

TWENTY-SECOND DAY

Friday, February 18, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Father Gary Secor of the Cathedral of Our Lady of Peace, after which the Roll was called showing all members present with the exception of Representatives Garcia, Hiraki, Kahikina, Kaho'ohalahala, Lee, Menor, Okamura, Stegmaier, Suzuki, Takai and Yoshinaga, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 155) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 155, transmitting copies of a report to the Legislature from the 1999-2000 Office of Hawai'ian Affairs (OHA) Salary Commission, prepared by the Office of Planning, Department of Business, Economic Development & Tourism pursuant to Section 10-9.5, HRS.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 11) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 11 transmitting S.B. No. 2885, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," which passed Third Reading in the Senate on February 17, 2000.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the following bill (S.B. No. 2885) passed First Reading by title and further action was deferred. (Representatives Garcia, Kahikina, Kanohe, Lee, Menor, Okamura, Suzuki, Takai and Yoshinaga were excused.)

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Ahu Isa introduced the 2000 Narcissus Queen, Ms. Libby Ding Kwun Lum and the Narcissus Coordinator, Ms. Michele Choy.

Representative Ito introduced individuals from the E-Academy: Mr. Howard Hashimoto, Kohala High School; Ms. Joyce Hashimoto, Registrar, Kohala High School; Ms. Katherine Brandt, Principal of Kohala High School; Mr. Leonard Wilson, Radford High School; Mr. Wayne Hahina, teacher, Kahuku High School; Mr. Jonathan Griffin, teacher, Kaimuki High School; Mr. Gary Oyama, Principal of Kaimuki High School; Ms. Jean Tsuda, Windward District Office; Ms. Diane Oshiro, Assistant Superintendent of Education; and Ms. Vicky Kajioka, Educational Specialist.

Representative Abinsay introduced a group of Junior Police Officers and Student Government Representatives from Shafter Elementary School; their teacher, Ms. Michele Goodenrich;

Mr. Gary Backza, School Counselor; and his staffmembers, Mr. Rex Pilar and Mr. Jake Manegdeg.

Representative Hamakawa introduced ten students from the Waiakea High School Spanish Club and their teachers, Mrs. Eleanor Morita, Mr. Theodore Gumm and Mrs. Domatila Miyasaki.

ORDER OF THE DAY

COMMITTEE REFERRAL

The following bills were referred to committee by the Speaker, as follows:

S.B.Nos. Referred to:

2024 Committee on Health, then jointly to the Committee on Consumer Protection and Commerce and the Committee on Judiciary and Hawai'ian Affairs

2885 Committee on Energy and Environmental Protection

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 31 and 32) were referred to committee by the Speaker, as follows:

H.R.Nos. Referred to:

31 Committee on Health, then to the Committee on Finance

32 Committee on Higher Education

The following concurrent resolutions (H.C.R. Nos. 25 and 26) were referred to committee by the Speaker, as follows:

H.C.R.Nos. Referred to:

25 Committee on Human Services and Housing, then to the Committee on Finance

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

COMMITTEE REASSIGNMENTS

The following House bills were re-referred to committee by the Speaker, as follows:

H.B.Nos. Re-referred to:

1914 Committee on Finance

2201 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce

2987 Committee on Finance

STANDING COMMITTEE REPORTS

Representatives Chang and Cachola, for the Committees on Tourism and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 287-00) recommending that H.B. No. 1909, as amended in HD 1, pass Second Reading and 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 H.B. No. 1909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 288-00) recommending that H.B. No. 2753, as amended in HD 1, pass Second Reading and 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 H.B. No. 2753, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 289-00) recommending that H.B. No. 2643, as amended in HD 1, pass Second Reading and 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 H.B. No. 2643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 290-00) recommending that H.B. No. 2692, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER INFLUENCE," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 291-00) recommending that H.B. No. 2760, as amended in HD 1, pass Second Reading and 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 H.B. No. 2760, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 292-00)

recommending that H.B. No. 2746, 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 H.B. No. 2746, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 293-00) recommending that H.B. No. 2285, pass Second Reading and 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 H.B. No. 2285, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 294-00) recommending that H.B. No. 2385, pass Second Reading and 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 H.B. No. 2385, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESOURCES FOR EARLY ACCESS TO LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 295-00) recommending that H.B. No. 2391, pass Second Reading and 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 H.B. No. 2391, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 296-00) recommending that H.B. No. 1905, as amended in HD 1, pass Second Reading and 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 H.B. No. 1905, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 297-00) recommending that H.B. No. 2566, as amended in HD 1, pass Second Reading and 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 H.B. No. 2566, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII

STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 298-00) recommending that H.B. No. 2821, as amended in HD 1, pass Second Reading and 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 H.B. No. 2821, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT SCHOOL-TO-CAREER PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 299-00) recommending that H.B. No. 2915, as amended in HD 1, pass Second Reading and 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 H.B. No. 2915, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 300-00) recommending that H.B. No. 2386, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2386, HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance, seconded by Representative Yonamine.

Representative Marumoto rose and asked the Clerk to register a no vote for her, stating:

"Mr. Speaker. I think this is a step backwards in the formation of true Charter Schools. Thank you," and the Chair "so ordered."

Representative Pendleton then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Pendleton continued, stating:

"The reason why I have reservations regarding this bill, which relates to the New Century Charter Schools provision, is that in the HD 1 a provision was deleted. In that provision that was deleted, you would have allowed for separate collective bargaining units or more flexibility with respect to collective bargaining when it came to Charter Schools. I thought that was a move in the right direction and so my reservations have mainly to do with what happened in the HD 1, which removed that particular provision."

Representative Rath then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representative Pendleton be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Fox then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

"Thank you, Mr. Speaker. House Bill 2386 seeks to amend the Hawai'i Revised Statutes to provide the same immunity from or indemnification from civil liability as provided to members of other appointed boards and commissions which provide important volunteer service to the State. The present Hawai'i Revised Statutes reads in part, that the State shall afford the local school board of any New Century Charter School the same protections as the State affords to, the board. Upon review someone from the Attorney General's Office in an informal opinion mentioned that this language is not clear and that, in fact, the New Century Charter School Boards are to be treated as an elected board and this language provides weak liability protection. Mr. Speaker, this measure takes steps to correct this problem, and I urge members to 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 H.B. No. 2386, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," passed Second Reading and was referred jointly to the Committees on Labor and Public Employment and Finance, with Representatives Marumoto, Meyer and Rath voting no and Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 301-00) recommending that H.B. No. 2188, as amended in HD 1, pass Second Reading and 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 H.B. No. 2188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 302-00) recommending that H.B. No. 2204, 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 H.B. No. 2204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 303-00) recommending that H.B. No. 2252, pass Second Reading and 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 H.B. No. 2252, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 304-00) recommending that H.B. No. 2392, as amended in HD 1, pass Second Reading and 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 H.B. No. 2392, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 305-00) recommending that H.B. No. 1935, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 1935, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath rose to speak in opposition to the measure, stating:

"Mr. Speaker. This is just one more regulation and more bureaucracy and it's really not needed."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1935, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Rath voting no and Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 306-00) recommending that H.B. No. 2443, as amended in HD 1, pass Second Reading and 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 H.B. No. 2443, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Herkes, Morihara and Morita, for the Committees on Economic Development and Business Concerns and Higher Education and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 307-00) recommending that H.B. No. 2500, as amended in HD 1, pass Second Reading and 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 H.B. No. 2500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 308-00) recommending that H.B.

No. 2105, pass Second Reading and 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 H.B. No. 2105, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 309-00) recommending that H.B. No. 536, HD 1, as amended in HD 2, pass Second Reading and 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 H.B. No. 536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 310-00) recommending that H.B. No. 537, HD 1, as amended in HD 2, pass Second Reading and 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 H.B. No. 537, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 311-00) recommending that H.B. No. 1834, as amended in HD 1, pass Second Reading and 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 H.B. No. 1834, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 312-00) recommending that H.B. No. 2208, pass Second Reading and 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 H.B. No. 2208, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 313-00) recommending that H.B. No. 2504, pass Second Reading and 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 H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES

COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 314-00) recommending that H.B. No. 2505, pass Second Reading and 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 H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 315-00) recommending that H.B. No. 2501, as amended in HD 1, pass Second Reading and 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 H.B. No. 2501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Abinsay and Cachola, for the Committees on Agriculture and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 316-00) recommending that H.B. No. 2400, as amended in HD 1, pass Second Reading and 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 H.B. No. 2400, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 317-00) recommending that H.B. No. 2791, HD 1, as amended in HD 2, pass Second Reading and 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 H.B. No. 2791, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 318-00) recommending that H.B. No. 2995, as amended in HD 1, pass Second Reading and 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 H.B. No. 2995, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGANIC AGRICULTURE INDUSTRY," passed Second Reading and was referred to the Committee on Finance, with

Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 319-00) recommending that H.B. No. 1387, as amended in HD 1, pass Second Reading and 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 H.B. No. 1387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 320-00) recommending that H.B. No. 1934, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1934, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Yonamine.

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

"Originally, in Committee, I voted against this, Mr. Speaker, because the bill, the way I initially understood it, allowed a broader prescription range for optometrist. But I see after reading the amended version here that it's basically where we were in square one, just topicals and no ingestibles. So for that reason I am going to change my vote and support the measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1934, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 321-00) recommending that H.B. No. 2532, pass Second Reading and 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 H.B. No. 2532, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Santiago and Ito, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 322-00) recommending that H.B. No. 2874, pass Second Reading and 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 H.B. No. 2874, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DRUG TREATMENT, COUNSELING, AND INTERVENTION SERVICES AT WAIPAHU HIGH SCHOOL," passed Second Reading and was referred to the

Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 323-00) recommending that H.B. No. 2052, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 324-00) recommending that H.B. No. 2573, pass Second Reading and 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 H.B. No. 2573, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 325-00) recommending that H.B. No. 2263, as amended in HD 1, pass Second Reading and 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 H.B. No. 2263, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 326-00) recommending that H.B. No. 2553, pass Second Reading and 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 H.B. No. 2553, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 327-00) recommending that H.B. No. 2555, pass Second Reading and 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 H.B. No. 2555, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No.

328-00) recommending that H.B. No. 2560, pass Second Reading and 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 H.B. No. 2560, entitled: "A BILL FOR AN ACT RELATING TO THE HOISTING MACHINE OPERATORS ADVISORY BOARD," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 329-00) recommending that H.B. No. 2557, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2557, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 330-00) recommending that H.B. No. 2558, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2558, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 331-00) recommending that H.B. No. 2561, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2561, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR USERS OF EXPLOSIVES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 332-00) recommending that H.B. No. 1884, as amended in HD 1, pass Second Reading and 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 H.B. No. 1884, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com.

Rep. No. 333-00) recommending that H.B. No. 2329, as amended in HD 1, pass Second Reading and 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 H.B. No. 2329, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 334-00) recommending that H.B. No. 3021, as amended in HD 1, pass Second Reading and 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 H.B. No. 3021, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 335-00) recommending that H.B. No. 2426, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2426, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Marumoto rose to speak in opposition to the measure, stating:

"It seems to increase the fees quite substantially, whereas, a violation of certain sections of this bill would increase the fees to \$100,000, where presently, they are \$10,000. Also, there's a civil fine of \$1,000, which may be raised to \$10,000 a day. I just think that these fines are excessive so I will cast a no vote. Thank you."

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

"The testimony from the Office of Planning was that some of these permanent applicants would get the permit application approved and then proceed with the construction and then consider violating the law just the cost of doing business. So we're trying to raise the penalties so that they don't consider violating the law just the cost of doing business."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no and Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 336-00) recommending that H.B. No. 2034, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2034, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Here we appropriate almost a half million dollars and start an entirely new bureaucracy and new licensing. This is for the cigarette stamp tax. It just seems that we sometimes go completely overboard. In the bill, it says that 'any person who knowingly possesses, keeps, stores, acquires, transports or retains for the purpose of sale, or sells or offers to sell' \$250 worth of cigarettes that they're guilty of a felony. That poor person who happens to sell or acquire \$250 worth of unstamped cigarettes can be imprisoned for 'not less than one year and not more than five years' and applicable to a \$10,000 fine or both.

"Well, I think the collection of tax is necessary. Building another bureaucracy and making people felons for having or wanting to sell \$250 worth of cigarettes is just going a 'wee' bit overboard. For that reason, I'd like to cast a no vote. Thank you, Mr. Speaker."

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

"Briefly, my reasoning is this bill, if I'm not mistaken, confuses the issue of cigarette stamp tax and black market cigarettes with the issue of minors buying cigarettes. We are in the process of forming another bureaucracy requiring licenses for every single outlet that sells cigarettes in the retail market. You can just imagine a small block Downtown, how many little 'mom and pop' stores there are. In my district, there are little teeny stores scattered throughout the rural district that basically try to have something for everyone in there.

"The enforcement mechanism, the licensing mechanism further increases the size and unnecessarily so because the reason for the licensing isn't because we need to do it to prevent black market cigarettes. It's to try and stop minors from buying cigarettes. So that if a store does it or someone in the store does it, we can revoke their license. The two issues are distinct and separate and we should not be confusing the two. One bill should address one issue, and there are other bills floating through the House and Senate to deal with minors purchasing tobacco products. That's the place to deal with it, not in the cigarette tax place. Thank you, Mr. Speaker."

Representative Pendleton then rose and asked the Clerk to register an aye vote with reservations for him, and asked that the remarks of Representatives Rath and Whalen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Moses then rose to speak in opposition to the measure, stating:

"There seems to me a few a hundred years ago we fought a war over a stamp tax. I think this is the same kind of thing. It's not the thing we want to do in America, to put stamps on anything so that we can tax them. I agree with one of the previous speakers that we're combining two issues here. This doesn't help us take care of the problem with minors buying cigarettes. It only raises revenue. Thank you, Mr. Speaker."

Representative Auwae then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to register a no vote for her, 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 H.B. No. 2034, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Auwae, Leong, Meyer, Moses, Rath and Whalen voting no and Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representatives Menor and Yoshinaga, for the Committees on Consumer Protection and Commerce and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 337-00) recommending that H.B. No. 2877, as amended in HD 1, pass Second Reading and 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 H.B. No. 2877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 338-00) recommending that H.B. No. 2833, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2833, HD 2, be referred to the Committee on Finance, seconded by Representative Yonamine.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2833, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE," was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 339-00) recommending that H.B. No. 2352, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2352, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Herkes rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Rath then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This is, without question or doubt, the contract service regulation, is regulation for regulation sake. When we heard this bill in Committee, the Consumer Advocate came up and I asked him, what is the consumer harm here for these service contracts being offered? He related to us that there was one unscrupulous dealer who had cancelled his contract with a known, large U.S. company and decided to form his own service contract company with the aid of that unregulated group of people called attorneys, who are not regulated by the DCCA.

"Additionally, he said there were about 40 people who bought service contracts on television sets. We all know that television sets are a couple hundred, maybe \$400 and they bought these service contracts, probably costing them \$20 or \$30 times 40. That's the largest amount of harm, and for this we wind up with this huge document, this bill that's 20 some odd pages long to regulate an industry that really hasn't had any consumer complaints of any substance or any harm. So we're forming another layer of bureaucracy and more regulation for every business person who offers any kind of service contract to go through.

"Everybody wonders why business is not doing well. We keep putting one more regulatory burden on top of another, on top of another and the problem, Mr. Speaker, I'll be very candid with you. A survey was done in the State of Hawai'i, it was actually done in all 50 states, and I asked him, 'Who in the community does the average person respect and admire?' It didn't come out being the clergy, non-profit volunteers, politicians or attorneys. It came out being the most respected people, the people that were most trustworthy in our society, right here in Hawai'i, were the small business people. And why the State feels that every small business person is somehow a crook, thief or charlatan is beyond me. Why we feel we have to look over the shoulder and regulate every small business person is just terrible. This is why we're in this problem and this particular bill, along with others, are just regulating for regulation sake with consumer harm. It's why we're going down this road. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2352, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," passed Second Reading and was referred to the Committee on Finance, with Representative Rath voting no and Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 340-00) recommending that H.B. No. 2472, as amended in HD 1, pass Second Reading and 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 H.B. No. 2472, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 341-00) recommending that H.B. No. 2650, pass Second Reading and 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 H.B. No. 2650, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 342-00) recommending that H.B. No. 2417, pass Second Reading and 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 H.B. No. 2417, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT

ENFORCEMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 343-00) recommending that H.B. No. 2418, pass Second Reading and 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 H.B. No. 2418, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 344-00) recommending that H.B. No. 2530, as amended in HD 1, pass Second Reading and 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 H.B. No. 2530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 345-00) recommending that H.B. No. 1760, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 346-00) recommending that H.B. No. 2618, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPEAT INTOXICATED DRIVERS," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Garcia, Herkes, Kaho'ohalahala, Lee, Okamura and Yoshinaga being excused.

ANNOUNCEMENTS

Representative Case: "A few reminders for members. First, for all members, but particularly Chairs and Vice Chairs is the reminder to stay on track for the First Lateral deadline. All bills and committee reports must be filed in the Clerk's Office by 5:00 o'clock this afternoon.

"Second, we will have a Majority Caucus in the Majority Caucus Room at 7:55 o'clock this evening shortly before our evening floor session at 8:00 o'clock p.m.

"Third, this is a reminder that beginning next Tuesday, February 22, 2000, the House floor sessions will commence at 11:30 o'clock a.m. Thank you."

Representative Takai: "Just wanted to make an announcement on behalf of Representative Nestor Garcia, yourself and other members who've been helping with today's events. Today is New Economy Day and we're focusing on the film industry as well as the sports industry and in a few minutes you're welcome to join everyone in the rotunda for lunch. There we'll see a number of different demonstrations including a stunt from the upper floors jumping down onto the rotunda. So it should be very exciting. Please all come, thank you."

Representative Pendleton: "For the Republican Caucus, we have a caucus tonight for 7:15 o'clock p.m. prior to our 8:00 o'clock p.m. session."

Representative Oshiro: "Just to remind the members of this body that this House has a television show this afternoon on Olole Channel 54 from 4:00 o'clock to 5:00 o'clock p.m. I will be hosting it, joined with three of our colleagues, Representatives Takai, Ito and Leong. So please tune in and watch us. Thank you."

At 12:30 o'clock p.m., the House of Representatives stood in recess until 8:00 o'clock p.m. this evening.

NIGHT SESSION

The House of Representatives reconvened at 8:39 o'clock p.m.

The Chair made the following statement:

"Before we move on to Supplemental Calendar No. 1, on behalf of the State House of Representatives and myself, I would like to convey my apologies to the general and audience for this inconvenience we have caused. We have had some public difficulties in regards to our PA system and that's why we have had a 40 minute delay."

INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Luke introduced the Pauoa PTA Cub Scout Pack 215 and Boy Scout Troop 215 accompanied by Mr. Dennis Sumida, Cub Scout Master; Ms. Karen Yoshina, Cub Scout Master; Ms. Wendy Ogawa, Den Leader; and their parents.

Representative Luke also introduced Mr. Todd Kosgrow, a Junior at Mid-Pacific Institute, volunteering in her office.

Representative Kaho'ohalahala introduced Ms. Sylvia Young, the new Director-elect of the Hawai'i Credit Union League and his neighbor on Lanai.

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

H.B. No. 2020:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2020, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," passed Third Reading by a vote of 47 ayes, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

H.B. No. 2022:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2022, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 47 ayes, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

The Chair directed the Clerk to note that H.B. Nos. 2020 and 2022, had passed Third Reading at 8:42 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 347-00) recommending that H.B. No. 2527, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2527, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

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

"Mr. Speaker, this is an increase, it's almost doubling the fee, the surcharge, for solid waste disposal. The City and County of Honolulu testified in opposition to this. Just in 1998, they paid fees of over \$300,000 for solid waste and this would add approximately \$200,000 in addition.

"The Board of Health presently collects over \$500,000 a year. I believe that these kinds of fees, people pay taxes that should cover it. It just seems like a huge increase. So I'm voting no. Thank you."

Representative Rath then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representative Meyer be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

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

Representative Marumoto then rose and asked the Clerk to register a no vote for her, 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 H.B. No. 2527, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT DISPOSAL SURCHARGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Halford, Leong, Marumoto, McDermott, Meyer and Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 348-00) recommending that H.B. No. 2076, as amended in HD 1, pass Second Reading and 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 H.B. No. 2076, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LITTER CONTROL AND BEAUTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 349-00) recommending that H.B. No. 2539, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2539, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

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

Representative McDermott then 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:

"Thank you, Mr. Speaker. This is the environmental response bill. We have an Environmental Response Fund. From that, we tax petroleum products at five cents per barrel, to generate the revenues. Now we're going to use the money for many, what they call, environmental protection programs. Also what I really object to the most is they're raising this tax 500 percent, from five cents to 25 cents per barrel. Also that Fund now is going to be used for many different issues and not what it was originally intended for. 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 Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Marumoto then rose and asked the Clerk to register a no vote for her, 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 H.B. No. 2539, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Halford, Leong, Marumoto, McDermott, Meyer, Moses and Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 350-00) recommending that H.B. No. 1863, as amended in HD 1, pass Second Reading and 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 H.B. No. 1863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 351-00) recommending that H.B. No. 1865, as amended in HD 1, pass Second Reading and 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 H.B. No. 1865, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 352-00) recommending that H.B. No. 2187, as amended in HD 1, pass Second Reading and 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 H.B. No. 2187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 353-00) recommending that H.B. No. 2794, HD 1, as amended in HD 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 H.B. No. 2794, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Herkes and Morihara, for the Committees on Economic Development and Business Concerns and Higher Education, presented a joint report (Stand. Com. Rep. No. 354-00) recommending that H.B. No. 2607, as amended in HD 1, pass Second Reading and 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 H.B. No. 2607, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to

the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 355-00) recommending that H.B. No. 2741, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2741, HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance, seconded by Representative Yonamine.

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

Representative Garcia continued, stating:

"I would add, Mr. Speaker, that your Committee on Public Safety and Military Affairs considers this measure to be the 'flagship vehicle' when it comes to a privately operated correctional facility. It also deals with the other concern that the Governor has asked, and that this Committee has complied with, and that is the authority to site the prison in the State of Hawai'i. Thank you, Mr. Speaker."

Representative Garcia's remarks are as follows:

"As my colleagues are aware, this bill is a significant change in my position on the issue of private prison operation. Indeed, to this day I remain very concerned about certain aspects of prison privatization, and this measure is an attempt to alleviate my concerns. With the help of my colleagues, I hope it may be possible to move this concept forward.

"The House has an array of measures concerning our corrections system this session, and, judging by the legislation introduced, I am happy to report that there seems to be a bipartisan consensus. Many of colleagues now agree that the time has come for a new approach to this age-old concern: prison overcrowding fueled by substance abuse and crimes related to those offenses.

"Upon reviewing this legislation concerning prisons, it appears that my colleagues, the administration and myself agree that, as one bill says, 'the mind-set of building more to house more does little to address the true problem in our community that causes symptoms such as overcrowded prisons.' The root cause, and the target of much of this legislation, is the failure to adequately deal with substance abusers in need of appropriate treatment. Another bill introduced this session correctly notes that 'the addictive nature of narcotics...is such that prison overcrowding and recidivism are virtually guaranteed if imprisonment alone is the State's solution to the problem. A final example, this one from my colleagues across the aisle, proposes to establish 'correctional treatment facilities' to attack the root cause that most of us seem to agree is untreated substance abuse. I have benefited from the work of my colleagues in reviewing all of these bills, and I thank them for their input and support concerning this crucial issue.

"This argument for rehabilitation is not a new one. What is new, however, is the motivation this year to carry through with some innovative ideas to attack the issue by means of privatization. This is a lengthy bill, but please allow me to comment on the key aspects of this measure. I hope you will agree that this bold plan is in the best interests of public safety, fiscal responsibility, and offenders.

"The facility proposed in this bill is to be specifically designed for and operated as an intensive treatment facility.

What we must not do is build another facility like Halawa, which is poorly suited for rehabilitation and, despite all the efforts of the state, remains an embarrassment. The vision of this legislation is to create a therapeutic community within a minimum security setting. In addition to substance abuse treatment, the facility will address the particular needs of each individual inmate. The facility shall provide a wide array of culturally- and gender-appropriate programs, mental health services, group counseling, anger management programs, transitional programs, cognitive restructuring, remedial education, and vocational training. I believe this type of facility is the answer to breaking the cycle of recidivism and will do far more to increase public safety than simply warehousing offenders who need these types of help.

"Unlike many other states with private correctional facilities, under this bill it will not be legal for offenders from outside of Hawai'i to be housed within this treatment facility. Part of the philosophy guiding the construction of this facility is my strong belief that separating offenders from the community to which they will eventually return is not only wrong, but it is counterproductive to the treatment the offenders need. It is crucial for the offender, his or her family, and the community, to participate together in the treatment process. Importing offenders to a Hawai'i facility obviously runs counter to that necessity.

"Other features of this bill aim to head off some common abuses found at private correctional facilities in other jurisdictions. For instance, the private operator will not be able to choose which inmates are housed in, or revoked from, the facility. In some states the private developer carefully selects the less problematic inmates and does not accept those inmates they fear will be troublesome. This partially explains why some private facilities boast of being operated better. Of course, it is easier to operate a facility with hand-chosen inmates! The bill would also prevent the private operator from making a decision that affects the sentence imposed on an inmate or the time served by an inmate. This is to thwart the temptation for the operator to lengthen the stay of an individual in order to keep the facility full -- I'll mention this problem again later. Before the facility can even be constructed, strict licensure requirements must be met. This license will ensure that the private operator does not try to cut costs at the expense of public safety or inmate treatment.

"The facility I propose will also break away from the way typical privatized correctional facilities are understood to operate. The contract will be such that instead of simply contracting for service from the operator that is essentially the same as what is available in existing public sector operation, the State will be paying the operator to provide the desired outcome -- the outcome of offenders being successfully reintegrated into society. Hawai'i will not remain in the 'hotel style' billing scheme that other private correctional facilities maintain. The 'hotel' scheme I refer to is the common practice of paying the operator an agreed per-diem for each offender held at the facility with little consideration of any individual offender's progress. Under that scheme, it is not in the financial interest of the operator to prepare an offender for parole. Quite the contrary, like a hotel, the longer the inmate stays, the more profit for the operator. Parole violators returned to the institution are thus perverse financial rewards for what are socially undesirable corrections outcomes.

"To ameliorate this, the bill rewards the private operator for positive outcomes and penalizes the operator for recidivism and/or not readying an offender for his or her earliest parole date. It does this by an innovative approach to setting the per-diem rates. Basically, the profit margin for incarceration will be 'razor thin', for parole revocations the rate will be such that the company experiences a net loss. The real profit will be made after preparing the offender to earn parole as soon as possible and then ensuring that the offender does not have his or her parole revoked.

"Keep in mind, colleagues, that nearly every offender who enters a correctional facility will eventually return to his or her community. So to consider offenders as a completely separate population is a mistake. The community needs to be allowed to monitor and participate in the preparation of the offenders that will one day re-enter their midst. The bill provides for a citizens oversight committee that will not only be consulted during the preliminary stages of the facility, but, once the facility is operating, the committee will meet regularly to share the progress or problems at the facility. This committee will have full access to the facility and the written comments and suggestions of the committee shall be dealt with promptly.

"Other privately-operated correctional facilities are known for varying levels of secrecy concerning their operations. This legislation provides for access by the public media, to include authorization to accompany the department when the facility is inspected and to report the results of any such investigations to the public. The Ombudsman is also given new authority to deal with issues within the private facility, should the citizens oversight committee, or any other person, need assistance.

"There has been a need for this type of facility for some time, and the need will not go away if we decide to simply build another prison and hire a private contractor to operate it. Going to the mainland is wrong; we need a facility that can seriously help us to fight recidivism, and we need to build this facility in the State of Hawai'i. Thank you, Mr. Speaker."

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

"First of all, I want to thank the Chairman and the Committee for doing a wonderful job and for coming up with a very comprehensive bill. However, I have some concerns and I hope that these remarks will be carried on to the Finance Committee who will be eventually reviewing this bill and looking for the passage of the bill.

"One, is that the bill does not name a site. One of the big complaints from the Governor, thus far, is that the Legislature has not taken any action in naming a site for the prison. If a site is not named, then it's very possible that it could be negotiated, putting the prison overseas on the mainland. Perhaps even more important than that, I'm very concerned that it provides only for minimum security prisoners. I recognize the need for rehabilitative programs, which I believe are extremely important and we should provide funding for, but also important, maybe more important at this point, are the crowded conditions at the medium security prisons of which there is a glut in the prison cell where you have three to four people in each cell.

"If we don't resolve that problem, we're going to continue to have the problem that we have now. Ultimately, I fear that we're going to be under a consent decree. I welcome the Chairman of the Committee and the members to explain to me that there is not a problem with the medium security prisoners. Then, certainly, I would then endorse this bill wholeheartedly in the final action of the bill as it comes out of the Finance Committee. However, if I'm still not convinced, that it provides a resolution to the medium security felons, I will wholeheartedly oppose this bill when it comes up for Final Reading. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATELY-OPERATED CORRECTIONAL FACILITIES," passed Second Reading and was referred jointly to the Committees on Labor and Public Employment and Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Herkes and Menor, for the Committees on Economic Development and Business Concerns and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 356-00) recommending that H.B. No. 2360, as amended in HD 1, pass Second Reading and 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 H.B. No. 2360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESSES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 357-00) recommending that H.B. No. 2068, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2068, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 358-00) recommending that H.B. No. 1977, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1977, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Yonamine.

Representative Rath then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose in opposition to the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"The purpose of this bill as originally drafted was to create an exception to the gasoline retail divorcement law by allowing a manufacturer or jobber to operate a former dealer-operated retail service station where the current or new dealer is in agreement with such an operation and has a contract interest in the operation.

"The theory behind the original divorcement law was that it would help 'mom and pop' stations stay competitive. It failed in that regard because Federal EPA regulations were the real costly culprits. We further amended the divorcement law to protect gasoline dealers from perceived unfair competition from the gas company owned and operated stations.

"In the Energy and Environmental Protection Committee meeting, where we heard testimony on this bill, many gasoline dealers who previously supported the divorcement law stated that it was actually hurting them and testified in support to HB 1977.

"Unfortunately, the Committee voted to amend the bill in such a way as to actually make the existing inflexible law more unyielding, guaranteeing that a number of dealers will lose everything. I urge my colleagues here in the House to vote no on this measure."

Representative Marumoto then rose and asked the Clerk to register an aye vote with reservations 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 H.B. No. 1977, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representative Meyer voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 359-00) recommending that H.B. No. 2012, as amended in HD 1, pass Second Reading and 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 H.B. No. 2012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECYCLING OF BATTERIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 360-00) recommending that H.B. No. 2312, as amended in HD 1, pass Second Reading and 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 H.B. No. 2312, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WASTE DISPOSAL FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 361-00) recommending that H.B. No. 2327, as amended in HD 1, pass Second Reading and 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 H.B. No. 2327, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 362-00) recommending that H.B. No. 2513, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2513, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 363-00) recommending that H.B. No. 1831, pass Second Reading and 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 H.B. No. 1831, entitled: "A BILL FOR AN ACT RELATING TO WELFARE REFORM," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 364-00) recommending that H.B. No. 1908, pass Second Reading and 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 H.B. No. 1908, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 365-00) recommending that H.B. No. 2370, pass Second Reading and 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 H.B. No. 2370, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 366-00) recommending that H.B. No. 2514, pass Second Reading and 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 H.B. No. 2514, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 367-00) recommending that H.B. No. 540, HD 1, as amended in HD 2, pass Second Reading and 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 H.B. No. 540, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 368-00) recommending that H.B. No. 2367, as amended in HD 1, pass Second Reading and 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 H.B. No. 2367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 369-00) recommending that H.B. No. 2368, as amended in HD 1, pass Second Reading and 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 H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 370-00) recommending that H.B. No. 2377, as amended in HD 1, pass Second Reading and 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 H.B. No. 2377, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE "CONFERENCE IN THE YEAR ZERO" (FOLLOW-UP TO THE MILLENNIUM YOUNG PEOPLE'S CONGRESS)," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 371-00) recommending that H.B. No. 2431, as amended in HD 1, pass Second Reading and 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 H.B. No. 2431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 372-00) recommending that H.B. No. 3022, as amended in HD 1, pass Second Reading and 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 H.B. No. 3022, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CERTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Arakaki and Santiago, for the Committees on Human Services and Housing and Health, presented a joint report (Stand. Com. Rep. No. 373-00) recommending that H.B. No. 2336, as amended in HD 1, pass Second Reading and 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 H.B. No. 2336, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR ELDERLY AT-HOME CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Arakaki, for the Committee on Human Services and Housing, presented a report (Stand. Com. Rep. No. 374-00) recommending that H.B. No. 3016, pass Second Reading and 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 H.B. No. 3016, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 375-00) recommending that H.B. No. 2813, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred jointly to the Committees on Labor and Public Employment and Finance.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 376-00) recommending that H.B. No. 2444, pass Second Reading and 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 H.B. No. 2444, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 377-00) recommending that H.B. No. 2567, pass Second Reading and 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 H.B. No. 2567, entitled: "A BILL FOR AN ACT RELATING TO BLUE LIGHTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 378-00) recommending that H.B. No. 1804, as amended in HD 1, pass Second Reading and 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 H.B. No. 1804, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 379-00) recommending that H.B. No. 2522, as amended in HD 1, pass Second Reading and 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 H.B. No. 2522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 380-00) recommending that H.B. No. 2733, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2733, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Kahikina rose to speak in opposition to the measure, stating:

"I first would like to declare a conflict of interest, Mr. Speaker. I was born Native Hawai'ian -- that Hawai'ian that is affected by this bill," and the Chair ruled "no conflict."

"Thank you, Mr. Speaker. I respect the author of the bill, I respect the Chairman of the Committee and the Committee members, and with all due respect, I know that this was done in respect. But, Mr. Speaker, I oppose this because the purpose of this bill was to expedite the resolution of the individual claims filed with the Hawai'ian Home Lands Trust Individual Claims Resolution Panel. This bill would try to model the reparation process adjacent to what America did with the people of Japanese American ancestry.

"It really wants to compute it and take out the actual damages and say that the claims should be fixed damages. But what is really the problem is that we already did this with Chapter 674 and that's why the beneficiaries have a reason to go to court. Everybody knows, I hope everybody knows, that on April 30, 1900 that the Congress of the United States passed the Organic Act, which provided for a governing of the Territory of Hawai'i, and on July 9, 1921, the Congress of the United States passed the Hawai'ian Homes Commission Act.

"The Act said, in my view, the first apology to the Native Hawai'ians to enable them to return to their islands, to return to their lands in order to fully support self-sufficiency for Native Hawai'ians and self-determination of Native Hawai'ians in the administration of this Act. The preservation of the values, traditions, and culture of Native Hawai'ians.

"On March 18, 1959, the Congress of the United States passed the Admissions Act under the prerequisite that the State of Hawai'i would take over the responsibility of administering the Hawai'ian Homes Commission Act. On November 7, 1978, the people of the State of Hawai'i reaffirmed the solemn trust, obligation, and responsibility to Native Hawai'ians, and furthermore, declared in the State Constitution that there be an Office of Hawai'ian Affairs to address the needs of the aboriginal class of people of Hawai'i.

"The United States government, Mr. Speaker, has a long history of broken promises and unfulfilled laws pertaining to Native Hawai'ians. Our State now is doing the same as the United States. Mr. Speaker, we have a process already in place. We have issues that are pending from last session, that are pending on the case that is in the Federal Courts called Rice v. Cayetano.

"This is no different. It's in the courts. It has a process. I appreciate that we're trying to solve the problem, but if we really want to expedite the resolution, we would have paid off

the individual claims so we would not have these problems. We would respect Chapter 674 and all its processes. I usually would like to have the bill go on further because I'd like to see things negotiated and debated, but in this case we debated the issue already. We solved it with a process. Perhaps, we didn't have the courage to call a Special Session to overrule the Governor when he vetoed the vehicle that would allow the panel to complete its mission. So I say to you, I oppose this bill for all those reasons.

"One last thing, Mr. Speaker, at the hearing, the testimony of opposition to this bill was provided by the State of Hawai'i's Department of Commerce and Consumer Affairs, the State of Hawai'i's Office of Hawai'ian Affairs, Common Cause Hawai'i, Consumer Lawyers of Hawai'i, Liliu'okalani Coalition, the League of Women Voters of Hawai'i, the Native Hawai'ian Legal Corporation, the State Council of Hawai'ian Homestead Associations, and numerous concerned individuals including myself. That's why I oppose it. Thank you."

Representative Thielen then rose to speak in opposition to the measure, stating:

"I'd like to also add, if you take a look, members, at the committee report on this, you'll find seven votes with reservations and one opposed. The committee hearing was conducted fully. I credit the Chair and Vice Chair of the Committee for their efforts to try to make amends, but I don't think that this is the correct way. As the former speaker said, we have a court action in progress. From that court action, I believe that the Hawai'ian Home Lands beneficiaries will be given justice.

"I don't think it is right for the Legislature to intervene in that process, and I'd like to just read a few comments from one of the attorneys who was helping the Hawai'ian Homes Lands beneficiaries:

'Do not pass any amendments to Chapter 674. Do not alter any alternative reparations process. Do nothing which will jeopardize our ongoing lawsuit. Do not pass House Bill 2733.'

"It goes on with a few short other statements:

Any attempts at amendment, positive or negative, will only result in further litigation and delay. The Legislature has had nine long years to work on this problem. It is now up to the courts to resolve the issue. If you are sincere in helping resolve Native Hawai'ian beneficiary claims for breach of the Hawai'ian Home Lands Trust, you will vote no on House Bill 2733 and pass no amendments to Chapter 674. The passage of House Bill 2733 will only provide for a vehicle of mischief, which will allow the compensation process to be further diluted and delayed by opponents to the compensation process.'

"I think that is very sound advice. I would ask the members to seriously consider their opportunity to vote no on this measure right now and to allow the court case to proceed to what should be a just conclusion. Thank you, Mr. Speaker."

Representative Rath then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I hadn't thought of that word 'mischief', but stemmed out of a mischievous bill as the previous speaker had noted. Rather than speak on it at any great length, I'll just simply say this, I'm sure that previous speakers and, undoubtedly there'll be more who will rise in opposition to speak. I just wanted to say that we all probably are speaking from the heart for the same reason. And I'll let it go at that. Thank you, Mr. Speaker."

Representative Leong then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Auwae then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

Representative Marumoto then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

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

"I just have some very brief remarks. After working on this bill for the past few weeks, I basically reached one conclusion. And that is that I now know what it feels like to be Representative Case.

"The purpose of this measure, as originally introduced, was to provide some form of remedy for the 2,753 beneficiaries who filed claims for breach of trust with the Individual Claims Review Panel. Due to the Governor's veto of legislation that would have extended the panel for one additional year, the beneficiaries filed a class action lawsuit in December. The State is in the preliminary stages of defending this lawsuit, which according to the plaintiff's attorneys will result in an award of damages exceeding \$100 million.

"After hearing this bill, your Committee amended it by replacing its content with very neutral language simply to ensure that we would have a vehicle in place in the event that we are able to resolve this matter during this legislative session. For the most part, that language is taken from the bill that was vetoed last year, House Bill 1675, which establishes a commission to evaluate funding mechanisms to compensate successful beneficiaries under the administrative process.

"Just for edification, the Senate Committee on Hawai'ian Affairs has also amended its bill with comparable language and that vehicle is headed in our direction, and we will deal with it after the Crossover. Thank you very much."

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

Representative Moses then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representatives Kahikina and Thielen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

Representative Ahu Isa 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 H.B. No. 2733, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS TRUST," passed Second Reading and was referred to the Committee on Finance, with Representatives Ahu Isa, Arakaki, Auwae, Fox, Goodenow, Halford, Kahikina, Leong, Marumoto, Meyer, Moses, Rath and Thielen voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Hamakawa and Menor, for the Committees on Judiciary and Hawai'ian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No.

381-00) recommending that H.B. No. 2529, as amended in HD 1, pass Second Reading and 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 H.B. No. 2529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Hamakawa and Menor, for the Committees on Judiciary and Hawai'ian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 382-00) recommending that H.B. No. 2143, as amended in HD 1, pass Second Reading and 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 H.B. No. 2143, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 383-00) recommending that H.B. No. 385, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 385, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative McDermott rose to speak in opposition to this measure, stating:

"Mr. Speaker, I abhor violence as much as the next person. I think violence is terrible no matter who it's committed against. A crime is a crime is a crime. But, Mr. Speaker, one thing I dislike almost as much as violence is political correctness.

"Mr. Speaker, I'd like to know who asked for this bill? It wasn't part of the Majority Package. It wasn't part of the Minority Package. Who thrust this upon us? It was originally three bills and this is what we have left, the distillation of three bills into one.

"I have to tell you last Friday I looked at the three original bills and I went home and I couldn't sleep. Who asked for this bill, Mr. Speaker? Is the intent of this bill to protect minorities? Is that the intent? In Hawai'i, we're all minorities. We are a society of minorities within minorities. We're all minorities. There's no ethnic majority. So why is this bill here?

"Well, first of all, it would be almost impossible to enforce. Every crime just by the fact of happenstance would be almost an interracial crime. Just by happenstance, just because of the genetic make up of our society. But who is it designed to protect? Is it designed to protect the minorities? Is that what it's for? I did a little statistical checking, Mr. Speaker. Samoans and Tongans make up 1.7 percent of the Oahu population. Is that who this is designed to protect? Mr. Speaker, I'm married to a Samoan and I've been married for about 15 years. I can't remember the last time I went to a party with and hear one of them complain about getting picked on, but we'll move beyond that.

"Mr. Speaker, is this bill really designed to protect the legitimate minorities? Is that what it is? Is it designed to protect the minorities within our community, the Tongans, the Maoris, the Palauans? Is that what this is designed for, Mr. Speaker? Is that who was walking the halls last week and I missed them, going door to door lobbying for this bill?

"No, Mr. Speaker, this is political correctness. This whole charade is designed to get two words in statute. We want to get the words 'bisexuality' and 'homosexuality' in the statutes. We want to codify those words. We want to legitimize it. We want to destigmatize them. We want to put them in the statutes. We want to build a body of law. I rue the day, Mr. Speaker, 10 or 15 years from now when there's a lawsuit challenging why we don't teach in our children's schools that these are a moral equivalent because the actions we take here today are saying they are the moral equivalent. Mr. Speaker, I say they're not. I was a Marine. I go to church every week. This is not the moral equivalent, Mr. Speaker.

"The purpose of this bill is to equate our sexual choices with genuine minority status. Mr. Speaker, you can look at me, look at me up one side and down the other, I'm not a minority. You can look at me all day long. I'm not a minority. But if I choose to engage in a particular sexual behavior, now I'm a minority. No, that's not right, Mr. Speaker.

"Mr. Speaker, this bill is nothing more than a steaming, stinking pot of political correctness. We have laws that protect all citizens. Violence against every citizen is abhorrent. It doesn't matter what color your skin is, it doesn't matter where they're from. All this bill will do is further divide our society, further Balkanize our society.

"I was talking to one of the other members before saying, 'Hey I'm going to give a speech on this you know. What happens when two guys from California with beach blonde hair, land in Hawai'i, they get in a rental car and they go out to a surf spot which is locals only. What happens to them? They get "dirty lickings". Is that a hate crime?' Under this bill, it will be, hateful. Let's not further Balkanize our society by pandering to the extreme, left-wing liberals and worship at the altar of political correctness. All violence is hateful. Let us stop this nonsense now."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 385, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Second Reading and was referred to the Committee on Finance, with Representatives McDermott and Kahikina voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 384-00) recommending that H.B. No. 1937, as amended in HD 1, be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1937, HD 1, be referred to the Committee on Finance, seconded by Representative Yonamine.

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

"My concern is nothing against the idea of underground utility lines. My concern is if we're going to use everybody to pay for them, for the benefit of whatever community that it's underground for. Thank you, Mr. Speaker."

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

"The reservations that I have, and I conveyed it to the Chairman of the Committee, is that the bonds to be used are general obligation bonds and GO bonds can only be used for state or county or governmental projects. It cannot be used in a project like this. Again, this is directed to the Finance Committee so that they can look into the feasibility of using GO bonds for private use, which I believe is not acceptable and would probably be vetoed by the Governor anyway. Thank you, Mr. Speaker."

Representative Whalen then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

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

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Goodenow then rose and asked the Clerk to register an aye vote 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 H.B. No. 1937, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING THE USE OF GENERAL OBLIGATION BONDS TO INSTALL UTILITY LINES UNDERGROUND," was referred to the Committee on Finance, with Representatives Kanoho, Meyer and Nakasone voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 385-00) recommending that H.B. No. 2811, HD 1, as amended in HD 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 H.B. No. 2811, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives Menor, Okamura, Stegmaier and Pendleton being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 386-00) recommending that H.B. No. 2843, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2843, HD 2, be referred to the Committee on Finance, seconded by Representative Yonamine.

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

"The reason for the reservation is in the description which says that the aesthetics taken into consideration must be valued above all else. I would submit, Mr. Speaker, that there's a cost on everything. At some point, it becomes too expensive to use that as a criteria. I just don't think this is well thought out. Thank you, Mr. Speaker."

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

"A note for the Finance Committee, I know they normally don't want to deal with this, but aesthetic considerations above all else, just by the definition of aesthetics, is fairly subjective.

And obviously by the dispute we have in the Legislature about making it mandatory, the value of having underground utilities, the view plane or whatever else, is a varying value to us for whatever reasons. How do we define it? How do we determine it? I feel the criteria is too arbitrary to actually enforce."

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

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

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Goodenow then rose and asked the Clerk to register an aye vote 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 H.B. No. 2843, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," was referred to the Committee on Finance, with Representatives Kanoho, Meyer and Nakasone voting no and Representatives Menor, Okamura, Stegmaier and Pendleton being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 387-00) recommending that H.B. No. 2004, 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 H.B. No. 2004, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Santiago, for the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 388-00) recommending that H.B. No. 1917, pass Second Reading and 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 H.B. No. 1917, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Santiago, for the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 389-00) recommending that H.B. No. 2543, as amended in HD 1, pass Second Reading and 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 H.B. No. 2543, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THERAPY SERVICES FOR EXCEPTIONAL CHILDREN," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 390-00) recommending that H.B. No. 2387, pass Second Reading and 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 H.B. No. 2387, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 391-00) recommending that H.B. No. 2763, as amended in HD 1, pass Second Reading and 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 H.B. No. 2763, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 392-00) recommending that H.B. No. 3002, as amended in HD 1, pass Second Reading and 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 H.B. No. 3002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLAYGROUNDS IN SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 393-00) recommending that H.B. No. 2491, as amended in HD 1, pass Second Reading and 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 H.B. No. 2491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 394-00) recommending that H.B. No. 2265, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2265, HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs, seconded by Representative Yonamine.

Representative Rath rose to speak in opposition to the measure, stating:

"I won't belabor this. This is something that has come up again and again where the Governor wants to appoint BOE members. The citizens have always voted that they want to vote for the Board of Education. So this is 'deja vu' and I'd just like a no vote recorded."

Representative Leong then rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also oppose the bill for the reason that I have always believed that we should have an elected Board of Education. Thank you."

Representative Fox then rose to speak in opposition to the measure, stating:

"Mr. Speaker, Hawai'i has fewer elected offices than any other state in the United States. We're one of the few states that doesn't elect even our Attorney General. The people of Hawai'i have, three times, said they want to elect their Board of Education. I don't understand this stubborn desire to try to take an elected board and turn it into an appointed board. Thank you, Mr. Speaker."

Representative Auwae then rose and asked the Clerk to register a no vote for her, and asked that the remarks of Representative Fox be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen then rose and asked the Clerk to register a no vote for her, stating:

"I believe in an elected school board," and the Chair "so ordered."

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

"Mr. Speaker, this measure contains a real, new ideal. It proposes a constitutional amendment to reduce the voting membership of the Board to nine members. Six of whom are elected by voters, and three of whom are appointed by the Governor with the consent of the Senate. At face value, this idea might be the compromise that many of us have been looking for, but this idea is so new that it needs to be debated and explored. So for these reasons, I request the members support on this measure. Thank you."

Representative Halford then rose and asked the Clerk to register a no vote for him, stating:

"Any amount of appointed board members is too many. Thank you," and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representative Fox be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Moses continued, stating:

"I'd like to just add that the people have spoken repeatedly on this measure. It's time for us to listen."

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

"Thank you, Mr. Speaker. I'm also rising in opposition to this measure. I just want to make note that the Board of Education opposed the proposed draft. This may be a new compromise type of measure. It also looks like kind of a sneaky way to move towards total appointment. Thank you, Mr. Speaker."

Representative Marumoto then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

Representative Yonamine then rose to speak in opposition to the measure, stating:

"My reason is simply this: reducing 13 or 14 to nine will not pass the constitutional 'one-man one-vote' reapportionment decision that was made by the federal judge back in 1978. Secondly, I think it's very wrong to try to elect six people, three from the neighbor islands and three from Oahu, and at the

same time have three other people being appointed by the Governor. Who are the three people going to represent, the people or the Governor or someone else? I think because of the ambiguity and the constitutional question in mind, I would cast a no vote.

"This is, I know, the good work done by the Chair of the Education Committee. But I just feel very strongly that if we want to expand the Board of Education, if we want to do something with it, we ought to go back to the original decision made back in 1978 and change the composition of the Board so that we all can vote for an elected person. Right now we don't have that franchise. So I don't know what this will change. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2265, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Auwae, Fox, Halford, Leong, Marumoto, Meyer, Moses, Rath, Thielen, Whalen and Yonamine voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 395-00) recommending that H.B. No. 2667, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2667, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY FOR COUNTIES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 396-00) recommending that H.B. No. 1902, as amended in HD 1, pass Second Reading and 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 H.B. No. 1902, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 397-00) recommending that H.B. No. 2743, as amended in HD 1, pass Second Reading and 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 H.B. No. 2743, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 398-00) recommending that H.B. No. 2835, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2835, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath then rose and asked the Clerk to register a no vote for him, stating:

"This is a tax on water. That's the reason for the no vote. I imagine that when somebody figures out how to put a little meter on your mouth, we'll have a tax on air. Thank you, Mr. Speaker," and the Chair "so ordered."

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

Representative Moses then rose and asked the Clerk to register a no vote for him, stating:

"If they could the tax the sidewalks, they'll tax how many steps we take also," and the Chair "so ordered."

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

Representative Marumoto then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Halford 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."

Representative Meyer 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 H.B. No. 2835, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Halford, Leong, Marumoto, McDermott, Meyer, Moses, Rath and Whalen voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 399-00) recommending that H.B. No. 2403, pass Second Reading and 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 H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 400-00) recommending that H.B. No. 2801, as amended in HD 1, pass Second Reading and 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 H.B. No. 2801, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 401-00) recommending that H.B. No. 3024, as amended in HD 1, pass Second Reading and 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 H.B. No. 3024, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCABLE PERMITS FOR STATE AGRICULTURAL LEASES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Abinsay and Garcia, for the Committees on Agriculture and Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 402-00) recommending that H.B. No. 1889, as amended in HD 1, pass Second Reading and 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 H.B. No. 1889, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Abinsay and Cachola, for the Committees on Agriculture and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 403-00) recommending that H.B. No. 1998, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 1998, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Halford then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 1998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE LEASES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 404-00) recommending that H.B. No. 2604, as amended in HD 1, pass Second Reading and 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 H.B. No. 2604, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 405-00) recommending that H.B. No. 2453, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2453, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This is the constitutional amendment for the 'rainy day fund'. I don't agree with this primarily because what it does is it's a constitutional

amendment that would limit returning excess taxes back to the taxpayer where they should go. We would put it into this fund, it creates another fund.

"Mr. Speaker, it's raining now and the 'rainy day fund' has become all the different special funds that have been raided. I would suggest, and this is just a suggestion mind you, that maybe we ought to look at a little fiscal management, reduction of government, deregulation and grow the economy as maybe an alternative to this type of thing. Thank you, Mr. Speaker."

Representative Marumoto then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register a no vote for him, stating:

"Once again, we're raiding a special fund to just to put it back into the general fund. We should be returning this money to the taxpayers," and the Chair "so ordered."

Representative Auwae then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Thielen then rose and asked the Clerk to register a no vote for her, 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."

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

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

"Mr. Speaker, the basic purpose of this bill is to strengthen our fund structure. As we all know, our recent fiscal circumstances clearly illustrate the need for our State to save and build a financial reserve during periods of strong economic growth, which can be used when there's an emergency or economic downturn. The constitutional mandate proposed in this bill will provide us with an effective means for accomplishing this goal and will benefit us in the long run.

"I would submit that this is an appropriate time for us to evaluate whether or not the tax refund provision serves a legitimate purpose. Since its adoption in 1978, Article VII, Section 6 has, in practice, been illusory because the amount of the rebate, if any, is discretionary. And in recent years, that rebate has only been one dollar.

"In past years, the State has actually provided taxpayers with greater relief through two broad based tax reform packages. That is the reduction in the personal income tax and in the general excise tax. Over six years that will save us \$2 billion, which is far more than has ever been refunded through this constitutional provision.

"In conclusion, Mr. Speaker, in the end, the voters will decide whether or not this is an acceptable practice. Thank you."

Representative Kahikina then rose to speak in opposition to the measure, stating:

"Mr. Speaker, the history goes that Article VII, Section 6 was created by the Constitutional Convention. The people of the State of Hawai'i voted on this and they wanted that any excess taxes should go back to the taxpayers. After that was enacted, the State really didn't give the taxpayers back those refunds. Instead, we enacted a rebate so that's where the dollar portion

came in. Although it goes on the ballot, and the constituents will vote for it, it still circumvents the process that people had voted on already. They wanted that if we have any excess, give them back their money. Thank you."

Representatives Fox then rose and asked the Clerk to register a no vote for him, and ask that the remarks of Representative Kahikina be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Fox continued, stating:

"Thank you, Mr. Speaker. I would also like to say that the money for this fund is coming from the Tobacco Settlement. That's where we're getting our first nut to put in the 'rainy day fund'. I think it's really abhorrent that at this stage in our history when we need that money for health that we're taking it out, and we're in the midst of a big rainy storm right now, to put it in some fund. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2453, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE HAWAII CONSTITUTION REGARDING AN EMERGENCY AND BUDGET RESERVE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Auwae, Fox, Halford, Kahikina, Leong, Marumoto, Meyer, Moses, Thielen and Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 406-00) recommending that H.B. No. 303, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 303, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTIFICATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 407-00) recommending that H.B. No. 2829, as amended in HD 1, pass Second Reading and 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 H.B. No. 2829, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS APPOINTMENT AND REVIEW PANEL," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 408-00) recommending that H.B. No. 2506, 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 H.B. No. 2506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 409-00) recommending that H.B. No. 1275, 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 H.B. No. 1275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 410-00) recommending that H.B. No. 2540, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2540, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Herkes rose and asked the Clerk to register a no vote for him, stating:

"I don't think we can control volcanic emissions," and the Chair "so ordered."

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

Representative Meyer rose in opposition to the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"I am opposed to the creation of another special fund which, in this case, is an attempt to impose an added tax on a targeted industry. Past experience with special funds has shown us that once established, these funds seem to take on a life of their own outside of the purview of the Legislature.

"The issue of climate change is extremely complex, and subject to a great deal of debate. There is no clear consensus among the nations of the world, or even within the United States as to the appropriate actions to address this issue. Here in Hawai'i, and in the nation, there needs to be a consideration of the economic impact, the technical feasibility, and the environmental impact of the various measures that have been proposed to deal with climate change."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AIR," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 411-00) recommending that H.B. No. 2545, as amended in HD 1, pass Second Reading and 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 H.B. No. 2545, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL HEALTH EDUCATION FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 412-00) recommending that H.B. No. 2011, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2011, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Yonamine.

Representative Rath rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

"Briefly, what it is again, we're assuming jurisdiction over something the county has traditionally had, the building code. Now we're telling them what they can and can't do. Sooner or later we'll have to trust the counties. If we feel it's important then maybe a resolution directing or asking the counties to look into this because we feel it's a good idea. We need to realize that we do have other forms of government in this State. And it's not up to us to control every aspect of it. Thank you, Mr. Speaker."

Representative Meyer rose in opposition to the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"This bill mandates that the counties implement the Hawai'i Model Energy Code for new residential construction. I have some concerns whether this isn't a matter best left to the individual counties who will be responsible for enforcing the codes, but I also have a problem with this bill as an example of government mandating to private sector developers and private homebuilders how to operate their businesses."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2011, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Meyer and Whalen voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'i Affairs, presented a joint report (Stand. Com. Rep. No. 413-00) recommending that H.B. No. 1877, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 1877, HD 1, pass Second Reading and be referred to the Committee on Finance, 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:

"I rise in support of this measure.

"Mr. Speaker, as fully summarized in the bill's recitals, this measure implements our state constitutional mandate that the State act to protect the personal privacy of its citizens. With the rise nationally of the information industry, which treats

private information on individuals as a commercial commodity, this mandate is under increasing attack.

"The bill proposes some very basic protections which affect only information which we would all regard as private, and only the commercial acquisition, collection and dissemination of that information. The rules are simple: individuals have a right to know what information is being gathered and why; they have a right to correct erroneous information; they have a right to say that information should not be disseminated beyond the initial gatherer; and the information gatherers have responsibilities for the protection of such information.

"Straightforward but, to hear some of the testimony, one would think the sky is falling on the information industry. They say that self-regulation is adequate, but that doesn't fulfill our constitutional mandate nor is it accurate. They say that we should leave this to the federal government, but neither does that fulfill our state constitutional mandate, nor has the U.S. Congress or federal regulatory apparatus proven capable of withstanding industry lobbyists and focusing on individual citizen protection. They say that every industry is different, but this bill specifically authorizes pre-approved codes of practice for each industry which essentially act as safe harbors for industry treatment of private information once adopted.

"Unfortunately, the industry succeeded in its efforts to substantially limit this bill's applicability in this current draft. However, the framework remains sound and still deserves support. And, I am convinced, eventually the industry will have to accept the reality that we individuals insist that our privacy be protected, and that's good for business too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1877, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATIONAL PRIVACY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'i Affairs, presented a joint report (Stand. Com. Rep. No. 414-00) recommending that H.B. No. 2961, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2961, HD 2, be referred to the Committee on Finance, seconded by Representative Yonamine.

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

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2961, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," was referred to the Committee on Finance, with Representative Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 415-00) recommending that H.B. No. 2554, as amended in HD 1, pass Second Reading and 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 H.B. No. 2554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce,

with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 416-00) recommending that H.B. No. 101, as amended in HD 1, pass Second Reading and 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 H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 417-00) recommending that H.B. No. 2520, as amended in HD 1, pass Second Reading and 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 H.B. No. 2520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 418-00) recommending that H.B. No. 2289, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2289, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Halford rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 419-00) recommending that H.B. No. 3011, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 3011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION," passed Second Reading and was referred to the Committee on Judiciary and Hawaiian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Herkes, Morihara and Morita, for the Committees on Economic Development and Business Concerns and Higher Education and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 420-00) recommending that H.B. No. 2356, as

amended in HD 1, pass Second Reading and 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 H.B. No. 2356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Herkes and Morihara, for the Committees on Economic Development and Business Concerns and Higher Education, presented a joint report (Stand. Com. Rep. No. 421-00) recommending that H.B. No. 2901, as amended in HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2901, HD 1, pass Second Reading and be referred jointly to the Committees on Labor and Public Employment and Finance, seconded by Representative Yonamine.

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

"What this does is divide it, it puts digital under DCCA and analog under PUC. It's real tough for a company to have some digital and some analog."

Representative Luke then rose on a "point of information," stating:

"Actually, the House Bill that the Representative from the Big Island is talking about that portion has been taken out from the bill. You're referring to the DCCA portion. That has been eliminated."

The Chair then asked Representative Rath to "please proceed."

Representative Rath continued, stating:

"Okay, we'll just go ahead with reservations and leave it at that."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2901, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," passed Second Reading and was referred jointly to the Committees on Labor and Public Employment and Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 422-00) recommending that H.B. No. 2202, pass Second Reading and 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 H.B. No. 2202, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 423-00) recommending that H.B. No. 2765, pass Second Reading and 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 H.B. No. 2765, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR CHILD AND ADOLESCENT TRAUMA RECOVERY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 424-00) recommending that H.B. No. 2968, pass Second Reading and 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 H.B. No. 2968, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAEO COAST COMPREHENSIVE HEALTH CENTER," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 425-00) recommending that H.B. No. 3017, pass Second Reading and 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 H.B. No. 3017, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 426-00) recommending that H.B. No. 1985, as amended in HD 1, pass Second Reading and 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 H.B. No. 1985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL ANIMALS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 427-00) recommending that H.B. No. 1922, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1922, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 428-00) recommending that H.B. No. 2248, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on

Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 429-00) recommending that H.B. No. 2535, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2535, HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs, seconded by Representative Yonamine.

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

"My only concern is I would like ask the Committee on Judiciary and Hawai'ian Affairs to take a look at the criminal background checks. It serves a tremendous purpose. It's a very good purpose. The concern right now that was brought to the attention of the Health Committee was the cost, the resources that would be needed by Liane Moriyama, and the concern of the timeframe that it would take for the background checks. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2535, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL BACKGROUND CHECKS FOR THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 430-00) recommending that H.B. No. 1906, as amended in HD 1, pass Second Reading and 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 H.B. No. 1906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 431-00) recommending that H.B. No. 2279, as amended in HD 1, pass Second Reading and 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 H.B. No. 2279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 432-00) recommending that H.B. No. 2764, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2764, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Yonamine.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2764, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representative McDermott voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Santiago and Menor, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 433-00) recommending that H.B. No. 2165, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2165, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath rose and asked the Clerk to register a no vote for him, stating:

"This is more regulation, more licensing," and the Chair "so ordered."

Representative Halford then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2165, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL COUNSELORS," passed Second Reading and was referred to the Committee on Finance, with Representative Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Santiago and Ito, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 434-00) recommending that H.B. No. 2521, pass Second Reading and 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 H.B. No. 2521, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Santiago and Morihara, for the Committees on Health and Higher Education, presented a joint report (Stand. Com. Rep. No. 435-00) recommending that H.B. No. 2108, as amended in HD 1, pass Second Reading and 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 H.B. No. 2108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Santiago and Arakaki, for the Committees on Health and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 436-00) recommending that H.B. No. 2808, as amended in HD 1, pass Second Reading and 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 H.B. No. 2808, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 437-00) recommending that H.B. No. 1879, as amended in HD 1, pass Second Reading and 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 H.B. No. 1879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 438-00) recommending that H.B. No. 2823, HD 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 H.B. No. 2823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 439-00) recommending that H.B. No. 2078, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2078, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 440-00) recommending that H.B. No. 2087, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2087, HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker. The intent of this bill is laudable. It allows for schools to find out about a child's juvenile records. The intent is to be able to help the child in a school setting. This also has to do with Felix.

"I guess my reservations, though, come in two areas. Number one, there's a reason why we protect the confidentiality in juvenile cases, especially the identity of a child. We have to be careful that we don't stigmatize, especially an adolescent, especially with his peers. I'm really not that confident that there are the protections here that will protect the child in a school setting. We all know what can

happen when a child is either ostracized or led to feel that they don't belong in school because of their history.

"The other concern that I have has to do with the area of child abuse, which records will or may reveal. I think in the area of child abuse there are very strict confidentiality requirements. Actually this bill didn't come to the Committee on Human Services and Housing. I don't know if the Department of Human Services had a chance to look at this provision. I would have some concerns about that area as well and what is going to be revealed in the records. I vote with those reservations, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2087, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 441-00) recommending that H.B. No. 2098, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2098, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 442-00) recommending that H.B. No. 2077, pass Second Reading and 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 H.B. No. 2077, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 443-00) recommending that H.B. No. 1783, as amended in HD 1, pass Second Reading and 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 H.B. No. 1783, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 444-00) recommending that H.B. No. 3019, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 3019, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Kaho'ohalahala then rose to speak in support of the measure, stating:

"Mr. Speaker, I just would like to support the bill and let this body know that this, again, is a bill that is supporting the community enterprise zone of Molokai. This is to help them to really get funding that would help to provide for infrastructural needs at the schools. So this would, again, be a bill that we could all support Molokai with, to empower them, to put in place the kinds of things that they see for the future, and this has to do with the schools. So I would ask your support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Morihara, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 445-00) recommending that H.B. No. 2027, pass Second Reading and 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 H.B. No. 2027, entitled: "A BILL FOR AN ACT RELATING TO STUDENTS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Hamakawa, for the Committees on Education and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 446-00) recommending that H.B. No. 2820, pass Second Reading and 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 H.B. No. 2820, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Hamakawa, for the Committees on Education and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 447-00) recommending that H.B. No. 2857, as amended in HD 1, pass Second Reading and 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 H.B. No. 2857, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Ito and Garcia, for the Committees on Education and Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 448-00) recommending that H.B. No. 1876, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 1876, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian

Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 449-00) recommending that H.B. No. 2802, pass Second Reading and 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 H.B. No. 2802, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Abinsay, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 450-00) recommending that H.B. No. 2803, as amended in HD 1, pass Second Reading and 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 H.B. No. 2803, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Abinsay and Cachola, for the Committees on Agriculture and Water and Land Use, presented a joint report (Stand. Com. Rep. No. 451-00) recommending that H.B. No. 2424, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2424, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

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

Representative Rath then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance, with Representative Herkes voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Cachola and Hamakawa, for the Committees on Water and Land Use and Judiciary and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 452-00) recommending that H.B. No. 2768, pass Second Reading and 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 H.B. No. 2768, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 453-00)

recommending that H.B. No. 2575, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2575, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Morita rose and asked the Clerk to register an aye vote with reservations 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 H.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF WATER RIGHTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 454-00) recommending that H.B. No. 2427, as amended in HD1, pass Second Reading and 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 H.B. No. 2427, HD1, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC INFORMATION SYSTEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 455-00) recommending that H.B. No. 2578, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2578, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Morita rose and asked the Clerk to register an aye vote with reservations for her, and the Chair "so ordered."

Representative Rath then rose to speak in opposition to the measure, stating:

"Mr. Speaker, House Bill 2578 is a Natural Area Reserve Fund transfer to the general fund. This is basically raiding another special fund and transferring the money in the general fund. This is bad fiscal management. Thank you, Mr. Speaker."

Representative Thielen then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

Representative Moses then rose and asked the Clerk to register a no vote for him, stating:

"It's just raiding a fund again," and the Chair "so ordered."

Representative Marumoto then rose and asked the Clerk to register a no vote for her, stating:

"If there are excess funds in that special fund, I suggest we lower the tax rate," and the Chair "so ordered."

Representative Souki then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Halford 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 H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL AREA RESERVE FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Fox, Halford, Leong, Marumoto, Moses, Rath and Thielen voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 456-00) recommending that H.B. No. 2082, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2082, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Chang and Morita, for the Committees on Tourism and Energy and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 457-00) recommending that H.B. No. 2245, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

At 9:31 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 9:32 o'clock p.m.

Representatives Ito, Morihara and Yoshinaga, for the Committees on Education and Higher Education and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 458-00) recommending that H.B. No. 2280, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 459-00) recommending that H.B. No. 1946, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1946, HD 1, pass Second Reading

and be referred to the Committee on Finance, seconded by Representative Yonamine.

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

"My concern with this bill is on page 1, line 6: 'Agencies that perform energy efficiency retrofitting shall continue to receive budget appropriations for energy expenditures....' My interpretation is that if these agencies do not perform this they will not be able to continue to receive budget appropriations. So my concern to the next committee is they either address a language change or they make it real clear that the agencies that don't perform the energy efficiency concerns will not receive budget appropriations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 460-00) recommending that H.B. No. 2538, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2538, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath rose to speak in opposition to the measure, stating:

"This is a tax increase. It's one dollar per tire. One more tax. We seem to be doing it instead of an income tax or general excise, a lot of small taxes and fees. This is just another one. It makes for a lot of exercise, getting up and down though."

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

Representative Yamane then rose and asked the Clerk to register an aye vote with reservations for him, stating:

"I'm concerned about this higher tax," and the Chair "so ordered."

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

Representative Moses then rose and asked the Clerk to register a no vote for him, stating:

"This is another tax. It also increases the bureaucracy, maybe not the state bureaucracy directly, but it makes all these companies keep new records and process the details and information and send it on to the State. Thank you, Mr. Speaker," and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2538, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Second Reading and was referred to the Committee on Finance, with Representatives Halford, McDermott, Moses and Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 461-00) recommending that H.B. No. 1883, as

amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1883, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce, seconded by Representative Yonamine.

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

Representative Meyer rose in opposition to the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"I support the use of renewable energy sources, but this bill, which mandates that a minimum percentage of renewable energy sources be included in the portfolios of qualified electric utility companies, and also requires the Public Utilities Commission to establish a program to issue renewable credits to renewable energy generators, will increase costs to those electric utility companies.

"Those costs will inevitably be passed on to ratepayers. Renewable resources technologies are moving toward technological and economical viability, but we must proceed cautiously to ensure that reliable and stable electric power is available when needed. Renewable energy source alternatives cannot provide firm capacity. Facilities that rely on renewable resources would be forced to turn to the electric utility for their energy needs if the renewable alternatives cannot produce power.

"This is not a major concern on the mainland, because of the interconnection of the electrical grid between various jurisdictions. But here in Hawai'i, if renewable alternative sources cannot produce power, that power must come from other sources and it is possible that both renewable and fossil-fueled facilities will be needed in the future to meet the same demand. This would necessarily increase costs to consumers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1883, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Kanoho and Meyer voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 462-00) recommending that H.B. No. 2922, as amended in HD 1, pass Second Reading and 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 H.B. No. 2922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Herkes, for the Committees on Labor and Public Employment and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 463-00) recommending that H.B. No. 2919, as amended in HD 1, pass Second Reading and 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 H.B. No. 2919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE COVERAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Herkes, for the Committees on Labor and Public Employment and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 464-00) recommending that H.B. No. 2984, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2984, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

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

"I would just like to note for the members that there's a typographical error in both the committee report and in the bill which refers to the implementation of the increase in the minimum wage in the year 2002. The correct year should be 2003 because we are having a deferred three year period for the effective date of the increase. Thank you, Mr. Speaker."

Representative Rath then rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Minimum wage is generally increased when the economy is booming and doing good. That's the time to do it. It's very naive to think that this is going to help people out or create more jobs or stimulate the economy. Putting it off until 2003 is simply irresponsible. If you're going to raise it, raise it. If you're not then it just becomes a political trick.

"Mr. Speaker, what people don't seem to understand is we're closing the door to a lot of people at the lowest echelon of the economy. People are just beginning out and they need to go out into the community, the working community, and need to develop those skills in their first job. The ability to get up and go to work and serve the public and work with others and those skills need to be developed. People earning minimum wage generally develop these.

"One thing that is not taken into consideration by the people who have not been in business and don't have a real good understanding of how economies and business work, is the minimum wage when we raise it, it's like raising the bottom rung of a ladder. All the other rungs go up. The guy who is making minimum wage when he gets 50 cents an hour more and goes to \$5.75, the guy making \$5.75 wants a 50 cents an hour raise to \$6.25. And the guy making \$6.25 wants to make \$6.75. You get up to the guy who's making \$10 an hour and he wants a 10 percent raise.

"Now when you get the unions involved, they use this basically as a base and I can guarantee you the public workers' union will use this as a base and say you gave them a nine percent raise, we want a nine percent raise. Where does all this burden fall? Well, this burden falls, Mr. Speaker, on the small business community the hardest. In these tough economic times, everybody says the mainland is doing it, Congress is doing it. Right, the mainland has been in a boom. We're in our tenth year of recession. This is absolutely the wrong time to do it. Just by moving the date to 2003, putting it off, that that will give businesses time to adjust to the idea that they're going to get banged later. This isn't right. It's not the right time to do it. Let's see if we can't get the economy booming so in two or three years we have an economy that's growing and

expanding. Then that's the time to do it. This is a 'thumbs-up' campaign, the sequel. It just won't work, Mr. Speaker. Thank you."

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

"Thank you, Mr. Speaker. We have put this date of 2003, about two and a half years, so what good does it do the employees right now, nothing. This is just a way for us to tell them we're doing something, but it doesn't help them at all. As the previous speaker mentioned, it doesn't help the businesses either because it just tells them when they're going to have a big increase. What are they suppose to do, start raising their wages or their profit margins now by raising their prices so that they get more money in the bank and they're ready for this increase on their gross. I don't understand. I have those reservations, Mr. Speaker. I can't tell you the solution. This is a hard one, but this bill I don't think is doing anything."

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

"If we do raise the minimum wage in the year 2003, I believe that it's important for us to raise the tip credit for employees and I'm glad to see that there is some increase in this measure. However, if it's two cents more than it is currently, I'm wondering whether that is adequate to help employers. We do have a lot of time before this new wage goes into effect that we can study it. I'm not sure about the language of the bill, not being a lawyer, but it appears to increase the amount of tip credit even though on line 10 of page 1 it refers to 20 cents and on line 16 it refers to 22 cents. The language is not that clear to me that there is an increase and I'm sure the subsequent committees can clarify this. Thank you."

Representative Halford then rose to speak in support of the measure, with reservations:

"I'd like, Mr. Speaker, to observe that by increasing the minimum wage, we certainly will get no new additional entry-level jobs. By increasing the minimum wage, if anything, we're going to get fewer entry-level jobs. I want to bring up the timing of the increase in the wage now. Already there is a concern that members of our community are transitioning from welfare to work. We are putting pressure on our economy to reduce the number of entry-level jobs which likely exacerbates the problem. Thank you."

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

"I commend the Chair for putting the effective date of 2003. Well, supposedly, most of us should know, that the federal government, I can't speak for everyone, but I suppose that most of us should know, that the federal government is looking at a minimum wage rate of over six dollars. So I commend the Chair on having a measure with a year of 2003 so we can look at what will happen then. We have two legislative sessions to come. I rise in support of this bill. Thank you, Mr. Speaker."

Representative Meyer then rose in opposition to the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Meyer's remarks are as follows:

"There are some hopeful signs that a possible economic recovery in our State has begun. The state unemployment rate is at its lowest in six years. But the effect of a raise in the minimum wage would be like a tax increase for small businesses and it is the private sector and small businesses in particular who would be most affected by this measure. Small businesses would have a difficult time passing on the increased costs, and may have to postpone hiring, or cut back on the

hours of current employees, or even have to reduce the number of employees."

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

"Thank you, Mr. Speaker. Just briefly for the edification of the members, the reason that this proposal to increase the minimum wage is a deferred increase is because when you look at any kind of cost increase obviously businesses would prefer not to have any. However, it's a nine percent increase if we were to do it in this year. Just for data, in terms of our GSP, it has been growing at between 2 to 3 percent per year and by deferring it to the year 2003, that averages out to being about the same rate as our GSP growth. Also other data information, for the members, is that negotiated contracts have been negotiated for the previous two years between the rates of 1 to 2 percent. So this is an increase in terms of labor costs for a segment of the population that are not subject to any kind of collective bargaining rights, nor frankly any other kind of rights because they are the entry level workers. It seemed appropriate at this time in light of the changes with welfare to work reforms for the members to give this proposal serious consideration for implementation while balancing the interest of our small businesses, who are very concerned about a nine percent increase in labor costs.

"Therefore, this gives them the opportunity to prepare for that either in terms of increasing their prices or perhaps cutting other expenses, which the Chairs believe is a fair balance for business. Also with regard to the tip credit, we've maintained the increase to be the same ratio in terms of the current tip credit which is a 20 cent deduction from \$5.25. So that's the reason for the 2 cent increase. It keeps the same proportionate ratio of the tip credit for our restaurant association. Thank you."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Rath and Meyer voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 465-00) recommending that H.B. No. 2576, pass Second Reading and 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 H.B. No. 2576, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 466-00) recommending that H.B. No. 2836, pass Second Reading and 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 H.B. No. 2836, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 467-00) recommending that H.B. No. 2641, as amended in HD 1, pass

Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2641, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 468-00) recommending that H.B. No. 2668, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 469-00) recommending that H.B. No. 2774, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2774, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 470-00) recommending that H.B. No. 1833, as amended in HD 1, pass Second Reading and 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 H.B. No. 1833, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Herkes, for the Committees on Labor and Public Employment and Economic Development and Business Concerns, presented a joint report (Stand. Com. Rep. No. 471-00) recommending that H.B. No. 2564, as amended in HD 1, pass Second Reading and 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 H.B. No. 2564, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 472-00) recommending that H.B. No. 1832, as amended in HD

1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1832, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT DISCRIMINATION," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Arakaki, for the Committees on Labor and Public Employment and Human Services and Housing, presented a joint report (Stand. Com. Rep. No. 473-00) recommending that H.B. No. 2154, as amended in HD 1, pass Second Reading and 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 H.B. No. 2154, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 474-00) recommending that H.B. No. 2290, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committee be adopted and H.B. No. 2290, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Catalani rose in support of the measure with reservations and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Catalani's remarks are as follows:

"Thank you for the opportunity to state my reservations with the bill and to state a few comments regarding this bill related to workers' compensation. I first want to say that my comments are not a reflection on the quality of work done by the drafters of the committee report and bill.

"My comments are to the process of the committee and thereafter the drafting of the committee report and the bill to be reflective of the committee hearing process. During the decision making portion of the Labor and Public Employment hearing, I understood the Chair proposed to amend the bill in a certain way to reflect the tenor of the committee hearing. Specifically, the recommendations were to amend the bill to establish a Medical Fee Schedule Advisory Council with the membership proposed by the Department of Labor and Industrial Relations, and second to delete section 2 of the bill that referred to the raising of the medical fee schedule reimbursements. I understood that the committee report would reflect the discussion relating to the medical fee schedule and its impact if the reimbursements were increased, both to the business community and to the service providers.

"The House Draft No. 1 not only reflects the changes to the medical fee schedule advisory board membership, but also retains section 2 of the bill. I do not believe this was the intent of the Committee when we voted on the measure. I do not believe that this bill reflects the process of the hearing as I believe it should be reflected by the House of Representatives in its open door policy of accountability and open access to members of the public."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Takai, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 475-00) recommending that H.B. No. 2959, HD 1, as amended in HD 2, pass Second Reading and 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 H.B. No. 2959, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 476-00) recommending that H.B. No. 2286, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2286, HD 1, pass Second Reading and be referred to the Committee on Judiciary and Hawai'ian Affairs, seconded by Representative Yonamine.

Representative Rath rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Catalani then rose in support of the measure with reservations and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Catalani's remarks are as follows:

"Thank you for the opportunity to state my reservations with the bill and to state a few comments regarding this bill related to civil remedies. I first want to reiterate that my comments are not a reflection on the quality of work done by the drafters of the committee report and bill. Second I want to reiterate that I do not believe that this bill reflects the process of the hearing as I believe it should be reflected by the House of Representatives in its open door policy of accountability and open access to members of the public.

"During the committee hearing, the committee members had a long discussion regarding the limitation of the compensatory damages and how the advocates arrived at the monetary designation of the limitation, why payment to the claimant was not allowed in the Hawai'i Civil Rights Commission proceedings, and why the advocates wanted to sanction attorneys in the name of prevailing wages. This long discussion is not reflected in the committee report. Further, the committee report does not reflect the discussion about why the bill was amended in its present form. Specifically, the compensatory damages would not be limited in the disparate impact cases because intent was not an element in the cause of action; compensatory damages would not be limited by punitive damages as punitive damages are awarded where the claimant/plaintiff can show gross intent or action on the part of the employer; doubling the cap on compensatory damages because the award cap seemed too low; and eliminating the section on the prevailing wages because the language was from the attorney sanction section of the law and is already available to attorneys in those cases where sanctions would be applied.

"Although I understand that it is the prerogative of the Chair to write the committee report, I understood that the committee report would be reflective of the Committee discussion and the numerous concerns brought forward by the Committee members."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES," passed Second Reading and was referred to the Committee on Judiciary and Hawai'ian Affairs, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 477-00) recommending that H.B. No. 2519, as amended in HD 1, pass Second Reading and 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 H.B. No. 2519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 478-00) recommending that H.B. No. 2798, as amended in HD 1, pass Second Reading and 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 H.B. No. 2798, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 479-00) recommending that H.B. No. 2123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2123, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 480-00) recommending that H.B. No. 2171, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2171, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath then rose to speak in opposition to the measure, stating:

"Here you have the government coming out and mandating to business, irrespective of any circumstances that business may be in. I think people tend to look at it like a hotel industry and they think all businesses are exactly the same, therefore,

we should mandate something. I don't see a big problem, I haven't heard any complaints, but there are jobs that are a little bit different than the ones you happen to think of from whatever field you are in. We can't continually write bills with a very narrow perspective. We have to look outside the box and understand that just the professions you see around you or those you're familiar with aren't necessarily the only ones. The circumstances of employment between employer and employee, vary greatly from different occupations. For that reason, I can't see forcing another mandate on business. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," passed Second Reading and was referred to the Committee on Finance, with Representative Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 481-00) recommending that H.B. No. 2556, as amended in HD 1, pass Second Reading and 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 H.B. No. 2556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

Representatives Yoshinaga and Menor, for the Committees on Labor and Public Employment and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 482-00) recommending that H.B. No. 2134, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2134, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Rath rose to speak in opposition to the measure, stating:

"Mr. Speaker, what this does is it changes the medical fee schedules for workers' compensation, which are now 110 percent of Medicare. Of course, if these are raised, what it means is that workers' compensation rates will go up. Of course, the doctors are in favor of this, but the small business community is not and the bill right now remains blank. So we don't know how high these are going to go up. I think that's very dangerous to pass a bill on through with blanks in it, even though it's going to Finance. The business community has no idea what is going to or will happen to them. I just can't support something that is going to further damage our economy.

"One last comment, if the theories that have been operated on in this House in the past as far as economics and business worked so well, we wouldn't be in our tenth year of recession. Thank you very much and goodnight, Mr. Speaker."

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

"I thank the Committee for passing this measure out. I think there is a real need for an increase although the increase is not specified and the 130 percent was mentioned in an earlier measure and this increase would not go into effect until the year 2001. It would provide for better medical care. It is important to provide for adequate reimbursement for workers. Too many providers no longer handle workers' compensation because they lose money on these cases. In addition to the low reimbursement

rate, they cite the incredible amount of paperwork associated with workers' compensation cases, more than Medicare or Medicaid or no-fault insurance or regular insurance cases. So I think this is a very necessary move that we are making. Thank you."

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

"For those members who were here in 1995 when we passed the first workers' compensation reform in a decade, it addressed the major cause for the reduction in workers' compensation premiums for businesses in the State of Hawai'i which resulted from the 110 percent of the medial fee schedule. Now, my concern about this bill is that, before the prior speaker spoke, the concern is the blank. Currently, in our law we have a 110 percent. For those of us who know the workers' compensation law, it's 110 percent of the federal medical fee schedule. This bill and the committee report state that they are deleting all references to the federal workers' compensation medical fee schedule. The federal workers' compensation medical fee schedule just was increased. So for those of you who have read our Auditor's report asking for an increase in the percentage for workers' compensation, that's based on the old, I repeat old, medical fee schedule. So for consideration for this bill to move on to the next committee, we must look at what the increases are from the current increased federal workers' compensation fee schedule and not give an over, windfall gain to providers. For those of us who were around in 1995, you remember we had discussions that the medical providers on workers' compensation services, back then, were getting over 200 percent of the medical fee schedule. So now, hey, they may be getting a little bit short, but we didn't ask for a refund back then. Thank you Speaker."

Representative Rath then rose to speak in rebuttal, stating:

"Mr. Speaker, I believe for this particular bill in the last committee, all references to the federal medical fee schedule for workers' compensation were removed from the bill and only references the medicare payments. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL FEE SCHEDULES," passed Second Reading and was referred to the Committee on Finance, with Representative Rath voting no and Representatives Menor, Okamura, Pendleton and Stegmaier being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 25 and 26) were referred to Printing and further action was deferred:

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION COORDINATING POLICIES AND SERVICES FOR PUBLIC ASSISTANCE RECIPIENTS IN PUBLIC HOUSING," was offered by Representatives Arakaki, Kahikina, Leong, Kawakami, McDermott, Lee, Takumi and Abinsay.

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS FOR CIVIL SERVICE EMPLOYEES AND THE COSTS THEREOF," was offered by Representative Say, by request.

ADJOURNMENT

At 9:54 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Thielen and carried, the House of Representatives adjourned until 11:30 o'clock a.m. Tuesday, February 22, 2000. (Representatives Menor, Okamura, Pendleton and Stegmaier were excused.)

TWENTY-THIRD DAY

Tuesday, February 22, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:38 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Bertha C. Kawakami, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 156 through 158) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 156, transmitting copies of the Report to the Legislature pursuant to House Concurrent Resolution No. 9, HD 1, SD 1, requesting the Attorney General to make periodic reports on the progress of the gasoline litigation, for fiscal year ending June 30, 1999.

Gov. Msg. No. 157, transmitting copies of the Financial Report of the Occupational Safety and Health Training and Assistance Special Fund Revenues for fiscal year ending June 30, 1999, pursuant to Section 396-4(c)(3)(D).

Gov. Msg. No. 158, requesting corrections and amendments to the FB 2000-01 Executive Supplemental Budget (House Bill No. 1900) and corrections to his February 3, 2000 message for the Executive Supplemental Budget.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 12 and 13) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 12, transmitting S.B. No. 559, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on February 18, 2000.

Sen. Com. No. 13, transmitting S.B. No. 2741, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," which passed Third Reading in the Senate on February 18, 2000.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, S.B. Nos. 559, SD 1 and 2741, passed First Reading by title and further action was deferred, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

INTRODUCTIONS

Representative Takamine introduced visitors from the State Planning Council on Developmental Disabilities from the Big Island.

Representative Espero introduced ninth grade students from Campbell High School, accompanied by their teachers Ms. Julie Ito and Mr. John Knudsen.

Representative Marumoto introduced visitors from Rhode Island, Representative Joseph Amaral and his wife Mrs. Maureen Amaral.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker, as follows:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
1882	Committee on Consumer Protection and Commerce, then to the Committee on Finance
2901	Jointly to the Committee on Economic Development and Business Concerns and the Committee on Higher Education, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 483-00) recommending that H.B. No. 2562, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2562, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 484-00) recommending that H.B. No. 2563, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 485-00) recommending that H.B. No. 2213, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2213, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep.

No. 486-00) recommending that H.B. No. 2344, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2344, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 487-00) recommending that H.B. No. 2412, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2412, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 488-00) recommending that H.B. No. 1984, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 489-00) recommending that H.B. No. 1757, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 489-00 on H.B. No. 1757, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1757, HD 1, were made available to the members of the House.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 490-00) recommending that S.B. No. 1275, SD 1, HD 1, as amended in HD 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.B. No. 1275, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS," was referred to the Committee on Finance, with Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen being excused.

ANNOUNCEMENTS

Representative Espero: "Thank you, Mr. Speaker. I'd like to remind our legislators and those in the audience that today is Agriculture Awareness Day. From noon to 3:00 o'clock p.m., on the fourth floor, we have farmers and other people with the agricultural industry showing their products, showing their wares and letting us know what's happening in this very

important industry. If you can please go and support them, they would certainly appreciate it. Thank you."

Representative Yoshinaga: "Mr. Speaker, this is just to congratulate Representative Ron Menor who ran in the Great Aloha Run yesterday, on President's Day. And also, I walked so I never saw him, but we did finish and just to let the members know that we supported this event and it was fun -- 25,000 people. Thank you."

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., Wednesday, March 1, 2000. (Representatives Cachola, Fox, Kahikina, Kanoho, Luke, Meyer, Morihara, Okamura, Oshiro, Stegmaier, Takai and Thielen were excused.)

TWENTY-FOURTH DAY

Wednesday, March 1, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:42 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Representatives Kanohe, Kawakami, Kahikina, Ahu Isa, Santiago and Kaho'ohalahala, after which the Roll was called showing all members present with the exception of Representatives Chang, Halford, Herkes, Menor, Okamura, Stegmaier and Takamine who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 159 through 162) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 159 transmitting copies of the 1999 Annual Report on Home Property Liens prepared by the Department of Human Services, pursuant to Section 346-29.5, Hawai'i Revised Statutes.

Gov. Msg. No. 160 transmitting copies of the Annual Report for Fiscal Year 1999 prepared by the Office of Youth Services, pursuant to Section 352D-6(11), Hawai'i Revised Statutes and Section 4 of Act 151, SLH 1991.

Gov. Msg. No. 161 transmitting copies of the 1998-99 Annual Report prepared by the Natural Energy Laboratory of Hawai'i Authority, pursuant to Chapter 227D, Hawai'i Revised Statutes.

Gov. Msg. No. 162 transmitting copies of a report of the Joint Waikiki Task Force, "Recapturing the Magic of Waikiki", prepared by the City and County of Honolulu Planning Department and the Office of Planning and Convention Center Authority of the Department of Business, Economic Development and Tourism.

DEPARTMENTAL COMMUNICATION

The following communication (Dept. Com. No. 21) was received by the Clerk and was placed on file:

Dept. Com. No. 21, from Bert M. Tomasu, Chairperson, Hawai'i Labor Relations Board, transmitting copies of the Hawai'i Labor Relations Board (HLRB) Informational Bulletin No. 37, which provides information on the number of public employees in each collective bargaining unit.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 14 through 16) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 14, transmitting S.B. No. 2938, 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 February 22, 2000.

Sen. Com. No. 15, transmitting S.B. No. 2940, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," which passed Third Reading in the Senate on February 22, 2000.

Sen. Com. No. 16, transmitting S.B. No. 2942, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," which passed Third Reading in the Senate on February 22, 2000.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, S.B. Nos. 2938, SD 1; 2940 SD 1; and 2942 passed First Reading by title and further action was deferred. (Representatives Chang, Halford, Herkes, Menor, Okamura, Stegmaier and Takamine were excused.)

MISCELLANEOUS COMMUNICATION

The following communication (Misc. Com. No. 9) was received by the Clerk and was placed on file:

Misc. Com. No. 9, from the Secretary of State of the State of Vermont, on behalf of the Vermont State Legislature, transmitting Joint Senate Resolution No. 78, relating to the need for prescription drugs.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Kawakami introduced students from Kapaa High School, Kauai High School and Waimea High School and their advisors: Mrs. Janice Nitta; Mr. James Kawamura; and Mrs. Harriett Watanabe.

At 11:51 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were referred to committee by the Speaker, as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
559	Committee on Water and Land Use, then to the Committee on Judiciary and Hawai'ian Affairs
2741	Jointly to the Committee on Agriculture and the Committee on Water and Land Use, then to the Committee on Finance

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker, as follows:

<u>H.B. No.</u>	<u>Re-referred to:</u>
2489	Committee on Education

SUSPENSION OF RULES

On motion by Representative Oshiro, seconded by Representative Pendleton and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Chang, Halford, Herkes, Ito, Menor, McDermott, Nakasone, Okamura, Rath, Stegmaier, Suzuki and Yonamine were excused.)

UNFINISHED BUSINESS**Stand. Com. Rep. No. 489-00 and H.B. No. 1757, HD 1:**

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 42 ayes, with Representatives Chang, Halford, Herkes, McDermott, Menor, Nakasone, Okamura, Rath and Stegmaier being excused.

The Chair directed the Clerk to note that H.B. No. 1757, had passed Third Reading at 12:10 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 491-00) recommending that H.B. No. 1780, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1780, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Fox rose to speak in opposition to the measure, stating:

"Mr. Speaker, we received strong testimony in the Tourism Committee from the Department of Business, Economic Development and Tourism indicating that the time has come to pass on from an arrangement that was set up before the Convention Center was built, where we have a Convention Center Authority to oversee the construction of a convention center. The Authority, as you recall, was put together long before there was a convention center. It oversaw the process of finding the site, hiring a builder and then overseeing the construction of the Center. That work is now basically concluded.

"In this morning's Advertiser, there's an indication that, from the Chair of the Convention Center Authority, the two remaining significant problems with the Convention Center -- that is the vibration of the ballroom floor and the crack in the surface floor of the exterior of the Convention Center -- will be finished by May. The Convention Center Authority is scheduled to go out of existence in June. I think it would be really wonderful if the State could allow a body that exists in law, that currently has outlived its usefulness to pass on into history. So I recommend strongly that all of us vote against an extension of the Convention Center Authority. Thank you."

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

Representative Auwae then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

"Being the former House Tourism Chair, I've been working on matters relating to the Hawai'i Convention Center. I think it's imperative, especially since we have problems now. It has been pointed out by the Legislative Auditor that this body should continue its work to make sure that they will be able to pursue actions, whether legally or otherwise, to make sure that those having contracts with the Hawai'i Convention Center will comply by making necessary repairs needed. We need somebody like the Hawai'i Tourism Authority or the Hawai'i Convention Center Authority to please do their job and make sure that it's properly done. To give the Authority to do the same, at this point and time, might be counter productive. With that, Mr. Speaker, I support this bill. Thank you."

Representative Meyer then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1780, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Auwae, Fox, Halford, Meyer and Rath voting no and Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 492-00) recommending that H.B. No. 2559, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 493-00) recommending that H.B. No. 2761, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2761, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 494-00) recommending that H.B. No. 2526, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Morita, for the Committee on Energy and Environmental Protection, presented a report (Stand. Com. Rep. No. 495-00) recommending that H.B. No. 2544, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2544, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 496-00) recommending that H.B. No. 2021, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2021, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 497-00) recommending that H.B. No. 2297, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2297, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 498-00) recommending that H.B. No. 1836, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13 (G), HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 499-00) recommending that H.B. No. 1982, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 500-00) recommending that H.B. No. 2507, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," passed Second Reading and was placed on the

calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 501-00) recommending that H.B. No. 2508, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2508, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 502-00) recommending that H.B. No. 1983, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 503-00) recommending that H.B. No. 2646, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representatives Hamakawa and Menor, for the Committees on Judiciary and Hawai'ian Affairs and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 504-00) recommending that H.B. No. 2736, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTITY THEFT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 505-00) recommending that H.B. No. 2216, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 506-00) recommending that H.B. No. 2220, pass

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 507-00) recommending that H.B. No. 1773, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 508-00) recommending that H.B. No. 2005, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 509-00) recommending that H.B. No. 2219, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 510-00) recommending that H.B. No. 2471, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 511-00) recommending that H.B. No. 2474, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

Committee was adopted and H.B. No. 2474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 512-00) recommending that H.B. No. 2475, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 513-00) recommending that H.B. No. 2479, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 514-00) recommending that H.B. No. 2483, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 515-00) recommending that H.B. No. 2485, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 516-00) recommending that H.B. No. 2797, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Second Reading and was placed on the calendar for

Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 517-00) recommending that H.B. No. 2983, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 518-00) recommending that H.B. No. 2378, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 519-00) recommending that H.B. No. 2480, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 520-00) recommending that H.B. No. 2846, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2846, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 521-00) recommending that H.B. No. 2017, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 522-00) recommending that H.B. No. 2129, as

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 523-00) recommending that H.B. No. 2468, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 524-00) recommending that H.B. No. 2481, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 525-00) recommending that H.B. No. 2482, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 526-00) recommending that H.B. No. 1938, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 1938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9 -- SECURED TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 527-00) recommending that H.B. No. 2315, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 528-00) recommending that H.B. No. 3018, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 3018, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 529-00) recommending that H.B. No. 2409, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2409, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 530-00) recommending that H.B. No. 2414, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2414, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 531-00) recommending that H.B. No. 2517, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2517, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 532-00) recommending that H.B. No. 2531, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

Committee was adopted and H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 533-00) recommending that H.B. No. 2536, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 534-00) recommending that H.B. No. 2551, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2551, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 535-00) recommending that H.B. No. 2588, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 536-00) recommending that H.B. No. 2606, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 537-00) recommending that H.B. No. 2616, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

Committee was adopted and H.B. No. 2616, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 538-00) recommending that H.B. No. 1761, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Fox voting no and Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 539-00) recommending that H.B. No. 2565, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2565, entitled: "A BILL FOR AN ACT RELATING TO GARMENT INDUSTRY HOMEWORK," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 540-00) recommending that H.B. No. 2488, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2488, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETURN OF PRESCRIPTION DRUGS," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 1761, 2565 and 2488 had passed Third Reading at 12:16 o'clock p.m.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 541-00) recommending that H.B. No. 1387, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 541-00 and H.B. No. 1387, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1387, HD 2, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 542-00) recommending that H.B. No. 1776, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 542-00 and H.B. No. 1776, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1776, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 543-00) recommending that H.B. No. 2463, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 543-00 and H.B. No. 2463, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2463, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 544-00) recommending that H.B. No. 2486, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 544-00 and H.B. No. 2486, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2486, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 545-00) recommending that H.B. No. 2525, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 545-00 and H.B. No. 2525, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2525, HD 2, were made available to the members of the House.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'i Affairs, presented a joint report (Stand. Com. Rep. No. 546-00) recommending that H.B. No. 2013, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 546-00 and H.B. No. 2013, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2013, HD 1, were made available to the members of the House.

Representative Hamakawa, for the Committee on Judiciary and Hawai'i Affairs, presented a report (Stand. Com. Rep. No. 547-00) recommending that H.B. No. 750, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 547-00 and H.B. No. 750, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 750, HD 1, were made available to the members of the House.

Representative Hamakawa, for the Committee on Judiciary and Hawai'i Affairs, presented a report (Stand. Com. Rep. No. 548-00) recommending that H.B. No. 1763, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 548-00 and H.B. No. 1763, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1763, HD 2, were made available to the members of the House.

Representative Hamakawa, for the Committee on Judiciary and Hawai'i Affairs, presented a report (Stand. Com. Rep. No. 549-00) recommending that H.B. No. 1922, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 549-00 and H.B. No. 1922, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1922, HD 1, were made available to the members of the House.

Representative Hamakawa, for the Committee on Judiciary and Hawai'i Affairs, presented a report (Stand. Com. Rep.

No. 550-00) recommending that H.B. No. 2090, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 550-00 and H.B. No. 2090, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2090, HD 1, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 551-00 recommending that H.B. No. 2751, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 551-00 and H.B. No. 2751, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2751, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 552-00) recommending that H.B. No. 2024, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2024, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," was recommitted to the Committee on Finance, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 553-00) recommending that H.B. No. 3014, as amended in HD 1, be recommitted to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 3014, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was recommitted to the Committee on Finance, with Representatives Chang, Herkes, Menor and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 554-00) recommending that S.B. No. 1095, as amended in HD 1, be referred to the Committee on Finance.

Representative Case moved that the report of the Committee be adopted and S.B. No. 1095, HD 1, be referred to the Committee on Finance, seconded by Representative Yonamine.

Representative Thielen 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.B. No. 1095, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was referred to the Committee on Finance, with Representative Thielen voting no and Representatives Chang, Herkes, Menor and Okamura being excused.

THIRD READING

H.B. No. 2562

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2562, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

H.B. No. 2563

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2563, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

H.B. No. 2213

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2213, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

H.B. No. 2344

Representative Case moved that H.B. No. 2344, pass Third Reading, seconded by Representative Yonamine.

Representative Espero rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 2344, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

H.B. No. 2412

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2412, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

H.B. No. 1984, HD 1

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 1984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 47 ayes, with Representatives Chang, Herkes, Menor and Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 2562, 2563, 2213, 2344, 2412 and 1984, had passed Third Reading at 12:20 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolutions (H.R. Nos. 41 and 42) were received and announced by the Clerk and the following actions taken:

H.R. No. 41, entitled: "HOUSE RESOLUTION CONGRATULATING THE AIEA HIGH SCHOOL CHEERLEADERS ON WINNING THE NATIONAL CHAMPIONSHIP," was offered by Representative McDermott.

On motion by Representative McDermott, seconded by Representative Takai and carried, H.R. No. 41 was adopted, with Representatives Catalani, Chang, Hamakawa, Herkes, Hiraki, Luke, Menor, Morihara, Nakasone, Okamura, Rath, Schatz, Takamine, Whalen and Yamane being excused.

Representative McDermott, in honoring the Aiea High School Cheerleading Team, on their winning the National Cheerleading Championship, introduced the following: Ms. Liz Godinet and Ms. Kathy Moniz, Coaches; and team members Mr. Dain Azumi, Ms. Jennifer Coronas, Mr. Matthew Cuyno, Ms. Denise Ejercito, Ms. Tasha Firestone, Ms. Rachel Godinet, Ms. Cathy Goulet, Ms. Keala Hopkins, Ms. Tianna Moniz, Mr. Phil Richardson, Ms. Christin Sumida, Ms. Narissa Uehara, Mr. Ryan Vogelgesang, Mr. John Angon and Mr. Mike Adachi.

H.R. No. 42, entitled: "HOUSE RESOLUTION COMMEMORATING THE TENTH ANNIVERSARY OF THE PUBLIC ACCESS ROOM AND ELECTRA ANDERSON, ITS FIRST DIRECTOR," was jointly offered by Representatives Oshiro, Arakaki, Auwae, Cachola, Case, Espero, Garcia, Hiraki, Kahikina, Leong, Luke, Meyer, Morita, Santiago, Say, Stegmaier, Takai and Yamane.

On motion by Representative Oshiro, seconded by Representative Marumoto and carried, H.R. No. 42 was adopted, with Representatives Catalani, Chang, Goodenow, Hamakawa, Herkes, Hiraki, Luke, Menor, Morihara, Nakasone, Okamura, Rath, Schatz, Takamine, Whalen and Yamane being excused.

Representative Marumoto, in honoring the Public Access Room on its 10th Year Anniversary, introduced the following: Ms. Electra Anderson, the first Director of the Public Access Room of the Hawai'i State Legislature.

Representative Marumoto also introduced the following visitors and other supporters of the Public Access Room project, who were seated in the Gallery: Ms. Evelyn Bender, League of Women Voters; Ms. Margarette Peach, American Association of University Women; and Reverend Robert Fraser Hawai'i Council of Churches.

At 12:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

ANNOUNCEMENTS

Representative McDermott announced that after the adjournment of the House Session, the Aiea High School cheerleaders will demonstrate a short segment of their performance.

Representative Cachola rose and requested waiver of the 48-hour hearing notice requirement for the Committees on Water and Land Use and Judiciary and Hawai'ian Affairs for decision making only on House Bill No. 2976 on Thursday, afternoon 2:00 p.m. in Room 325, and the Chair "so ordered."

ADJOURNMENT

At 12:44 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, March 2, 2000. (Representatives Catalani, Chang, Goodenow, Hamakawa, Herkes, Hiraki, Luke, Menor, Morihara, Nakasone, Okamura, Rath, Saiki, Schatz, Takamine, Whalen and Yamane were excused.)

TWENTY-FIFTH DAY

Thursday, March 2, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:53 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Representative Sol Kaho'ohalahala, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga, who were excused.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, reading of the Journals was dispensed with and the Journals of the Seventeenth, Eighteenth, Nineteenth, Twentieth and Twenty-First Days were subsequently approved, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 17 through 20) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 17, transmitting S.B. No. 2293, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 1, 2000.

Sen. Com. No. 18, transmitting S.B. No. 2849, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," which passed Third Reading in the Senate on March 1, 2000.

Sen. Com. No. 19, transmitting S.B. No. 2850, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," which passed Third Reading in the Senate on March 1, 2000.

Sen. Com. No. 20, transmitting S.B. No. 3118, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN TERMINOLOGY," which passed Third Reading in the Senate on March 1, 2000.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, S.B. Nos. 2293; 2849; 2850, SD 1; and 3118, passed First Reading by title and further action was deferred, with Representatives Arakaki, Menor, Okamura, Schatz, Takamine, Yamane and Yoshinaga being excused.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Thielen introduced the Women's Auxiliary of St. John's Lutheran Church: Mrs. Rosemary Romus, Mrs. Betty Flom, Mrs. Esther Carr, Mrs. Evelyn Lind, Mrs. Ruth Lee Loy, Mrs. Adelaide Kay, and Mr. and Mrs. Dick Fardol.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate Bills were referred to committee by the Speaker, as follows:

S.B.Nos. Referred to:

- 2938 Committee on Finance
- 2940 Committee on Finance
- 2942 Committee on Finance

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 35 and 36) and concurrent resolutions (H.C.R. Nos. 27 through 29) were referred to committee by the Speaker, as follows:

H.R.
Nos. Referred to:

- 35 Committee on Judiciary and Hawai'ian Affairs
- 36 Committee on Education, then to the Committee on Finance

H.C.R.
Nos. Referred to:

- 27 Committee on Judiciary and Hawai'ian Affairs
- 28 Committee on Judiciary and Hawai'ian Affairs
- 29 Committee on Education, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine Yamane and Yoshinaga were excused.)

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 555-00) recommending that H.B. No. 1764, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1764, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 556-00) recommending that H.B. No. 1874, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 557-00) recommending that H.B. No. 1893, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1893, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 558-00) recommending that H.B. No. 2040, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 559-00) recommending that H.B. No. 2218, HD 1, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2218, HD 1, pass Third Reading, seconded by Representative Yonamine.

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

"I know this seems unusual, but I am in support of the measure. Mr. Speaker, this is a captive insurance promotional activities money. The Insurance Commissioner, Mr. Metcalf, and other people involved in his office, have done an excellent job in this legislative session in promoting this industry. This is money to further promote it at the Risk Managers Conventions and other areas of business.

"Last week, I happened to have the opportunity to go over to Washington Place for Continental Savings Bank's Twentieth Anniversary of doing business in Hawai'i, and they're also expanding their services. During that time, I had the opportunity to speak with one of the Executive Vice Presidents, Mr. Richard Bennion, and he asked if anything good was happening in the House. I told him one of the best pro-business measures moving through this body was, of course, the initiatives for captive insurance. Things like level fives, I won't speak to all of those when they come up, I'll let this one bill get it.

"I told him that this could be a great enhancement to our economy and it is really a wonderful opportunity for Hawai'i. He told me that they were just, at that time, looking into putting a captive in Antigua, in the Caribbean. I've just written him a letter today, and copied Mr. Metcalf, that now that we have level five captives moving through that we would be able to compete with offshores. It's really exciting and here's a company in Hawai'i celebrating 20 years here, expanding their business and now they could have the availability not only to bring their own captive insurance company here to Hawai'i, but also to engage in the banking aspects of captive insurance.

"This is a wonderful opportunity for employment for our people when they graduate from schools and have a background in finance where they can move into good, long-term, high paying jobs. I'd just like to take this opportunity to express my support for the initiatives of the Insurance Commissioner and hope that these bills pass forthwith. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2218, HD 1,

entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 560-00) recommending that H.B. No. 2222, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2222, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 561-00) recommending that H.B. No. 2418, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2418, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 562-00) recommending that H.B. No. 2457, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO VETERANS LOANS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 563-00) recommending that H.B. No. 2459, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2459, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION ACT," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 564-00) recommending that H.B. No. 2487, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 565-00) recommending that H.B. No. 2491, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2491, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Third Reading by a vote of 44 ayes, with

Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 566-00) recommending that H.B. No. 2505, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 567-00) recommending that H.B. No. 2519, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 568-00) recommending that H.B. No. 2567, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2567, pass Third Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, this measure would allow for the DLNR to have on their vehicles blue lights. The reason for that is we want them to be able to respond more expeditiously and quickly to emergencies. That's a good reason.

"The only concern that I would have, Mr. Speaker, is first of all, perhaps, there is a bill that is similar to this on the Senate side, and so this will be going to conference so maybe our conferees could address this. A number of years ago, in my district over on the Windward side, there was a very tragic accident where a woman was pulled over because of the blue lights.

"What we don't want to do is allow for more confusion in that area. So I would suggest that the conferees assuming that there's a bill and it's slightly different and it goes to conference that the lights have to be on the roof, on the top, or that somehow we address that situation so there isn't confusion. We don't want people being pulled over. We do want the DLNR vehicles to be marked, perhaps, with the State Seal, the DLNR Seal and have the lights on the roof. So if it goes to conference maybe we can put that in the bill. If it's going to go straight through and there's an identical measure and goes up to the Governor then I hope my remarks can be conveyed to DLNR to, on their own, voluntarily, think this through in terms of public safety, have the lights on the roof, have it only on marked DLNR vehicles. I support this measure, but I do hope that those things are taken into consideration. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2567, entitled: "A BILL FOR AN ACT RELATING TO BLUE LIGHTS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 569-00) recommending that H.B. No. 2584, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2584, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 570-00) recommending that H.B. No. 2763, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2763, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER EDUCATION," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 571-00) recommending that H.B. No. 2822, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2822, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ADMINISTRATORS," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 572-00) recommending that H.B. No. 2964, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 573-00) recommending that H.B. No. 3021, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 3021, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Third Reading by a vote of 44 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Takamine and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. Nos. 1764, 1874, 1893, 2040, 2218, 2222, 2418, 2457, 2459, 2487, 2491, 2505, 2519, 2567, 2584, 2763, 2822, 2964 and 3021 had passed Third Reading at 12:05 o'clock p.m.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 574-00) recommending that H.B. No. 2601, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2601, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," passed

Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 575-00) recommending that H.B. No. 2586, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2586, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 576-00) recommending that H.B. No. 2635, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2635, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 577-00) recommending that H.B. No. 2809, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2809, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 578-00) recommending that H.B. No. 2148, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 579-00) recommending that H.B. No. 2310, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives

Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 580-00) recommending that H.B. No. 2477, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2477, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 581-00) recommending that H.B. No. 2716, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 582-00) recommending that H.B. No. 2152, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2152, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Thielen rose and asked the Clerk to register an aye vote with reservations 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 H.B. No. 2152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 583-00) recommending that H.B. No. 2073, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2073, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 584-00) recommending that H.B. No. 1914, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1914, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPREHENSIVE SCHOOL REFORM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 585-00) recommending that H.B. No. 2451, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A REPAIRS AND MAINTENANCE SPECIAL FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 586-00) recommending that H.B. No. 2597, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 587-00) recommending that H.B. No. 2598, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 588-00) recommending that H.B. No. 2605, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 589-00) recommending that H.B. No. 2624, as amended in HD 1, pass

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2624, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 590-00) recommending that H.B. No. 2946, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 591-00) recommending that H.B. No. 2542, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2542, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 592-00) recommending that H.B. No. 2185, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 592-00 and H.B. No. 2185, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2185, HD 2, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 593-00) recommending that H.B. No. 2581, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 593-00 and H.B. No. 2581, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2581, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 594-00) recommending that H.B. No. 2587, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 594-00 and H.B. No. 2587, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2587, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 595-00) recommending that H.B. No. 2464, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 595-00 and H.B. No. 2464, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2464, HD 1, were made available to the members of the House.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 596-00) recommending that H.B. No. 2798, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 596-00 and H.B. No. 2798, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2798, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 597-00) recommending that H.B. No. 303, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 597-00 and H.B. No. 303, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 303, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 598-00) recommending that H.B. No. 1940, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 598-00 and H.B. No. 1940, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 1940, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 599-00) recommending that H.B. No. 2060, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 599-00 and H.B. No. 2060, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2060, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 600-00) recommending that H.B. No. 2570, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 600-00 and H.B. No. 2570, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2570, HD 1, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 601-00) recommending that H.B. No. 2573, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 601-00 and H.B. No. 2573, HD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of

the State of Hawai'i, printed copies of H.B. No. 2573, HD 1, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 602-00) recommending that H.B. No. 2653, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 602-00 and H.B. No. 2653, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2653, HD 2, were made available to the members of the House.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 603-00) recommending that H.B. No. 2876, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 603-00 and H.B. No. 2876, HD 2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, printed copies of H.B. No. 2876, HD 2, were made available to the members of the House.

THIRD READING

H.B. No. 2544:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2544, entitled: "A BILL FOR AN ACT RELATING TO SANITATION," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2021:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2021, entitled: "A BILL FOR AN ACT RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2297:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2297, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 1836:

Representative Case moved that H.B. No. 1836, pass Third Reading, seconded by Representative Yonamine.

Representative Lee rose in support of the measure and asked that her comments be inserted into the Journal and the Chair "so ordered."

Representative Lee's remarks are as follows:

"This is a Women's Caucus Measure. The purpose of this act is to remove the pregnant women exemption from the Uniform Health Care Decisions Act (UHCDA).

"This exclusion of pregnant women is unconstitutional and contrary to established United States Constitutional law.

"In Cruzan v. Director, Missouri Department of Health, et al., the U.S. Supreme Court held that competent, adult individuals have a constitutionally protected right to make health care decisions and to refuse medical treatment under the Fourteenth Amendment of the Federal Constitution.

"Most state courts have based a right to refuse treatment or make health care decisions on a constitutional right to privacy and the well established U.S. Common law doctrine of informed consent (every adult of sound mind has a right to determine what shall be done with his or her own body and, generally, medical procedures may not be performed without the patient's informed consent.)

"Pregnant women are excluded from the directive solely because of their condition of being pregnant. All other competent adults and emancipated minors have these rights.

"Constitutional law requires that whenever a person's rights are reduced or eliminated, that there must be a compelling state interest that outweighs the rights of the individual. That is not the case with this exclusion.

"The exclusion of women is overly broad and unnecessary. Under current law, it does not matter how long the woman has been pregnant. A woman who is two weeks pregnant is treated the same as a woman who is seven months pregnant. Under HRS 327E-13(g), a woman is excluded from making ANY health care decision, and from appointing an agent to make any decisions and from having a surrogate decision-maker make any decisions - not just decisions that may affect the life of the woman or the fetus.

"The present law has flexibility to allow the health care provider to provide appropriate medical treatment for pregnant women. Under current laws, unnecessary delays in providing necessary medical care would result because as it now stands, a guardianship would be required to allow health care decisions to be made for the pregnant woman.

"The current law gives health providers certain protections from civil and criminal liability with respect to health care decisions and health care directives; however, health care providers are not protected with respect to pregnant women because pregnant women are excluded from the law.

"Our law, which is based on the Uniform Health-Care Decisions Act, is inconsistent with that very act, which does NOT exclude pregnant woman from coverage.

"Therefore, I am please to see this bill moving along in the process. It will make right a serious flaw in the bill passed last year. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13 (G), HAWAII REVISED STATUTES," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 1982:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2507:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2507, entitled:

"A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2508:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2508, entitled: "A BILL FOR AN ACT RELATING TO REVIEW HEARINGS," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2216:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 2220:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

H.B. No. 3018:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 3018, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Third Reading by a vote of 43 ayes, with Representatives Arakaki, Menor, Okamura, Oshiro, Schatz, Souki, Takamine and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. Nos. 2544, 2021, 2297, 1836, 1982, 2507, 2508, 2216, 2220 and 3018 had passed Third Reading at 12:09 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 35 through 40 and 43) and concurrent resolutions (H.C.R. Nos. 27 through 35) were referred to Printing and further action was deferred:

H.R. No. 35, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE GUARDIAN AD LITEM SELECTION PROCESS," was jointly offered by Representatives Morihara, Kaho'ohalahala, Morita, Thielen, Auwae, Cachola, Chang, Garcia, Halford, Hamakawa, Hiraki, Lee, Nakasone, Saiki, Souki and Takumi.

H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION AND THE HAWAII SCHOOL FOOD SERVICE TO EXTEND THE POSSIBILITIES FOR OPTIONAL VEGETARIAN MEALS IN HAWAII PUBLIC SCHOOLS," was jointly offered by Representatives Goodenow and Schatz.

H.R. No. 37, entitled: "HOUSE RESOLUTION ENCOURAGING THE STATE OF HAWAII TO ACQUIRE TWO PARCELS OF LAND ADJACENT TO LIMAHULI STREAM ON THE ISLAND OF KAUAI FOR THE PRESERVATION OF IMPORTANT CULTURAL RESOURCES AND THEIR INCORPORATION INTO HA'ENA STATE PARK," was jointly offered by

Representatives Morita, Ahu Isa, Auwae, Kahikina, Kaho'ohalahala, Kanoho, Kawakami and Yoshinaga.

H.R. No. 38, entitled: "HOUSE RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT OF THE STATE OF HAWAII," was jointly offered by Representatives Marumoto, Abinsay, Espero, Lee, Ahu Isa, Auwae, Cachola, Herkes, Hiraki, Ito, Leong, Luke, McDermott, Pendleton, Schatz, Suzuki and Takumi.

H.R. No. 39, entitled: "HOUSE RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT JUICE OF THE STATE OF HAWAII," was jointly offered by Representatives Marumoto, Abinsay, Espero, Lee, Ahu Isa, Auwae, Cachola, Herkes, Hiraki, Ito, Leong, Luke, McDermott, Pendleton, Schatz, Suzuki and Takumi.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO STUDY THE FEASIBILITY OF ESTABLISHING A UNIVERSAL MEDICAL FEE SCHEDULE FOR THE PREPAID HEALTH INSURANCE SYSTEM, THE MEDICAL PORTION OF THE NO-FAULT AUTOMOBILE INSURANCE SYSTEM, AND THE MEDICAL PORTION OF THE WORKERS' COMPENSATION INSURANCE SYSTEM IN HAWAII," was jointly offered by Representatives Yonamine, Abinsay, Ahu Isa, Arakaki, Cachola, Case, Catalani, Chang, Garcia, Goodenow, Hamakawa, Hiraki, Ito, Kahikina, Kaho'ohalahala, Kawakami, Lee, Leong, Luke, McDermott, Morihara, Morita, Nakasone, Oshiro, Santiago, Say, Schatz, Souki, Stegmaier, Suzuki, Takai, Takumi, Yamane and Yoshinaga.

H.R. No. 43, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PROVIDE FILIPINO VETERANS OF WORLD WAR II AND THEIR DEPENDENTS IMMEDIATE INTERMENT PRIVILEGES AT VETERANS CEMETERIES," was jointly offered by Representatives Cachola, Pendleton, Garcia, Espero, Abinsay and Arakaki.

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE CENTENNIAL OF THE ORGANIC ACT," was jointly offered by Representatives Kahikina, Arakaki, Abinsay, Ahu Isa, Auwae, Cachola, Case, Chang, Goodenow, Hamakawa, Ito, Kaho'ohalahala, Kanoho, Kawakami, Lee, Morita, Nakasone, Rath, Saiki, Santiago, Say, Souki, Suzuki, Takai, Takamine, Whalen, Yamane and Yoshinaga.

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE GUARDIAN AD LITEM SELECTION PROCESS," was jointly offered by Representatives Morihara, Kaho'ohalahala, Morita, Thielen, Auwae, Cachola, Chang, Garcia, Halford, Hamakawa, Hiraki, Lee, Nakasone, Saiki, Souki and Takumi.

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH, AGRICULTURE, AND EDUCATION AND THE HAWAII SCHOOL FOOD SERVICE TO EXTEND THE POSSIBILITIES FOR OPTIONAL VEGETARIAN MEALS IN HAWAII PUBLIC SCHOOLS," was jointly offered by Representatives Goodenow and Schatz.

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION PERTAINING TO MEDICAL USE OF CANNABIS," was offered by Representative Hamakawa.

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE STATE OF HAWAII TO ACQUIRE TWO PARCELS OF LAND ADJACENT TO LIMAHULI STREAM ON THE ISLAND OF KAUAI FOR THE PRESERVATION OF IMPORTANT CULTURAL RESOURCES AND THEIR INCORPORATION INTO

HA'ENA STATE PARK," was jointly offered by Representatives Morita, Ahu Isa, Auwae, Kahikina, Kaho'ohalahala, Kanoho, Kawakami and Yoshinaga.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT OF THE STATE OF HAWAII," was jointly offered by Representatives Marumoto, Abinsay, Espero, Lee, Ahu Isa, Auwae, Cachola, Herkes, Hiraki, Ito, Leong, Luke, Pendleton, Schatz, Suzuki and Takumi.

H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE SELECTION OF AN OFFICIAL TROPICAL FRUIT JUICE OF THE STATE OF HAWAII," was jointly offered by Representatives Marumoto, Abinsay, Espero, Lee, Ahu Isa, Auwae, Cachola, Herkes, Hiraki, Ito, Leong, Luke, Pendleton, Schatz, Suzuki and Takumi.

H.C.R. No. 34, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO STUDY THE FEASIBILITY OF ESTABLISHING A UNIVERSAL MEDICAL FEE SCHEDULE FOR THE PREPAID HEALTH INSURANCE SYSTEM, THE MEDICAL PORTION OF THE NO-FAULT AUTOMOBILE INSURANCE SYSTEM, AND THE MEDICAL PORTION OF THE WORKERS' COMPENSATION INSURANCE SYSTEM IN HAWAII," was jointly offered by Representatives Yonamine, Abinsay, Ahu Isa, Arakaki, Cachola, Case, Catalani, Chang, Espero, Garcia, Goodenow, Hamakawa, Herkes, Hiraki, Ito, Kahikina, Kaho'ohalahala, Kanoho, Kawakami, Lee, Leong, Luke, McDermott, Morihara, Morita, Nakasone, Oshiro, Saiki, Santiago, Say, Schatz, Souki, Stegmaier, Suzuki, Takai, Takamine, Takumi, Yamane and Yoshinaga.

H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROVIDE FILIPINO VETERANS OF WORLD WAR II AND THEIR DEPENDENTS IMMEDIATE INTERMENT PRIVILEGES AT VETERANS CEMETERIES," was jointly offered by Representatives Cachola, Pendleton, Garcia, Espero, Abinsay and Arakaki.

ANNOUNCEMENT

Representative Kawakami then rose and requested waiver of the 48-hour hearing notice requirement for the Finance Committee to hear H.B. Nos. 1788; 1917; 839, HD 1; 2539, HD 1; 2183, HD 1; 1889, HD 1; 1902, HD 1; 2123, HD 1; 2520, HD 1; 2643, HD 1; 2753, HD 1; and 3016, at 1:30 o'clock p.m. in Room 309, and the Chair "so ordered."

Representative Kawakami further requested waiver of the 48-hour hearing notice requirement for the Finance Committee for the purpose of decision-making only on the following bills, which were heard on Friday, February 25, 2000 and Agenda 2: H.B. Nos. 2760, HD 1; and 2424, HD 1, at 4:30 o'clock p.m. in Room 309, and the Chair "so ordered."

Representative Kawakami further requested waiver of the 48-hour hearing notice requirement for the purpose of decision-making only on the following bills, which were heard and added to the Committees on Labor and Public Employment and Finance Agenda: H.B. Nos. 1875, HD 1; and 2741, HD 1, at 4:30 o'clock p.m. in Room 309, and the Chair "so ordered."

At 12:13 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.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Marumoto introduced tenth and eleventh grade students from Punahou High School Academy, accompanied by their teacher, Mr. Mark Georgi.

ANNOUNCEMENT

Representative Kawakami then rose and requested waiver of the 48-hour hearing notice requirement for the Finance Committee to reconsider action taken on March 1, 2000 and H.B. No. 2794, HD 2, decision-making will be made at the 1:30 o'clock hearing today, and the Chair "so ordered."

ADJOURNMENT

At 12:18 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 3:00 o'clock p.m. tomorrow, Friday, March 3, 2000. (Representatives Arakaki, Chang, Okamura, Oshiro, Schatz, Souki, Suzuki, Takamine and Yoshinaga were excused.)

TWENTY-SIXTH DAY

Friday, March 3, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 3:10 o'clock p.m., with the Speaker presiding.

The invocation was delivered in song by Representative Kahikina, after which the Roll was called showing all members present with the exception of Representatives Kanoho, Menor, Morihara, Okamura and Stegmaier, who were excused.

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

DEPARTMENTAL COMMUNICATIONS

The following Departmental communication was received by the Clerk and placed on file.

Dept. Com. No. 22, from Kazu Hayashida, Director of Transportation, transmitting a report of the Department of Transportation's Safe Communities Request for Grant Proposals for Federal Fiscal Year 2001.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 21 through 24) were received and announced by the Clerk and were placed on file.

Sen. Com. No. 21 transmitting S.B. No. 2067, entitled: "A BILL FOR AN ACT RELATING TO AWARDING CUSTODY AND VISITATION," which passed Third Reading in the Senate on March 2, 2000.

Sen. Com. No. 22 transmitting S.B. No. 2088, entitled: "A BILL FOR AN ACT RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS," which passed Third Reading in the Senate on March 2, 2000.

Sen. Com. No. 23 transmitting S.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAXATION," which passed Third Reading in the Senate on March 2, 2000.

Sen. Com. No. 24 transmitting S.B. No. 2629, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," which passed Third Reading in the Senate on March 2, 2000.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, S.B. Nos. 2067, 2088, 2512, and 2629, passed First Reading by title and further action was deferred. (Representatives Menor, Morihara, Okamura and Stegmaier were excused.)

INTRODUCTION

The following introduction was made to the Members of the House:

Representative Hiraki introduced his legislative student intern, Ms. Anh Thu Diep.

At 3:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:32 o'clock p.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 37 through 40) and concurrent resolutions (H.C.R. Nos. 30 through 34) were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
37	Committee on Water and Land Use, then to the Committee on Finance
38	Committee on Agriculture
39	Committee on Agriculture
40	Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
30	Committee on Health, then to the Committee on Judiciary and Hawai'ian Affairs
31	Committee on Water and Land Use, then to the Committee on Finance
32	Committee on Agriculture
33	Committee on Agriculture
34	Committee on Labor and Public Employment, then to the Committee on Consumer Protection and Commerce

SUSPENSION OF RULES

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Arakaki, Auwae, Herkes, Hiraki, McDermott, Menor and Okamura were excused.)

UNFINISHED BUSINESS

Stand. Com. Rep. No. 541-00 and H.B. No. 1387, HD2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1387, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 542-00 and H.B. No. 1776, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Third Reading by a vote of 41 ayes to 6 noes, with Representatives Fox, Meyer, Pendleton, Rath, Thielen and Whalen voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 543-00 and H.B. No. 2463, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 544-00 and H.B. No. 2486, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 545-00 and H.B. No. 2525, HD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2525, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 546-00 and H.B. No. 2013, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2013, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RESEARCH," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 547-00 and H.B. No. 750, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 548-00 and H.B. No. 1763, HD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Third Reading by a vote of 42 ayes to 5 noes, with Representatives Auwae, Halford, Meyer, Rath and Whalen voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 549-00 and H.B. No. 1922, HD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1922, HD 1, pass Third Reading, seconded by Representative Yonamine.

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

"Thank you for allowing me to speak with reservations regarding this measure. This measure prohibits the possession and use of tobacco products by minors under eighteen years of age. It also makes the penalty for such possession and use \$20

for the first offense and \$50 for subsequent offenses. Further, it conforms the penalty for purchase of tobacco products by minors to the penalty for possession of tobacco products by minors.

"I have reservations regarding this bill because the Legislature is punishing youth. This action of punishing our youth actually protects the tobacco industry. The tobacco companies know that time and money spent to enforce laws against kids means time and money diverted from enforcement for sellers.

"There are no reliable findings that support the contention that penalizing kids will deter youth from tobacco use. A Wisconsin study found there is approximately one commercial selling citation issued for every 112,000 packs of cigarettes sold to minors. This study support similar conclusion reached in studies conducted in Utah and Minnesota.

"Instead of penalizing youth, we should focus on actions that can reduce their tobacco use by: (1) comprehensive education programs K-12, (2) merchant enforcement, (3) controls on tobacco marketing, (4) readily available cessation programs, (5) pro-health advertising that discredits tobacco marketing and educates youth and adults about nicotine addiction and the harmful effects of smoking and secondhand smoke.

"According to the American Cancer Society (ACS), there is no reliable, scientific evidence that laws penalizing minors for the purchase, possession and use of tobacco are effective. Possession laws that inhibit the use of minors in compliance checks are detrimental to tobacco control efforts. Laws penalizing minors for the purchase, possession and use of tobacco should not be considered until effective regulation and enforcement at the retail level are in place and there is reputable scientific evidence that such laws effectively reduce tobacco use by minors. The punishment is disconnected from the desired outcome: youth quit smoking. Also, regarding enforcement: ADAD found out that sale rates when sting students showed ID's to retailers is between 30 percent to 50 percent. Imagine that, youth can buy cigarettes from 30 percent-50 percent of the time even when they show their ID's. Obviously, retailers need more attention."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 550-00 and H.B. No. 2090, HD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2090, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Stand. Com. Rep. No. 551-00 and H.B. No. 2751, HD 2:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2751, HD 2, pass Third Reading, seconded by Representative Yonamine.

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

"The time period in the bill, the short time frame, and the concern about what it will cost, not only government but the individual insurers, is much too short for the transmission of all this information. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2751, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Halford, Marumoto, Meyer and Rath voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 604-00) recommending that H.B. No. 101, HD 1, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 101, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Leong rose to speak in support of the measure and asked that her remarks be inserted into the Journal, and the Chair "so ordered".

Representative Leong's remarks are as follows:

"This bill needs to be passed. It is a moral obligation to those who served our State and Country during World War II. Marion Kim relinquished her teaching position with the Territory to serve as a loaned civilian for fingerprint classification. This woman was then denied her ERS status and lost monies for that period of time in the pension program as a result of her work with the civilian defense agency. This bill permits her to buy back membership service credit at the rate of compensation before retirement and application before 12/31/97. It has taken many years of effort on her part to seek justice and to finally get the legislative process this far. I commend Representative Lei Ahu Isa for her part in passing this bill along. The Representative remembered Mrs. Kim well when she was a student in her classroom those many years ago. I truly feel we must reinstate what is due to her for serving her State and her Country. I urge my colleagues to pass this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 605-00) recommending that H.B. No. 536, HD 2, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 606-00) recommending that H.B. No. 1882, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 607-00) recommending that H.B. No. 1909, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1909, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 608-00) recommending that H.B. No. 2289, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 609-00) recommending that H.B. No. 2356, HD 1, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2356, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Thielen rose to speak in opposition to the measure, stating:

"This bill is I guess informally known as the 'Joe Blanco bill'. In brief, Mr. Speaker, the bill proposes to consolidate certain technology and venture capital entities. HTDC, HSDC and NELHA under a new HTDC. In its current draft fortunately NELHA has been taken out of the picture.

"The bill's only proponents are the Governor and his high tech special advisor, Joe Blanco. In opposition there was our Hawai'i Island Economic Development Board, NELHA, HSDC and Hawai'i Venture Capitalist Association. HSDC is not a technology development organization, but rather has a mission to develop a venture capital industry in Hawai'i with programs to stimulate private capital development. It is not limited to or targeted at the technology industry. The greatest mistake the State could make would be to undertake a program of investing directly in start up companies, bypassing the venture capital community.

"Our venture capital partnerships, including the very successful one with Digital Island have been able to attract private investors from Hawai'i, Silicon Valley and the Far East because they recognize we are taking a return oriented approach to our investment program which is managed by professional venture capitalists from the private sector. We feel this program is very effective with only one staff member and don't see ourselves as part of the alphabet soup problem. HSDC has a proven track record of success.

"Creating a new entity will only slow the growth of Hawai'i venture capital structure. Hawai'i cannot afford to wait for the State to reinvent HSDC. It has momentum which should not be stopped. Using the flow of proceeds of Digital Island, HSDC could conceivably create hundreds of millions in investment in Hawai'i's business in the next five years.

"In summary this goal to reach a hundred million in local venture capital would be better met in the market place. With the scheme we have in place, giving private investors here and elsewhere including our own ERS, confidence that their returns would be optimized and not subject to political intervention. Mr. Speaker, you can't help but tie this bill in with the raid that

is going to occur on SCR 612 and accompanying bill, H.B. 2434, which I also oppose. I think that we should give this very serious thought, we probably will have an opportunity to reconsider this action, should the bill come back from the Senate. Maybe wiser heads will prevail there and it will die its death over there and Mr. Blanco can go off to some other career. Thank you."

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

"When the HSDC was first formed, I think we had high technology industry in mind. And at this point in time I think we need to have a better coordinated effort between the state agencies that deal with high tech issues. We feel that one of the intentions of this bill is to better coordinate efforts between two agencies, rather than having one agency a funding agency, and another agency being the policy agency. So we feel this is a vehicle that we need to discuss further. I appreciate the efforts and the comments from my colleague, and we ask that you support this bill. It's trying to develop a coordinated effort between the several agencies within the state to develop our high tech industry. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Fox, Halford, Marumoto, Meyer, Moses, Rath and Thielen voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 610-00) recommending that H.B. No. 2368, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 46 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 611-00) recommending that H.B. No. 2403, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 612-00) recommending that H.B. No. 2434, HD 1, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2434, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Fox rose to speak in opposition to the measure, stating:

"As this has been mentioned by the Representative from Kailua, this is a bill that is also going to do damage to the Hawai'i Strategic Development Corporation. I think this is a really bad bill. It allows money to be taken out of the Strategic Development Fund. I thought we had all agreed that this was something that we needed to build the high tech industry in Hawai'i. What you do is you use this money to take risks in high tech firms and the way you keep the fund going is if some of that risk pays off and gives you a reward. You then have the funding to keep the thing going.

"It's a self sustaining fund, but it's a high risk fund. It's a big, big, mistake to take money out of this fund just to support the general fund whenever you have a success.

"If we have decent programs in Hawai'i that deserve to be supported, such as the 3 \$1 million pops the Governor is taking out of this fund, they should come out of the general fund. That's where the money exists to support the kind of initiatives that the Governor is talking about. The money should stay in the Hawai'i Strategic Development Corporation Fund to support high tech. It really is the future of Hawai'i and we are robbing our future when we take money out of this fund. I urge everybody to vote against this or at least a majority or at least some of the Majority. Thank you, Mr. Speaker."

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

"Mr. Speaker. I feel it is my obligation to rise and defend this bill. Originally before we reduced the amount to a \$1, the appropriation was a million dollars and the vision behind this bill was to provide funding for the University Hawai'i Engineering College. I appreciate the comments from the Representative from Waikiki, for the development of the high tech industry in Hawai'i and using the Hawai'i Strategic Development Corporation Funds. However in order to do that, I think it is clear that we need to have a good college system. The effort behind this bill is to provide funding for at least the College of Engineering to produce the work force available to develop the industry here in Hawai'i. There is a specific nexus tied between taking that funds out and putting them into the University system. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Third Reading by a vote of 38 ayes to 9 noes, with Representatives Auwae, Fox, Halford, Leong, Meyer, Pendleton, Rath, Thielen and Whalen voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 613-00) recommending that H.B. No. 2504, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 614-00) recommending that H.B. No. 2506, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 615-00) recommending that H.B. No. 2510, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," passed Third Reading by

a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 616-00) recommending that H.B. No. 2512, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 617-00) recommending that H.B. No. 2514, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2514, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 618-00) recommending that H.B. No. 2521, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2521, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 619-00) recommending that H.B. No. 2524, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2524, pass Third Reading, seconded by Representative Yonamine.

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

"If this bill were a law prior to the rules, we would have rules that implement our statute which is normal. And if this bill were passed and in place, that means we wouldn't have any rules which would also be normal. But if this bill passes the way it is, there would still be rules to enforce laws no longer in the books which certainly is abnormal and unnecessary.

"As this bill moves through the Legislature we need to look closer at it like many of our other measures that is not quite done. We need to look at whether we really need to eliminate the whole statute, including those portions of the statute relating to the quality of the prophylactic and all related rules for statutes no longer present. The Department of Health testified that we don't need rules relating to the quality because it's already governed by federal law. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 620-00) recommending that H.B. No. 2530, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 621-00) recommending that H.B. No. 2575, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2575, pass Third Reading, seconded by Representative Yonamine.

Representative Morita rose to speak in opposition to the measure, stating:

"I have no problems with the direct negotiation of water rights, if it is dealing with wells, but I do have a problem when it involves the transfer of water, from one watershed to another watershed. That is my concern about this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2575, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF WATER RIGHTS," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Morita voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 622-00) recommending that H.B. No. 2782, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2782, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 623-00) recommending that H.B. No. 2802, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2802, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 624-00) recommending that H.B. No. 2834, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2834, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGISLATIVE INTERNAL COMPUTER NETWORK," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 625-00) recommending that H.B. No. 2997, pass Third Reading.

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

Committee was adopted and H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance presented a report (Stand. Com. Rep. No. 626-00) recommending that H.B. No. 3022, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 3022, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CERTIFICATION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs presented a report (Stand. Com. Rep. No. 627-00) recommending that H.B. No. 1876, pass Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1876, pass Third Reading, seconded by Representative Yonamine.

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

"It's not that I oppose a military member on the Board in particular, but from a general perspective I have some concerns about adding unnecessary amendments to the Constitution. Certainly the Board of Education opposed this bill because they testified that they have a standing invitation for someone from the military to come and participate in the Board activities and they rarely come. I always had a problem with the student non-voting member and to establish targeted slots on the Board; after all, we don't have the targeted slots for somebody who can represent the perspective of Felix students or parents or teachers or administrators and so on.

"Basically people run for the school board and if they represent a certain perspective they can make that known to the voters. If the voters feel that it is an important perspective to have on the Board, they will elect them. So I would suggest that if anyone from the military wants to provide that perspective on the Board that they run on that platform. And if the voters feel that's an important perspective to have, they will be on the Board as a voting member. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1876, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs presented a report (Stand. Com. Rep. No. 628-00) recommending that H.B. No. 2762, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2762, entitled: "A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs presented a report (Stand. Com. Rep.

No. 629-00) recommending that H.B. No. 2774, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2774, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs presented a joint report (Stand. Com. Rep. No. 630-00) recommending that H.B. No. 1762, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Third Reading by a vote of 42 ayes to 5 noes, with Representatives Fox, Halford, Meyer, Rath and Whalen voting no and Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 631-00) recommending that H.B. No. 1906, HD 1, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1906, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF PSYCHOLOGISTS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs presented a report (Stand. Com. Rep. No. 632-00) recommending that H.B. No. 2423, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2423, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs presented a report (Stand. Com. Rep. No. 633-00) recommending that H.B. No. 2615, pass Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," passed Third Reading by a vote of 47 ayes, with Representatives Espero, Herkes, McDermott and Okamura being excused.

At 5:48 o'clock p.m., Representative Thielen asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:49 o'clock p.m.

The Chair directed the Clerk to note that H.B. Nos. 1387, 1776, 2463, 2486, 2525, 2013, 750, 1763, 1922, 2090; 2751; 101; 536; 1882; 1909; 2289; 2356; 2368; 2403; 2434; 2504; 2506; 2510; 2512; 2514; 2521; 2524; 2530; 2575; 2782; 2802;

2834; 2997; 3022; 1876; 2762; 2774; 1762; 1906; 2423 and 2615 had passed Third Reading at 5:50 o'clock p.m.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 634-00) recommending that H.B. No. 1925, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1925, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 635-00) recommending that H.B. No. 2633, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 636-00) recommending that H.B. No. 2314, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 637-00) recommending that H.B. No. 2316, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2316, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 638-00) recommending that H.B. No. 2473, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 639-00) recommending that H.B. No. 2476, as

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 640-00) recommending that H.B. No. 2484, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2484, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 641-00) recommending that H.B. No. 2349, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 642-00) recommending that H.B. No. 2095, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2095, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 643-00) recommending that H.B. No. 2490, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2490, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Ito, for the Committee on Education, presented a report (Stand. Com. Rep. No. 644-00) recommending that H.B. No. 2495, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

Committee was adopted and H.B. No. 2495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 645-00) recommending that H.B. No. 1788, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1788, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 646-00) recommending that H.B. No. 2024, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2024, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 647-00) recommending that H.B. No. 2537, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2537, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 648-00) recommending that H.B. No. 1843, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 649-00) recommending that H.B. No. 2151, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 650-00) recommending that H.B. No. 2261, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 651-00) recommending that H.B. No. 2407, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2407, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 652-00) recommending that H.B. No. 1807, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 653-00) recommending that H.B. No. 1838, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1838, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 654-00) recommending that H.B. No. 1845, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1845, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 655-00) recommending that H.B. No. 2625, as amended in

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 656-00) recommending that H.B. No. 2634, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2634, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 657-00) recommending that H.B. No. 2649, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2649, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 658-00) recommending that H.B. No. 2732, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2732, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 659-00) recommending that H.B. No. 2572, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2572, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Yamane rose to speak in opposition to the measure, stating:

"This bill was an Administration bill sent down to the House and essentially what has been done, is the bill has been reversed. The idea behind it was to give back to DLNR, the administrative power to handle activities at Kaneohe Bay.

"Essentially, what this bill does is, it reverses back some of the things in this bill and that seems kind of strange.

"If we are going to give a private party or private group in this case, the power to represent the State, then as a private group maybe they should be responsible enough to get sued individually on that board. If they are carrying out the responsibility of the State and they have no linkage to the State except being an advisory board, how do they get administrative powers? My concern for this is we cannot have the State abdicate the responsibility to a private party or a private group as this does. I don't think we have any need for a Legislature either. But my concern is that this bill reverses what the Administration had tried to send down in this bill and I am opposed to it. Thank you Speaker."

Representative Kanoho then rose and asked the Clerk to register a no vote for him and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Yoshinaga then rose and asked the Clerk to register an aye vote with reservations for her, and the Chair "so ordered."

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

"This bill does determine who is going to have the management rights over Kaneohe Bay. This body, not all the same people who are here today, but the Legislature created the Kaneohe Bay Task Force back in 1990, then we created the Regional Council to see that the recommendations that the Task Force came up with would become the rules that would control the activities in Kaneohe Bay. The administration bill was introduced to give them a lot more flexibility than they presently have with the laws that are on the books. And the Representative from Kaimuki is correct that with the amendment here, we have actually made things worse than they are right now as far as the Department having very little flexibility to do what they think is appropriate.

"I offered a number of amendments to the bill which I had hoped would maintain the Regional Council. The Administration bill would have eliminated the Regional Council entirely. There are people who have worked many, many, hours with no remuneration. But this past summer when we had a lot of meetings with the long range planning committee I was looking at possible recommendations to amend the Task Force report. They were very contentious meetings and there was a large part of the community that was not heard or they felt they were not heard because they could not change the minds or have any kind of compromise.

"I hope that as this bill moves forward there will be changes to it because it is absolutely true, the Department is responsible and they should have flexibility. I believe the master plan is a plan that is ten years old, it's a good guideline but it should not be the law of the land. Thank you, Mr. Speaker."

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

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

Representative Goodenow then rose and asked the Clerk to register a no vote for him and asked that the remarks of Representative Meyer be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2572, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Goodenow,

Kahikina, Kanoho, Nakasone and Yamane voting no and Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 660-00) recommending that H.B. No. 1912, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1912, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 661-00) recommending that H.B. No. 2396, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2396, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

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

"What this bill does is it basically carves out advertising in the reporting requirements of non-accredited degree granting institutions. Last year as you recall we passed a measure that would require non-accredited degree granting institutions to announce and to make public the fact that they are non-accredited. Unfortunately, what this bill does is that it carves out advertising. In other words in advertising in newspapers, both in the mainland, Hawai'i, as well as Asia, an unaccredited degree granting institution could in fact publicize or recruit students and not specify or tell the prospective student that the particular institution is an unaccredited degree granting institution. So I do have some strong reservations but I realize that the effective date of the act has been kept blank so I would like to see how this thing progresses. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 662-00) recommending that H.B. No. 2425, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 663-00) recommending that H.B. No. 2585, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 664-00) recommending that H.B. No. 2951, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2951, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Rath rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Halford then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Kahikina then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to register an aye vote with reservations for her, and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Auwae then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

The motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2951, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading, with Representative Auwae voting no and Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 665-00) recommending that H.B. No. 2362, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 666-00) recommending that H.B. No. 2891, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 2891, HD 1, pass Second Reading and

be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Rath rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to register an aye vote with reservations for her, and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

"I realize this is an issue for most people that sounds too good to be opposed to this sport and say that we should ban it. However, we did ban ultimate fighting last year or the year before and then the organizers changed their act, they got a referee and made sure there were no injuries, and there are rules they comply with. And the fact is, that for some reason they decided to pick Hawai'i as the place to hold these events.

"I found it very interesting in the testimony from DCCA that their testimony was that Hawai'i is becoming a place where they like to hold these events. The arena is full. Business is booming. People are making money. But we want to stop it. The reason we want to stop it, I wasn't very clear on because she testified there were no violations in any of the matches ever since we passed the law. There's been no injuries. There's been no incidences. There's been no problems whatsoever, but we're still trying to go further in trying to ban this.

"If you read the bill carefully, the first draft basically banned any sort of contact sport except for some of the team sports like football or basketball. You can call it that the way the NBA plays, but except for what we said and the DCCA who was able to through the rulemaking, allow sports into certain martial arts. They said they didn't want to do it, it's too complex. So we kind of defined it in the statute, but still we're taking a stance that we're banning it all unless we give you permission.

"I'm not really sure if it's in the best interest of the consumer, which is what we're supposed to be doing, or society for the general welfare that any sort of combative sports is wrong. Many people feel that boxing is an inhuman sport and we shouldn't do it because the definition in the bill says that if there's a substantial likelihood of injury and in almost any kind of contact sport there is. So, I rise in opposition and I could keep going, and you can thank me later for stopping now. We're headed in the wrong direction, you know it feels good and it sounds like we're protecting everyone but there's really no reason. None of the testimony could point out anything in particular on why we should ban this. Thank you."

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

"Mr. Speaker, anyone who has ever participated in contact sports and participated in marital arts would agree what we are glorifying in these extremely violent participatory events is violence, pure and simple, for the sake of profit. Years ago when this body tried to ban ultimate fighting in this State, we made a sincere effort to try to say and make a statement that this type of event is not to be accepted in our society. Other states have also done this. It appears that the promoters saw a way to get around our law, chose Hawai'i as a site and we have seen more and more of these events.

"What this measure tries to do is give the Department the ability to stop what we initially said we did not want to see, which was the glorification of a violent, violent activity that has no redeeming value at all. In the process of doing that, we try to carve out those activities, as pointed out by the previous

speaker, that some people find offensive, but have been accepted by society in general as a legitimate sporting event.

"As the son of a professional boxer I can say, and as a participant in combative martial arts kickboxing for many years, I can truly say that many of these types of activities have been accepted. The recent form of extreme fighting and what they are doing downtown is unacceptable. There is no redeeming value and that is what this bill is trying to attempt to give the Department the ability to simply say no. We do not want to become the mecca of this violent sport which we have become. Other states have succeeded. It is our turn to succeed in banning this inhumane act. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2891, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMBATIVE SPORTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Rath and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 667-00) recommending that H.B. No. 1880, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the report of the Committee be adopted and H.B. No. 1880, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Rath then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

"I can understand why the Chair and the Vice Chair of the Committee are trying to move this forward because of the recent happenings over the last year. But I still have concerns that Hawai'i has some of the strictest gun laws in the nation and I'm not sure this is going to help it along. Thank you."

Representative Halford then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Kahikina then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer then rose and asked the Clerk to register an aye vote with reservations for her, and the Chair "so ordered."

Representative Moses then rose and asked the Clerk to register an aye vote 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 H.B. No. 1880, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 668-00) recommending that H.B. No. 2158, as

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Menor and Hamakawa, for the Committees on Consumer Protection and Commerce and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 669-00) recommending that H.B. No. 1933, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 1933, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Whalen rose to speak in opposition to the measure, stating:

"Mr. Speaker, again this bill sounds great. We're trying to protect the licensed contractors or the public from these acts, but it's extremely heavy handed. Basically if someone does some work that you're supposed to be licensed for, but not, or you do any work over a thousand and one dollars instead of a thousand, the government will take away everything they own. Their truck, tools, their supplies, you name it they lose it. It is one thing to protect the public. It's another thing to protect a regulated industry and make basically whoever is trying to make a living, to take away everything you possess. I think it's gone too far. Thank you."

Representative Rath then rose and asked the Clerk to register a no vote for him and asked that the remarks of Representative Whalen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Thielen then rose to speak in support of the measure with reservations and to declare a potential conflict of interest, saying that she comes from a contracting family, and the Chair ruled "no conflict."

"I do have some concerns about the bill though, that it may be quite harsh for the unlicensed contractors. Thank you."

Representative Halford then rose to speak in opposition to the measure and asked that the remarks of Representative Whalen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Halford continued, stating:

"This bill as it's written now is excessively harsh."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 1933, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Halford, Rath and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 670-00) recommending that H.B. No. 2413, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 671-00) recommending that H.B. No. 1871, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 1871, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 672-00) recommending that H.B. No. 2445, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2445, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 673-00) recommending that H.B. No. 2446, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2446, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 674-00) recommending that H.B. No. 2518, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2518, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Case rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Pendleton then rose and asked the Clerk to register an aye vote with reservations for the entire Republican Caucus and the Chair "so ordered."

Representative Stegmaier then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Suzuki then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 675-00) recommending that H.B. No. 1869, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 1869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 676-00) recommending that H.B. No. 2449, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and H.B. No. 2449, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 677-00) recommending that H.B. No. 2447, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2447, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Pendleton rose and asked the Clerk to register a no vote for the entire Republican Caucus, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Auwae, Fox, Halford, Leong, Marumoto, Meyer, Moses, Pendleton, Rath, Thielen and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committees on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 678-00) recommending that H.B. No. 2448, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2448, pass Second

Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Pendleton rose and asked the Clerk to register a no vote for the entire Republican Caucus, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2448, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Auwae, Fox, Halford, Leong, Marumoto, Meyer, Moses, Pendleton, Rath, Thielen and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

Representatives Yoshinaga and Takamine, for the Committee on Labor and Public Employment and Finance, presented a joint report (Stand. Com. Rep. No. 679-00) recommending that H.B. No. 2458, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2458, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

Representative Fox rose to speak in opposition to the measure, stating:

"Mr. Speaker, the preceding two bills are all aimed at the effort of the City and County of Honolulu to see that Act 100 is carried out in the terms that it was originally written.

"Mr. Speaker, we have recently spent a lot of time on our tv's watching the trial of four policemen in New York City, who fired 19 bullets into a body and the question was whether it was murder. We have far less bullets going in the City and County of Honolulu. We only have three bills aimed at the action of the City and County of Honolulu, the two previous ones in which the Republican Caucus voted unanimously against, and this one as well.

"Mr. Speaker, the City and County of Honolulu believes it was acting in 'good faith' when it understood that Act 100 said that the money to pay for the public employees pay increases in the City and County of Honolulu would come from funds that were taken out of the Employee Retirement System. Acting on that 'good faith', they have chosen to withhold the payments that don't fit that description of how the Act would be carried out. This matter is currently in court, but apparently its not enough for this Legislature to allow the judicial process to take its due course. We have to come up with three bills hitting the body from three different angles to make sure that the City and County and the counties go down, and imperil the ability of all counties to support their governments. This is eventually going to fall on the backs of our constituents who all pay taxes to the counties. So this is a very bad idea and I would hope that somehow before we get to Third Reading or before we get through the legislative process that these bills are quietly set aside. Thank you, Mr. Speaker."

Representative Pendleton then rose and asked the Clerk to register a no vote for the entire Republican Caucus for the reasons as set forth by Representative Fox, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the joint report of the Committees was adopted and H.B. No. 2458, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Auwae, Fox, Halford, Leong, Marumoto, Meyer, Moses, Pendleton, Rath, Thielen and Whalen voting no

and Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 680-00) recommending that H.B. No. 1830, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1830, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 681-00) recommending that H.B. No. 2088, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 682-00) recommending that H.B. No. 3014, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 3014, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes, McDermott and Okamura being excused.

Representatives Cachola and Hamakawa, for the Committees on Water and Land Use and Judiciary and Hawai'ian Affairs, presented a joint report (Stand. Com. Rep. No. 683-00) recommending that H.B. No. 2976, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Case moved that the joint report of the Committees be adopted and H.B. No. 2976, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Yonamine.

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

Representative Morita then rose to speak in opposition to the measure, stating:

"I feel this bill is unnecessary in Chapter 343 and subsequent rules. There is an exemption process that both State and county agencies can apply for exemptions through this process, and if there is a concern regarding marketing and promotional monies, then these agencies should act proactively and seek an exemption. In a real quick review of the rules, activities such as research is already an exempt activity. So I think instead of amending the definition of 'action', we should already use the process in place and go that route. Thank you."

Representative Lee then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Takai then rose and asked the Clerk to register an aye vote with reservations for him, and asked that the remarks of Representative Morita be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kaho'ohalahala then rose to speak in opposition to the measure, stating:

"It has been real clear to me in a lot of discussions of which I think this bill comes about, that when we look at the tourist industry, and we looked at their impact on environment and culture, it becomes very clear to me that they should be synonymous to each other. In other words our tourist industry is reliant on our environment and our tourist industry is also very reliant on the culture of these islands. I would like to see more of a partnership where both can come together rather than saying that one should be exempt from the kinds of potential impacts that they have on the other. I would rather they work together. So at this time I cannot support this movement forward, Mr. Speaker."

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

Representative Kahikina then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representative Morita be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"I will be brief because in your initial opening statement you mentioned that today is "girls day" and we should go home early. The reason why I am supporting this measure Mr. Speaker, is because if you look at the committee report and the guts of the bill it applies only to marketing and promotional programs. There is another bill that exempts the HTA from Chapter 343. If we are going to exempt HTA we should treat the counties equally, we should not treat the counties as third class agencies because the counties are also promoting and marketing by using county funds. So this bill just clarifies that if we are going to treat HTA one way by giving them the exemption, we should at least to do the same thing for the counties and other agencies. Thank you, Mr. Speaker."

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

Representative Catalani then rose and asked the Clerk to register a no vote for her, and the Chair "so ordered."

Representative Stegmaier then rose and asked the Clerk to register an aye vote 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 H.B. No. 2976, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS WHICH CONCERN PROGRAMS OR DEVELOPMENT PROJECTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Catalani, Kahikina, Kaho'ohalahala, Lee, Morihara, Santiago, Schatz and Thielen voting no and Representatives Herkes, McDermott and Okamura being excused.

THIRD READING

H.B. No. 1780, HD 1:

Representative Case moved that H.B. No. 1780, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Fox rose to speak in opposition to the measure, stating:

"I spoke on this bill during Second Reading. The Department of Business, Economic Development and Tourism has pointed out to us that the Convention Center Authority has outlived its usefulness. The time to see it pass on into history has arrived. As I pointed out, the Executive Director of the CCA has said he can fix the two major problems with the Convention Center before the Authority expires in June. So we ought not pass this bill, we ought to let nature take its course. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 1780, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Auwae, Halford, Fox, Leong, Pendleton, Rath, Thielen and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2559, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2761, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2761, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2526, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO USED OIL," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 1983, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 1983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2646, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2736, HD1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2736, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Catalani rose to disclose a potential conflict of interest, stating:

"I didn't quite keep track, but on these consumer protection bills I understand my husband's law firm had testified, I don't know if they testified for or against actually, on some of these measures. I can look them up. I'm just asking if I have a conflict," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 2736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IDENTITY THEFT," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 1773, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 1773, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2005, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2219, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2471, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2474, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2475, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2479, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2483, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2483, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2485, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2797, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2983, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2378, HD1:

Representative Case moved that H.B. No. 2378, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Yamane rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Goodenow then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

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

"For those of you who have not been able to follow it, we did do the auto insurance reform. One of the things we did do was take away the no-fault insurance, so basically you can sue at anytime. However, there are some wrinkles in the law that make it unattractive to sue for lower amounts and I realize this bill doesn't do it. But one of the things that we did was lower the amount for bodily injury liability so that it would be more affordable for more people. If you feel that the amount is insufficient and you want to purchase more insurance, you can do it. But for those who don't have a lot of money at least they can get something.

"Well the testimony in the hearing to raise the coverage came from, guess which lobby group? The plaintiffs lawyers, they are tired of trying to reach into a limited pocket and want to make it bigger. The Chairman of the CPC committee did take the numbers out so now it's a blank bill, but it makes no sense. We're not going to go any lower. We're only going to go up.

"The testimony was clear by the Insurance Commissioner that if you raise the limits you raise the rates. If you want more insurance you can purchase it. The insurance companies are glad to sell it to you. But if you raise the minimums then what

we would be doing is raising rates and knocking some people who are on the bubble off and they would not be able to afford it any longer. It seems to defeat the purpose of our insurance reform which we did a couple of years ago. It's kind of disappointing to see how powerful the plaintiffs lawyers bar is because we've only had this insurance reform actually in full effect for maybe only a full year because it takes a while to get phased totally in. They are already back, and we're already considering chipping away at what we did to make them happy so they can have a bigger pocket to reach into. I oppose that and will continue to oppose that every step of the way. Thank you, Speaker."

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

"We can debate the merits of the bill, but I believe the Committee made its recommendation in moving this bill out based on the merits of what we felt might be in the public interest. But to suggest the bill was moved because of the power of any particular public interest group, I think does a disservice to the members of the Committee who has deliberated long and hard on many public interest consumer measures. In moving this bill out, I would like to ensure this Body that we are looking at it based on its merits and trying to determine whether or not such legislation will benefit the consumers of the State of Hawai'i. Thank you very much."

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

"Although I realize that there is no amount in the bill at this time, the thrust of the bill originally was to raise this mandatory minimum and I am opposed to that and I think we are moving in the wrong direction. Thank you, Mr. Speaker."

Representative Rath then rose in opposition to the measure and asked that the remarks of Representative Whalen 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 H.B. No. 2378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 41 ayes to 7 noes, with Representatives Auwae, Fox, Halford, Meyer, Moses, Rath and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2480, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2480 HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2846, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2846, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2017, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2017, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2129, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2468, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2481, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2482, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 1938, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 1938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2315, HD1:

Representative Case moved that H.B. No. 2315 HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Whalen rose to speak in opposition to the measure, stating:

"I don't want to reiterate the things I already said, but this is another bill that is driven by the plaintiff's attorneys. Part of the reforms that we did was basically, you can sue at anytime but if your costs are going to be less than \$5,000 that money will be deducted. Obviously, it had an impact on more the minor litigation it has not been filed. You cannot collect and it's not worth it. Lawyers cannot get their contingency fee, in fact, the damages have to be more than \$5,000 because they generally take a third.

"Well obviously that doesn't sit well with them so here they are again to change this law and to whittle away at something that is starting to prove itself as being effective. And again I say plaintiffs' lawyers because the testimony for this bill, and the past bill which I was somewhat chastised for, came from the consumer lawyers, a pseudonym for the plaintiffs' bar that does personal injury cases. The only testimony for either bill came from them and one other for the first bill came from a plaintiffs' attorney.

"This is the plaintiffs' bar attorneys driven legislation to whittle away at the reforms that we did to create a deeper

pocket to increase their opportunities to sue others so they can make a living. I mean that's what they do, its counter to the public good. It's counter to the reforms we made already that are having an impact. More people can afford insurance. We are moving in the wrong direction, even though we are taking the numbers out, the fact that the concept is moving forward indicates that they have found receptive ears here. We should not be messing with the reform that we had just enacted that's starting to show itself as being effective. Thank you."

Representative Meyer then rose and asked the Clerk to register a no vote for her, and asked that the remarks of Representative Whalen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Goodenow then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

Representative Rath then rose and asked the Clerk to register a no vote for him, and asked that the remarks of Representative Whalen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Stegmaier then rose and asked the Clerk to register an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 2315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Third Reading by a vote of 41 ayes to 7 noes with Representatives Auwae, Fox, Halford, Meyer, Moses, Rath and Whalen voting no and Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2409, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2409, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2414, HD1:

Representative Case moved that H.B. No. 2414, HD 1, pass Third Reading, seconded by Representative Yonamine.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker I am a bit confused about this and possibly I could be given guidance by the Chair of Finance. Let me just state my confusion. The bill itself states on page one that the expenses of the litigation are the hourly fees of the special deputies retained for the asbestos property damage litigation along with some other costs. What this is proposing to do is allocate over \$2 million for that. I understood those attorneys took this case on a contingency and now it appears that we're paying them hourly fees. I'd like to know why that change. I mean that was the understanding that we all were given from the Attorney General's Office. We were assured to not worry about it they were going to take it on a contingent basis, meaning that there are no hourly fees but we would have to cover cost of course. Mr. Speaker, if anyone could shed some light on that I would appreciate it. Possibly the Chair of Finance because the bill came out of Finance.

At 6:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:23 o'clock p.m.

Representative Luke then rose to disclose a potential conflict of interest, stating:

"The law firm that I work for is currently representing the State in the asbestos litigation," and the Chair ruled "no conflict."

Representative Takamine then rose to clarify language in H.B. 2414, stating:

"On page one, line sixteen through seventeen, where the bill talks about reimbursable costs of experts and consultants and special deputies, I think the term special deputies is causing some confusion. To clarify the matter, the current attorneys who are performing the litigation, you might want to know that the language will not relate to them, it is on a contingency fee basis. However, previously there were legal services provided in particular from mainland counsel. They are no longer litigating the case. However because these are past expenses this was another item included in this measure. The Chair will be communicating the concerns to the Co-Chairs of the Senate Ways and Means Committee so as the bill moves forward we can have further clarification and the appropriate language included. Thank you."

Representative Thielen's then rose to speak in rebuttal, stating:

"Thank you, Mr. Speaker I appreciate very much the explanation of the Chair of the Finance Committee. Until the final version comes back over from the Senate, I will continue to vote no on this bill at this point. I'm also very concerned about putting an additional \$2.1 million into the litigation because it has taken a great deal of money. I just hope in the end the State will recover something that will offset the money that we have poured in that hole. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2414, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ASBESTOS PROPERTY DAMAGE LITIGATION," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Halford, Marumoto and Thielen voting no and Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2517, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2517, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2531, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2536, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2536, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH," passed Third

Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2551, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2551, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2588, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2606, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF TAX INFORMATION," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2616, HD1:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2616, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2601:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2601, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2586:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2586, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

H.B. No. 2148:

On motion by Representative Case, seconded by Representative Yonamine and carried, H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Herkes, McDermott and Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 1780, 2559, 2761, 2526, 1983, 2646, 2736, 1773, 2005, 2219, 2471, 2474, 2475, 2479, 2483, 2485, 2797, 2983, 2378, 2480, 2846, 2017, 2129, 2468, 2481, 2482, 1938, 2315, 2409, 2414, 2517,

2531, 2536, 2551, 2588, 2606, 2616, 2601, 2586 and 2148, had passed Third Reading at 6:30 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 44) and concurrent resolutions (H.C.R. Nos. 36 and 37) were referred to Printing and further action was deferred:

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE SUPPORT OF THE TWENTIETH LEGISLATURE OF THE STATE OF HAWAII FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF HAWAII'S PEOPLE," was jointly offered by Representatives Abinsay, Ahu Isa, Cachola, Case, Chang, Espero, Fox, Ito, Kaho'ohalahala, Kawakami, Luke, Marumoto, Morihara, Morita, Oshiro, Rath, Takumi, Whalen, Yonamine and Yoshinaga.

H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE APPLICABILITY OF THE "SUNSHINE LAW" TO NEIGHBORHOOD BOARDS' COMMITTEE ACTIVITIES," was jointly offered by Representatives Case, Goodenow, Lee, Leong, Meyer, Arakaki, Auwae, Cachola, Catalani, Espero, Fox, Garcia, Hiraki, Kahikina, McDermott, Menor, Oshiro, Santiago, Say, Schatz, Stegmaier, Takumi, Yamane and Yonamine.

H.C.R. No. 37, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE TWENTIETH LEGISLATURE OF THE STATE OF HAWAII FOR THE RESPONSIBLE USE OF AGRICULTURAL BIOTECHNOLOGY FOR THE BENEFIT OF HAWAII'S PEOPLE," was jointly offered by Representatives Abinsay, Ahu Isa, Cachola, Case, Chang, Espero, Fox, Ito, Kaho'ohalahala, Kawakami, Luke, Marumoto, Morihara, Morita, Oshiro, Rath, Takumi, Whalen, Yonamine and Yoshinaga.

ANNOUNCEMENTS

Representative Kawakami: "The Finance Committee will meet for a short while in the Finance Committee room following adjournment. Thank you."

Representative Marumoto: "Mr. Speaker, I rise on a point of information, wondering whether you will be allowing us to express our reservations on any bills that may be decked in the Clerk's Office before midnight and passing Second Reading this evening."

At 6:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:37 o'clock p.m.

Representative Marumoto continued, stating:

"Thank you, Mr. Speaker. I was concerned that there would be bills coming into the Clerk's Office until midnight to pass Second Reading, but it is my understanding that we have received all of the bills for Second Reading and whatever will be decked from this point forward until midnight will be Third Reading bills. Thank you."

The Chair then made the following announcement:

"Today is Representative Terry Yoshinaga's birthday. She is going on 27 years for the fifth or sixth time."

Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Standing Committee Reports and House Bills transmitted thereby, seconded by Representative Pendleton and carried. (Representatives Herkes, McDermott, Okamura and Rath were excused.)

At 6:38 o'clock p.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. 684 through 867) were received in the Clerk's Office up until 12:00 o'clock midnight this legislative day, and subsequent to its recessing at 6:38 o'clock p.m., the following actions were taken:

Stand. Com. Rep. No. 684-00 (JHA) and H.B. No. 1760, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 685-00 (JHA) and H.B. No. 1899, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 686-00 (JHA) and H.B. No. 2513, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 687-00 (JHA) and H.B. No. 2557, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 688-00 (JHA) and H.B. No. 2691, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 689-00 (JHA) and H.B. No. 2895, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 690-00 (FIN) and H.B. No. 1844, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 691-00 (FIN) and H.B. No. 1846, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 692-00 (FIN) and H.B. No. 1994, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 693-00 (FIN) and H.B. No. 1955, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 694-00 (FIN) and H.B. No. 1969, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 695-00 (FIN) and H.B. No. 2066, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 696-00 (FIN) and H.B. No. 2243, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VETERANS CEMETERIES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 697-00 (FIN) and H.B. No. 2252, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 698-00 (FIN) and H.B. No. 2309, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 699-00 (FIN) and H.B. No. 2354, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 700-00 (FIN) and H.B. No. 2374, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES SYSTEM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 701-00 (FIN) and H.B. No. 2375, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT MANOA," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 702-00 (FIN) and H.B. No. 2405, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 703-00 (FIN) and H.B. No. 2406, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 704-00 (FIN) and H.B. No. 2410, as amended in HD 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 Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 705-00 (FIN) and H.B. No. 2427, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GEOGRAPHIC INFORMATION

SYSTEMS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 706-00 (FIN) and H.B. No. 2432, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 707-00 (FIN) and H.B. No. 2444, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 708-00 (FIN) and H.B. No. 2497, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 709-00 (FIN) and H.B. No. 2553, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 710-00 (FIN) and H.B. No. 2555, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 711-00 (FIN) and H.B. No. 2568, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 712-00 (FIN) and H.B. No. 2569, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 713-00 (FIN) and H.B. No. 2574, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 714-00 (FIN) and H.B. No. 2594, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 715-00 (JHA) and H.B. No. 1758, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 716-00 (JHA) and H.B. No. 1947, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 717-00 (JHA) and H.B. No. 2388, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 718-00 (JHA) and H.B. No. 2745, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUARANTINE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 719-00 (FIN) and H.B. No. 2443, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 720-00 (FIN) and H.B. No. 2500, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY DEVELOPMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 721-00 (FIN) and H.B. No. 2607, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 722-00 (FIN) and H.B. No. 2901, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 723-00 (FIN) and H.B. No. 1834, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 724-00 (FIN) and H.B. No. 1847, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 725-00 (FIN) and H.B. No. 1879, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 726-00 (FIN) and H.B. No. 1905, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 727-00 (FIN) and H.B. No. 2160, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 728-00 (FIN) and H.B. No. 2262, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 729-00 (FIN) and H.B. No. 2285, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN STUDIES PROGRAM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 730-00 (FIN) and H.B. No. 2404, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 731-00 (FIN) and H.B. No. 2417, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 732-00 (FIN) and H.B. No. 2438, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 733-00 (FIN) and H.B. No. 2467, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 734-00 (FIN) and H.B. No. 2534, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 735-00 (FIN) and H.B. No. 2576, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 736-00 (FIN) and H.B. No. 2620, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 737-00 (FIN) and H.B. No. 2746, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PEER EDUCATION PROGRAM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 738-00 (FIN) and H.B. No. 2829, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTIONS APPOINTMENT AND REVIEW PANEL," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 739-00 (FIN) and H.B. No. 2877, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC CONTRACTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 740-00 (FIN) and H.B. No. 2996, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 741-00 (FIN) and H.B. No. 3002, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PLAYGROUNDS IN SCHOOLS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 742-00 (CPC) and H.B. No. 1863, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 743-00 (CPC) and H.B. No. 2187, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 744-00 (CPC) and H.B. No. 2188, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 745-00 (CPC) and H.B. No. 2727, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 746-00 (FIN) and H.B. No. 2193, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 747-00 (FIN) and H.B. No. 2277, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 748-00 (FIN) and H.B. No. 2422, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF THE TOBACCO SETTLEMENT AGREEMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 749-00 (FIN) and H.B. No. 2431, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 750-00 (FIN) and H.B. No. 2529, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 751-00 (FIN) and H.B. No. 2566, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 752-00 (FIN) and H.B. No. 2801, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 753-00 (FIN) and H.B. No. 2836, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 754-00 (FIN) and H.B. No. 2878, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 755-00 (FIN) and H.B. No. 2955, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 756-00 (FIN) and H.B. No. 2961, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 757-00 (FIN) and H.B. No. 2973, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MICONIA ERADICATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 758-00 (FIN) and H.B. No. 2986, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 759-00 (FIN) and H.B. No. 3001, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO NONCOMMERCIAL PIERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 760-00 (JHA) and H.B. No. 2098, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 761-00 (JHA) and H.B. No. 2558, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR LAW," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 762-00 (JHA) and H.B. No. 2245, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 763-00 (FIN) and H.B. No. 1873, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 764-00 (FIN) and H.B. No. 1908, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 765-00 (FIN) and H.B. No. 1939, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 766-00 (FIN) and H.B. No. 2096, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 767-00 (FIN) and H.B. No. 2143, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 768-00 (FIN) and H.B. No. 2492, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 769-00 (FIN) and H.B. No. 2549, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL WASTEWATER SYSTEMS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 770-00 (FIN) and H.B. No. 2604, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 771-00 (FIN) and H.B. No. 2619, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO NOISE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 772-00 (FIN) and H.B. No. 2820, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 773-00 (FIN) and H.B. No. 755, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO PUBLIC LANDS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 774-00 (FIN) and H.B. No. 2194, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 775-00 (FIN) and H.B. No. 2204, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 776-00 (FIN) and H.B. No. 2273, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 777-00 (FIN) and H.B. No. 2280, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 778-00 (FIN) and H.B. No. 2408, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 779-00 (FIN) and H.B. No. 2429, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 780-00 (FIN) and H.B. No. 2501, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 781-00 (FIN) and H.B. No. 2528, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 782-00 (FIN) and H.B. No. 2789, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN ORGANIC AGRICULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 783-00 (CPC) and H.B. No. 1777, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 784-00 (CPC) and H.B. No. 1884, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 785-00 (CPC) and H.B. No. 2906, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 786-00 (LAB/FIN) and H.B. No. 1875, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 787-00 (LAB/FIN) and H.B. No. 2741, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

PRIVATELY-OPERATED CORRECTIONAL FACILITIES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 788-00 (LAB/FIN) and H.B. No. 2511, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 789-00 (CPC) and H.B. No. 1864, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 790-00 (CPC) and H.B. No. 1883, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 791-00 (CPC) and H.B. No. 1977, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 792-00 (CPC) and H.B. No. 2279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 793-00 (CPC) and H.B. No. 2554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 794-00 (CPC) and H.B. No. 2582, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 795-00 (JHA) and H.B. No. 2583, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN MEETINGS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 796-00 (JHA) and H.B. No. 2999, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 797-00 (FIN) and H.B. No. 1804, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 798-00 (FIN) and H.B. No. 1935, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 799-00 (FIN) and H.B. No. 1956, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 800-00 (FIN) and H.B. No. 1998, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE LEASES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 801-00 (FIN) and H.B. No. 2023, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 802-00 (FIN) and H.B. No. 2532, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 803-00 (FIN) and H.B. No. 2721, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 804-00 (FIN) and H.B. No. 2768, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIKALA-KEOKEA," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 805-00 (FIN) and H.B. No. 2793, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 806-00 (FIN) and H.B. No. 2959, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE ENTERTAINMENT INDUSTRY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 807-00 (FIN) and H.B. No. 540, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 808-00 (FIN) and H.B. No. 1275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL VIOLENCE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 809-00 (FIN) and H.B. No. 1902, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 810-00 (FIN) and H.B. No. 1917, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 811-00 (FIN) and H.B. No. 2092, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 812-00 (FIN) and H.B. No. 2171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 813-00 (FIN) and H.B. No. 2183, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 814-00 (FIN) and H.B. No. 2367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 815-00 (FIN) and H.B. No. 2556, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 816-00 (FIN) and H.B. No. 2643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 817-00 (CPC) and H.B. No. 1934, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 818-00 (CPC) and H.B. No. 2278, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 819-00 (CPC) and H.B. No. 2823, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 820-00 (FIN) and H.B. No. 319, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 821-00 (FIN) and H.B. No. 1889, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 822-00 (FIN) and H.B. No. 2062, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 823-00 (FIN) and H.B. No. 2104, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 824-00 (FIN) and H.B. No. 2156, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BASIC DENTAL SERVICES FOR ADULTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 825-00 (FIN) and H.B. No. 2469, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 826-00 (FIN) and H.B. No. 2522, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 827-00 (FIN) and H.B. No. 2648, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 828-00 (FIN) and H.B. No. 2701, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 829-00 (FIN) and H.B. No. 2743, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 830-00 (JHA) and H.B. No. 1881, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 831-00 (JHA) and H.B. No. 2087, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 832-00 (JHA) and H.B. No. 1157, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAL USE OF MARIJUANA," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 833-00 (FIN) and H.B. No. 2212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 834-00 (FIN) and H.B. No. 2154, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 835-00 (FIN) and H.B. No. 2311, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 836-00 (FIN) and H.B. No. 2509, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 837-00 (FIN) and H.B. No. 2564, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 838-00 (FIN) and H.B. No. 2571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 839-00 (FIN) and H.B. No. 2392, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 840-00 (FIN) and H.B. No. 2520, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 841-00 (FIN) and H.B. No. 2794, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 842-00 (FIN) and H.B. No. 2835, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 843-00 (FIN) and H.B. No. 839, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAXATION OF WASTEWATER LEASING," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 844-00 (FIN) and H.B. No. 284, HD 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 845-00 (FIN) and H.B. No. 283, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 846-00 (FIN) and H.B. No. 564, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 847-00 (FIN) and H.B. No. 1970, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PREPAID TELEPHONE CALLING SERVICE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 848-00 (FIN) and H.B. No. 2753, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 849-00 (FIN) and H.B. No. 2391, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PARENT-COMMUNITY NETWORKING CENTERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 850-00 (FIN) and H.B. No. 1949, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 851-00 (FIN) and H.B. No. 2803, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 852-00 (FIN) and H.B. No. 3016, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 853-00 (FIN) and H.B. No. 2539, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 854-00 (FIN) and H.B. No. 2123, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND TIPS OF EMPLOYEES," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 855-00 (FIN) and H.B. No. 2984, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 856-00 (FIN) and H.B. No. 2578, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL AREA RESERVE FUND," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 857-00 (FIN) and H.B. No. 2733, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOME LANDS TRUST," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 858-00 (FIN) and H.B. No. 1759, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 859-00 (FIN) and H.B. No. 1877, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATIONAL PRIVACY," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 860-00 (FIN) and H.B. No. 1944, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 861-00 (FIN) and H.B. No. 1946, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 862-00 (FIN) and H.B. No. 2472, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 863-00 (FIN) and H.B. No. 2760, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 864-00 (FIN) and H.B. No. 2739, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 865-00 (JHA) and H.B. No. 2618, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REPEAT INTOXICATED DRIVERS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 866-00 (FIN) and H.B. No. 2034, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

Stand. Com. Rep. No. 867-00 (FIN) and H.B. No. 2424, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," were placed on the calendar for Third Reading on Tuesday, March 7, 2000.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 7, 2000.