikis. So thank you very much."

Representative Hiraki's additional remarks are as follows:

"I would like to say a few words in favor of House Bill 1 -- Relating to Child Passenger Safety. According to the National traffic Safety Administration, many children each year die or

are disabled in car accidents children with seat belts is enough to protect the lives of their youngsters, but seat belts are designed for adults, not children. In actuality, the use of this apparatus for children can be more of a threat to their lives rather than a safety measure.

"Until now, Hawaii's child passenger restraining law does not conform to the age standard proposed in the National Committee on Uniform Traffic Laws and Ordinance's model child restrain law. House Bill 1 attempts to address this disparity. Many questions have been raised about this bill pertaining to the necessity of restraining children between the ages of three and four in car seats, primarily in terms of whether or not car seats can accommodate children of this age. In fact, booster seats can accommodate children up to the age of eight, and when motor vehicle safety is an issue, the size of age of a child should not overshadow the importance of protecting our children.

"I would like to thank the Chair of the Judiciary and Hawaiian Affairs Committee, for his cooperation in passing this important piece of legislation, as well as his Vice Chair who served as a Co-Chair in the Conference Committee."

Representative Goodenow then rose to speak in support of the measure, stating:

"This really was something that was one of the first bills brought to my attention when we started session. People from Kapiolani Medical Center, my own Waimanalo Health Center, the number of people that came to speak about the importance of protecting children at this age where it's still very appropriate and necessary to have these safety seats. I really commend the Chair of the Transportation Committee for doing such an excellent job. Thank you, Mr. Speaker."

Representative Whalen then rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm concerned. I know, here I am, Whalen has gone off on a tangent. But last year, we kicked everyone out of the back of trucks who was under age 14, which has been a hard hit to the folks, at least in my district and I know down south, with one vehicle. Now in this bill, if I remember correctly, the Senate draft excludes it. Currently the law has it up to four years old, if you're under a certain weight. If you're below three, then you have to be in a car seat.

"All the testimony that I heard, Mr. Speaker, on this issue with all the horror stories, and they were horror stories, said that children were not buckled up. Just like in the testimony about the back of the truck -- it's testimony about people flying out of the back, et cetera. There was no testimony, if they were available, about seats in the cab, if they were speeding, drunk drivers and in what the situation is in. And it's relevant information.

"My 'with reservations' is because I see a tendency for us to keep moving towards regulating and ruling and telling people how to live their lives. In this bill, and like I said, I can't remember distinctly, but I think we just raised the age and the size which was applicable before we've gotten rid of it. I didn't hear any testimony. I'm not saying it doesn't exist somewhere in the world, but I heard no testimony that our current law was inadequate because the size was wrong. Simply, we should put kids in car seats because they're safer. Well, the safest way to go would be to outlaw all forms of vehicular traffic, but we don't do that. Who knows, we might be heading towards that. But that's facetious I know.

"But my concern is, where do we draw the line? If it's only what is the safest thing to do, then we should outlaw cigarettes, chocolates, hamburgers, you name it, just outlaw it all because that's the safest way to go.

"So, Mr. Speaker, again I realize a lot of people aren't going to appreciate my comments, but my concern is again, where do we stop regulating and try to encourage and educate what the safest methods are and leave it to their discretion. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1, HD 1 and H.B. No. 1, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER SAFETY," passed Final Reading by a vote of 48 ayes, with Representatives McDermott, Okamura and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. No. 1 had passed Final Reading at 11:55 o'clock a.m.

#### ADJOURNMENT

At 11:56 o'clock a.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 7:30 o'clock p.m. tomorrow, Thursday, April 29, 1999. (Representatives McDermott, Okamura and Yoshinaga were excused.)

## FIFTY-EIGHTH DAY

**Thursday, April 29, 1999**

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 7:40 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Roy M. Takumi, after which the Roll was called showing all members present with the exception of Representatives Catalani, Ito, Menor, Okamura and Yoshinaga, who were excused.

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

**GOVERNOR'S MESSAGES**

The following messages from the Governor (Gov. Msg. Nos. 215 through 217) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 215, returning House Bill No. 1413 without his approval, and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 27, 1999

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1413

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1413, entitled: 'A Bill for an Act Relating to QUEST.'

The purpose of House Bill No. 1413 is to require the Department of Human Services (DHS) to use actuarially valid risk factor adjustments derived from actual QUEST member experience to modify payments to the various QUEST plans. This bill amends chapter 346, Hawaii Revised Statutes, to require DHS to do the following: (1) conduct an annual review of the risk factor adjustment methodology; (2) include in the risk factor adjustment methodology, after consultation with the contracted health plans, the health characteristics of the QUEST patients being served; and (3) identify those characteristics that are to be considered high risk.

Assuming the existing structure for the methodology remained the same, DHS has no objection in principle to modifying the risk factor adjustments based upon validated data. However, this bill presents severe financial and administrative problems. First, the data must be validated. The process of validating sufficient data upon which the risk factor adjustment methodology may be changed is expensive and time consuming. There is no funding for the contract monitoring and new data collection procedures to be implemented. As a practical matter, therefore, this process cannot be completed in the near future.

Second, a change in the methodology to add health characteristics requires DHS to create an entirely new risk factor adjustment methodology, one for which there is currently no good model. The use of health characteristics as risk adjustment factors is extremely difficult and complicated. There is no consensus among the six existing providers as to the appropriate health conditions to be included. Although at least

one state does use health characteristics, that state's experience with risk adjustment factors is extremely poor, and there is no nationally recognized model upon which DHS can base such a system of risk adjustment.

Third, even if DHS could make the necessary changes required by this bill, the changes would require DHS to cancel the existing contract awards, notice a new request for proposal, and proceed through the procurement process again. DHS has recently awarded three-year contracts to various health plans based upon a specific risk factor methodology that was included in the request for proposal, but the contracts have not been signed yet and will not be effective until July 1, 1999. If this bill becomes law in April 1999, DHS must change the proposed contract language in order to conform to the changes required by this bill. The change in the terms and conditions of the contract will then require that the existing contract awards be canceled, a new request for proposal be noticed, and the procurement process be repeated in order to adequately notice the public as to the changed conditions of the bid. DHS estimates that a rebid would result in a seven-month delay. Any delay in the procurement process will cause confusion and uncertainty among the QUEST recipients.

Furthermore, the rebids are likely to be higher than the current bids. The current bids are below DHS estimates and the savings were reported in my administration's budget message. My administration reported projected savings of \$8.9 million in fiscal year 1999-2000 and an additional projected savings of \$8.9 million in fiscal year 2000-2001. If this bill becomes law, DHS believes that these moneys will no longer be savings and will be needed to implement the new law.

For the foregoing reasons, I am returning House Bill No. 1413 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 216, informing the House that on April 28, 1999, he signed the following bill into law:

House Bill No. 1013 as Act 55, entitled: "MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY".

Gov. Msg. No. 217, returning House Bill No. 1338 without his approval, and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

April 29, 1999

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1338

Honorable Members  
Twentieth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1338, entitled: 'A Bill for an Act Relating to Public Contracts.'

The purpose of House Bill No. 1338 is to limit the amount of retainage to be withheld by a contractor from its subcontractor on a public works contract to a maximum of five percent of the

subcontractor's contract price. This limitation would also apply to subcontractors on public works contracts who subcontract work to other subcontractors.

Historically, the laws affecting public works contracts have always avoided inserting the government into the relationship between the general contractor and its subcontractors. In doing so, the government deals directly only with the general contractor and not with the numerous subcontractors on a public works project. This results in a more efficient and cost-effective project. By mandating the amount of retainage a general contractor may withhold from its subcontractors, this bill interferes with their relationship. In addition, I believe that if this bill is enacted, general contractors may begin requiring subcontractors to post performance and payment bonds for participation in public works projects, which will lead to higher costs of public works projects. Furthermore, if such bonding requirements are imposed on subcontractors by the general contractors, smaller subcontractors will not be able to participate in public works projects, thereby eliminating competition among the subcontractors that would otherwise exist.

For the foregoing reasons, I am returning House Bill No. 1338 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 783 and 784) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 783, informing the House that the Senate has disagreed to the amendments proposed by the House and has named conferees to the following Senate Concurrent Resolution on April 28, 1999:

#### S.C.R. No. 184, SD 1, HD 1:

Senators Chumbley/Matsunaga, Co-Chairs; and Chun Oakland.

Sen. Com. No. 784, informing the House that on April 28, 1999, the President has added Senators Kanno and Taniguchi as Co-Chairs at the Conference of Senate Bill 1518, HD 1.

#### ORDER OF THE DAY

##### COMMITTEE REASSIGNMENTS

The following Senate Bill (S.B. No. 1518) was re-referred to committee by the Speaker:

<u>S.B.</u> <u>No.</u>	<u>Re-referred to:</u>
1518	Committee on Finance, then to the Committee on Labor and Public Employment

The following resolution (H.R. No. 218) was re-referred to committee by the Speaker:

<u>H.R.</u> <u>No.</u>	<u>Re-referred to:</u>
218	Committee on Human Services and Housing

#### UNFINISHED BUSINESS

##### Conf. Com. Rep. No. 1 and S.B. No. 560, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred until Tuesday, May 4, 1999.

##### Conf. Com. Rep. No. 2 and S.B. No. 1321, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred until Tuesday, May 4, 1999.

#### CONFERENCE COMMITTEE REPORTS

Representatives Takumi and P. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1178, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 51) recommending that H.B. No. 1178, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and H.B. No. 1178, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," was deferred for a period of 48 hours.

Representative Takumi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1296, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 52) recommending that H.B. No. 1296, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and H.B. No. 1296, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours.

Representatives Herkes and Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1020, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 53) recommending that H.B. No. 1020, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and H.B. No. 1020, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," was deferred for a period of 48 hours.

Representatives Morita, P. Oshiro and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1142, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 1142, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and H.B. No. 1142, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," was deferred for a period of 48 hours.

Representatives Morita and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1548, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 55) recommending that H.B. No. 1548, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and H.B. No. 1548, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," was deferred for a period of 48 hours.

Representatives Takumi, P. Oshiro and Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1177, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 56) recommending that H.B. No. 1177, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and H.B. No. 1177, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS," was deferred for a period of 48 hours.

Representatives Takumi, Hamakawa and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1181, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 57) recommending that H.B. No. 1181, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and H.B. No. 1181, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred for a period of 48 hours.

Representative Ito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1086, SD 1, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 1086, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and H.B. No. 1086, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Herkes, Hiraki and Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1028, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 1028, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and H.B. No. 1028, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Representatives Takumi and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1711, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 1711, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and H.B. No. 1711, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours.

Representatives Hiraki and P. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 4, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 61) recommending that H.B. No. 4, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and H.B. No. 4, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE ROADBLOCK PROGRAMS," was deferred for a period of 48 hours.

Representatives Cachola, Hamakawa and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 500, HD 3, SD 1, presented a report (Conf. Com. Rep. No. 62) recommending that H.B. No. 500, HD 3, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and H.B. No. 500, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Representatives Cachola and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 806, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 63) recommending that H.B. No. 806, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and H.B. No. 806, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," was deferred for a period of 48 hours.

Representatives Takumi and Kanoho, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 809, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 809, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and S.B. No. 809, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred for a period of 48 hours.

Representatives Cachola and Kanoho, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 942, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 4) recommending that S.B. No. 942, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and S.B. No. 942, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was deferred for a period of 48 hours.

Representatives Ito and P. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1270, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 5) recommending that S.B. No. 1270, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and S.B. No. 1270, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Ito and Ahu Isa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1307, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 6)

recommending that S.B. No. 1307, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and S.B. No. 1307, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERFORMANCE," was deferred for a period of 48 hours.

Representatives Takumi, Hamakawa and Schatz, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1091, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 1091, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and S.B. No. 1091, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred for a period of 48 hours.

Representatives Menor and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 528, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 528, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and S.B. No. 528, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1125, HD 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 1125, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and S.B. No. 1125, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred for a period of 48 hours.

Representatives Menor, Arakaki and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 957, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 957, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and S.B. No. 957, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1262, HD 1, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 1262, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and S.B. No. 1262, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Representatives Abinsay and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 5, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 12) recommending

that S.B. No. 5, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and S.B. No. 5, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred for a period of 48 hours.

Representatives Santiago, Arakaki and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1036, SD 3, HD 1, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 1036, SD 3, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and S.B. No. 1036, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," was deferred for a period of 48 hours.

### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Catalani, Ito, Menor, Okamura and Yoshinaga were excused.)

### RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action taken on April 27, 1999, in disagreeing to the amendments proposed by the Senate to H.C.R. Nos. 4, HD 1 (SD 1); 6 (SD 1); 9, HD 1 (SD 1); 47 (SD 1); 56, HD 1 (SD 1); 64, HD 1 (SD 1); 94 (SD 1); 220, HD 1 (SD 1); 232, HD 1 (SD 1); and 236, HD 1 (SD 1), seconded by Representative Marumoto and carried. (Representatives Catalani, Ito, Menor, Okamura and Yoshinaga were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.C.R. Nos. 4, HD 1 (SD 1); 6 (SD 1); 9, HD 1 (SD 1); 47 (SD 1); 56, HD 1 (SD 1); 64, HD 1 (SD 1); 94 (SD 1); 220, HD 1 (SD 1); 232, HD 1 (SD 1); and 236, HD 1 (SD 1).

### ANNOUNCEMENTS

Representative Case rose and stated:

"I just want to briefly review the procedures for Conference Committee signing this evening. First, all members are asked to remain in the building and accessible for Conference Committee Report signatures throughout the evening until midnight. And second, from 10:30 p.m. on, all Conference Committee Reports will be taken to Room 329 for signature by both House and Senate conferees, and all conferees are asked to come there for signature during that period. Thank you."

At 7:49 o'clock p.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 7:50 o'clock p.m.

Representative Arakaki rose and requested waiver of the 48-hour hearing notice requirement for the purpose of hearing House Resolution Nos. 218 and 219 tomorrow morning at 8:30 a.m. in Conference Room 329, and the Chair "so ordered."



Representative Arakaki: "I would like to request that the Human Services and Housing Committee members be there for a very short meeting."

Representative Arakaki then requested waiver of the 24-hour hearing notice requirement for conferencing on Senate Concurrent Resolution No. 184 at 8:45 a.m. tomorrow, Friday, in Room 329, and the Chair "so ordered."

Representative Pendleton: "We will have a brief caucus following session."

At this time, Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Pendleton and carried. (Representatives Catalani, Ito, Menor, Okamura and Yoshinaga were excused.)

At 7:52 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

#### CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 14 through 43 and 64 through 91) were received in the Clerk's Office and the following actions taken:

Conf. Com. Rep. No. 14 and S.B. No. 1024, SD 3, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 15 and S.B. No. 1069, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMIT PROCESSING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 16 and S.B. No. 1638, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL OFFICERS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 17 and S.B. No. 1519, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 18 and S.B. No. 1149, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 19 and S.B. No. 40, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 20 and S.B. No. 236, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 21 and S.B. No. 664, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 22 and S.B. No. 709, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 23 and S.B. No. 27, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 24 and S.B. No. 676, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 25 and S.B. No. 700, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-SPEED VEHICLES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 26 and S.B. No. 823, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 27 and S.B. No. 1502, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 28 and S.B. No. 777, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 29 and S.B. No. 365, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 30 and S.B. No. 947, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEMARKETING FRAUD," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 31 and S.B. No. 630, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 32 and S.B. No. 1119, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMICIDE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 33 and S.B. No. 1485, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 34 and S.B. No. 285, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 35 and S.B. No. 594, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 36 and S.B. No. 628, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 37 and S.B. No. 616, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 38 and S.B. No. 1003, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 39 and S.B. No. 186, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 40 and S.B. No. 919, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 41 and S.B. No. 590, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING AND PROTECTIVE ORDERS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 42 and S.B. No. 1118, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 43 and S.B. No. 36, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 64 and H.B. No. 1522, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY APPRAISALS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 65 and H.B. No. 602, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF A TRAILER," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 66 and H.B. No. 719, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 67 and H.B. No. 221, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 68 and H.B. No. 827, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 69 and H.B. No. 1277, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT FACILITIES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 70 and H.B. No. 138, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL GOODS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 71 and H.B. No. 562, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 72 and H.B. No. 945, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 73 and H.B. No. 1628, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 74 and H.B. No. 1637, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 75 and H.B. No. 167, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 76 and H.B. No. 32, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 77 and H.B. No. 212, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 78 and H.B. No. 1401, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 79 and H.B. No. 273, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 80 and H.B. No. 171, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 81 and H.B. No. 325, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 82 and H.B. No. 72, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 83 and H.B. No. 160, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 84 and H.B. No. 161, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 85 and H.B. No. 165, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 86 and H.B. No. 177, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 87 and H.B. No. 955, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 88 and H.B. No. 1496, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEADLY OR DANGEROUS WEAPONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 89 and H.B. No. 1497, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 90 and H.B. No. 266, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 91 and H.B. No. 1622, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 7:30 o'clock p.m. tomorrow, Friday, April 30, 1999.

## FIFTY-NINTH DAY

Friday, April 30, 1999

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, convened at 7:44 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Alan Urasaki from Aiea Hongwanji, after which the Roll was called showing all members present with the exception of Representatives Menor, Okamura, P. Oshiro, Pendleton and Takumi, who were excused.

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

## GOVERNOR'S MESSAGE

Gov. Msg. No. 218, transmitting copies of the 1998 State Certified Arbitration Program (SCAP) Report, was received and announced by the Clerk and was placed on file.

## SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 785) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 785, informing the House that the President has, on April 29, 1999, appointed conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Concurrent Resolution:

**H.C.R. No. 64, HD 1, SD 1:**

Senators Kawamoto, Chair; Bunda, Taniguchi and Slom.

## ORDER OF THE DAY

## CONFERENCE COMMITTEE REPORTS

Representatives Santiago, Menor and Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 351, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 92) recommending that H.B. No. 351, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92 and H.B. No. 351, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred for a period of 48 hours.

Representatives Arakaki, Menor and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1115, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 93) recommending that H.B. No. 1115, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and H.B. No. 1115, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARDING HOMES," was deferred for a period of 48 hours.

Representatives Arakaki, P. Oshiro and Saiki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1117, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 94)

recommending that H.B. No. 1117, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94 and H.B. No. 1117, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1088, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 95) recommending that H.B. No. 1088, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95 and H.B. No. 1088, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE," was deferred for a period of 48 hours.

Representatives Cachola, Takumi and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1183, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 96) recommending that H.B. No. 1183, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96 and H.B. No. 1183, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BEACH LANDS," was deferred for a period of 48 hours.

Representatives Arakaki and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1119, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 97) recommending that H.B. No. 1119, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97 and H.B. No. 1119, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES," was deferred for a period of 48 hours.

Representatives Takamine, Chang, Luke, Ito and Morihara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 377, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 98) recommending that H.B. No. 377, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98 and H.B. No. 377, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Representatives Takai and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 154, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 99) recommending that H.B. No. 154, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99 and H.B. No. 154, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC TELEVISION," was deferred for a period of 48 hours.

Representatives Takai and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 307, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 100) recommending that H.B. No. 307, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100 and H.B. No. 307, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Representatives Hamakawa and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1160, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 44) recommending that S.B. No. 1160, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and S.B. No. 1160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 822, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 45) recommending that S.B. No. 822, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45 and S.B. No. 822, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was deferred for a period of 48 hours.

Representatives Lee and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1018, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 46) recommending that S.B. No. 1018, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46 and S.B. No. 1018, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRUG FORMULARY," was deferred for a period of 48 hours.

Representatives Santiago, Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1128, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 47) recommending that S.B. No. 1128, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and S.B. No. 1128, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Menor and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1145, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 48) recommending that S.B. No. 1145, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and S.B. No. 1145, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE

AND CONSUMER AFFAIRS," was deferred for a period of 48 hours.

### SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Menor, Okamura, P. Oshiro, Pendleton and Takumi were excused.)

### RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action in disagreeing to the amendments proposed by the Senate to the following House Bills taken on:

April 7, 1999: H.B. No. 98, HD 1 (SD 1);

April 8, 1999: H.B. No. 1124 (SD 1);

April 9, 1999: H.B. Nos. 310, HD 1 (SD 1); 1162, HD 2 (SD 1); 1180 (SD 1);

April 15, 1999: H.B. Nos. 300, HD 1 (SD 1); 314 (SD 2); 328, HD 1 (SD 2); 411, HD 1 (SD 1); 424, HD 2 (SD 2); 519 (SD 2); 532, HD 3 (SD 2); 582, HD 2 (SD 2); 797, HD 2 (SD 1); 980, HD 2 (SD 1); 985, HD 1 (SD 2); 999, HD 1 (SD 1); 1035, HD 1 (SD 2); 1048, HD 1 (SD 1); 1079, HD 3 (SD 1); 1153, HD 1 (SD 1); 1166, HD 1 (SD 2); 1170, HD 2 (SD 1); 1197, HD 2 (SD 1); and 1409, HD 2 (SD 1), seconded by Representative Marumoto and carried. (Representatives Okamura, P. Oshiro, Pendleton and Takumi were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 98, HD 1 (SD 1); 300, HD 1 (SD 1); 310, HD 1 (SD 1); 314 (SD 2); 328, HD 1 (SD 2); 411, HD 1 (SD 1); 424, HD 2 (SD 2); 519 (SD 2); 532, HD 3 (SD 2); 582, HD 2 (SD 2); 797, HD 2 (SD 1); 980, HD 2 (SD 1); 985, HD 1 (SD 2); 999, HD 1 (SD 1); 1035, HD 1 (SD 2); 1048, HD 1 (SD 1); 1079, HD 3 (SD 1); 1124 (SD 1); 1153, HD 1 (SD 1); 1162, HD 2 (SD 1); 1166, HD 1 (SD 2); 1170, HD 2 (SD 1); 1180 (SD 1); 1197, HD 2 (SD 1); and 1409, HD 2 (SD 1).

### ANNOUNCEMENTS

Representative Case: "Thank you, Mr. Speaker. For the logistics this evening, members again are asked to please remain here and be accessible for Conference Committee Report signatures throughout the evening until midnight. From 10:30 o'clock p.m. on, both House and Senate members should proceed to the chambers for the signature of Conference Committee Reports as they will be brought here for signature. Thank you."

Representative Arakaki: "Thank you, Mr. Speaker. Your Committee on Human Services and Housing will hold a short meeting right after session, for the purpose of decision making on two resolutions, in the Majority Caucus Room."

Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Marumoto and carried, with Representatives Okamura, P. Oshiro, Pendleton and Takumi being excused.

At 8:10 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

## CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 49, 50 and 101 through 195) were received by the Clerk's Office and the following actions taken:

Conf. Com. Rep. No. 49 and S.B. No. 788, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 50 and S.B. No. 392, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 101 and S.B. No. 798, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 102 and S.B. No. 1256, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 103 and S.B. No. 223, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 104 and S.B. No. 889, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 105 and S.B. No. 921, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 106 and S.B. No. 1158, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 107 and S.B. No. 1274, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 108 and S.B. No. 238, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 109 and S.B. No. 1124, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 110 and S.B. No. 1294, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 111 and S.B. No. 450, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 112 and S.B. No. 1518, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

GOVERNMENT OPERATIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 113 and S.B. No. 816, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 114 and S.B. No. 1129, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 115 and S.B. No. 1235, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 116 and S.B. No. 1238, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 117 and S.B. No. 1157, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 118 and S.B. No. 1499, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 119 and S.B. No. 1501, SD 3, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 120 and S.B. No. 131, SD 3, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 121 and S.B. No. 1452, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 122 and S.B. No. 1583, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 123 and S.B. No. 646, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 124 and S.B. No. 951, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 125 and S.B. No. 1635, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND TRUST," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 126 and H.B. No. 294, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.



Conf. Com. Rep. No. 127 and H.B. No. 635, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 128 and H.B. No. 661, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 129 and H.B. No. 743, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 130 and H.B. No. 895, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 131 and H.B. No. 122, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 132 and H.B. No. 850, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 133 and H.B. No. 460, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHECK CASHING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 134 and H.B. No. 1361, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 135 and H.B. No. 252, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 136 and H.B. No. 1660, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 137 and H.B. No. 1085, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 138 and H.B. No. 988, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 139 and H.B. No. 1471, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 140 and H.B. No. 100, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 141 and H.B. No. 1450, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 142 and H.B. No. 700, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 143 and H.B. No. 86, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 144 and H.B. No. 333, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 145 and H.B. No. 336, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 146 and H.B. No. 978, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 147 and H.B. No. 1280, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 148 and H.B. No. 20, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 149 and H.B. No. 1095, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 150 and H.B. No. 1111, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 151 and S.B. No. 953, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NATURAL AND CULTURAL RESOURCES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 152 and S.B. No. 1470, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 153 and S.B. No. 102, SD 3, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 154 and S.B. No. 513, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 155 and S.B. No. 1032, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 156 and S.B. No. 1034, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 157 and S.B. No. 1229, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 158 and S.B. No. 844, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 159 and S.B. No. 830, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 160 and S.B. No. 1082, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 161 and S.B. No. 1127, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 162 and S.B. No. 1144, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 163 and S.B. No. 1279, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSAL SERVICE FUND," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 164 and H.B. No. 162, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 165 and H.B. No. 1454, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 166 and H.B. No. 1138, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 167 and H.B. No. 1146, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL RECORD FEES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 168 and H.B. No. 170, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE TAX BENEFITS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 169 and H.B. No. 172, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPICE SERVICES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 170 and H.B. No. 260, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 171 and H.B. No. 274, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILIES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 172 and H.B. No. 326, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 173 and H.B. No. 547, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 174 and H.B. No. 1594, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 175 and H.B. No. 1663, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 176 and H.B. No. 1664, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 177 and H.B. No. 1675, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 178 and H.B. No. 1693, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 179 and H.B. No. 634, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 180 and H.B. No. 1017, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 181 and H.B. No. 1575, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MILLENIUM YOUNG PEOPLE'S CONGRESS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 182 and H.B. No. 522, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 183 and H.B. No. 854, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 184 and H.B. No. 765, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTAL INDUSTRY," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 185 and H.B. No. 1198, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 186 and H.B. No. 989, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 187 and H.B. No. 990, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 188 and H.B. No. 157, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 189 and H.B. No. 1649, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 190 and H.B. No. 104, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 191 and H.B. No. 499, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 192 and H.B. No. 1416, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 193 and H.B. No. 1038, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 194 and H.B. No. 142, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

Conf. Com. Rep. No. 195 and S.C.R. No. 184, SD 1, HD 1, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAWS RELATING TO DOMESTIC VIOLENCE," were placed on the calendar for Final Reading on Tuesday, May 4, 1999.

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Tuesday, May 4, 1999.

**ADJOURNMENT**