

FIFTIETH DAY

Thursday, April 13, 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 by Ms. Naomi Takai, mother of Representative K. Mark. Takai, after which the Roll was called showing all members present with the exception of Representatives Halford, Kawakami, Morihara, Morita, Okamura, Stegmaier, Takamine, Whalen and Yamane, 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 Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth and Thirty-Sixth Days were subsequently approved. (Representatives Chang, Halford, Kawakami, Morihara, Morita, Okamura, Stegmaier, Takai, Whalen and Yamane were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 183) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 183 informing the House that on April 11, 2000, he signed the following bills into law:

H.B. No. 2123, HD 2, as Act 16, entitled: "RELATING TO WAGES AND TIPS OF EMPLOYEES," and

S.B. NO. 2024, HD 1, as Act 17, entitled: "RELATING TO MEDICAL RESEARCH ON CANCER STUDIES."

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 407 through 583) were received and announced by the Clerk and placed on file:

Sen. Com. No. 407, informing the House that the Senate has disagreed to the amendments proposed by the House in the following Senate Bills on April 11, 2000.

S.B. No. 2283, SD 1, HD 1, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION.";

S.B. No. 2711, SD 1, HD 1, entitled: "RELATING TO ADMINISTRATIVE PROCEDURE.";

S.B. No. 2791, SD 1, HD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT.";

S.B. No. 2766, HD 1, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES.";

S.B. No. 2924, SD 1, HD 1, entitled: "RELATING TO OPEN MEETINGS.";

S.B. No. 3038, SD 1, HD 1, entitled: "RELATING TO EDUCATION.";

S.B. No. 3073, SD 2, HD 1, entitled: "RELATING TO IMPAIRED DRIVING."; and

S.B. No. 3129, HD 2, entitled: "RELATING TO HAWAIIAN HEALING PRACTICES."

Sen. Com. No. 408 transmitting the following Senate concurrent resolutions (S.C.R. Nos. 21 and 25), which were adopted in the Senate on April 11, 2000:

S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS,"; and

S.C.R. No. 25, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION FOR THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANCY."

Sen. Com. No. 409 returning H.B. No. 536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 410 returning H.B. No. 1387, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 411 returning H.B. No. 1757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 412 returning H.B. No. 1761, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 413 returning H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 414 returning H.B. No. 1836, entitled: "A BILL FOR AN ACT REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 415 returning H.B. No. 1884, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 416 returning H.B. No. 1982, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 417 returning H.B. No. 2005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REVERSE MORTGAGES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 418 returning H.B. No. 2148, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 419 returning H.B. No. 2158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 420 returning H.B. No. 2216, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 421 returning H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 422 returning H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 423 returning H.B. No. 2289, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 424 returning H.B. No. 2349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 425 returning H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 426 returning H.B. No. 2474, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 427 returning H.B. No. 2475, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 428 returning H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 429 returning H.B. No. 2482, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROL SHARE ACQUISITIONS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 430 returning H.B. No. 2487, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 431 returning H.B. No. 2504, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 432 returning H.B. No. 2505, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 433 returning H.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO THE PERMANENT PLAN HEARING," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 434 returning H.B. No. 2510, entitled: "A BILL FOR AN ACT RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 435 returning H.B. No. 2511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 436 returning H.B. No. 2512, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL ASSISTANCE PAYMENTS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 437 returning H.B. No. 2519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FLEXIBLE SPENDING ACCOUNTS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 438 returning H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO PROPHYLACTICS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 439 returning H.B. No. 2525, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 440 returning H.B. No. 2528, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 441 returning H.B. No. 2554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 442 returning H.B. No. 2570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 443 returning H.B. No. 2584, entitled: "A BILL FOR AN ACT RELATING TO THE FUEL TAX," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 444 returning H.B. No. 2615, entitled: "A BILL FOR AN ACT RELATING TO HAZARDOUS MATERIALS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 445 returning H.B. No. 2646, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTS AND ESTATES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 446 returning H.B. No. 2846, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 447 returning H.B. No. 2895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 448 returning H.B. No. 2983, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 449 returning H.B. No. 2996, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," which passed Third Reading in the Senate on April 11, 2000.

Sen. Com. No. 450 returning H.B. No. 101, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 451 returning H.B. No. 284, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 452 returning H.B. No. 286, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO

SPEEDING," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 453 returning H.B. No. 540, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 454 returning H.B. No. 564, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 455 returning H.B. No. 750, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 456 returning H.B. No. 755, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 457 returning H.B. No. 1457, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 458 returning H.B. No. 1491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 459 returning H.B. No. 1632, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 460 returning H.B. No. 1759, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 461 returning H.B. No. 1763, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 462 returning H.B. No. 1764, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 463 returning H.B. No. 1773, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 464 returning H.B. No. 1846, HD 1, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 465 returning H.B. No. 1874, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 466 returning H.B. No. 1881, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 467 returning H.B. No. 1889, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 468 returning H.B. No. 1900, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 469 returning H.B. No. 1905, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 470 returning H.B. No. 1909, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 471 returning H.B. No. 1912, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 472 returning H.B. No. 1925, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 473 returning H.B. No. 1933, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 474 returning H.B. No. 1938, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 475 returning H.B. No. 1939, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 476 returning H.B. No. 1940, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COURT APPOINTED COUNSEL LEGAL FEES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 477 returning H.B. No. 1944, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 478 returning H.B. No. 1946, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 479 returning H.B. No. 1947, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 480 returning H.B. No. 1949, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 481 returning H.B. No. 1956, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL

BUSINESS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 482 returning H.B. No. 1969, HD 2, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 483 returning H.B. No. 1983, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 484 returning H.B. No. 1984, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 485 returning H.B. No. 1994, HD 2, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 486 returning H.B. No. 2017, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 487 returning H.B. No. 2023, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 488 returning H.B. No. 2060, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 489 returning H.B. No. 2087, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 490 returning H.B. No. 2092, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 491 returning H.B. No. 2095, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 492 returning H.B. No. 2098, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 493 returning H.B. No. 2129, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 494 returning H.B. No. 2151, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 495 returning H.B. No. 2154, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 496 returning H.B. No. 2160, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 497 returning H.B. No. 2171, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEAL BREAKS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 498 returning H.B. No. 2183, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 499 returning H.B. No. 2188, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 500 returning H.B. No. 2194, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 501 returning H.B. No. 2213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 502 returning H.B. No. 2218, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 503 returning H.B. No. 2222, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 504 returning H.B. No. 2262, HD 2, SD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 505 returning H.B. No. 2273, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 506 returning H.B. No. 2277, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 507 returning H.B. No. 2278, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 508 returning H.B. No. 2280, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 509 returning H.B. No. 2297, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY OR HOUSEHOLD MEMBER ABUSE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 510 returning H.B. No. 2309, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 511 returning H.B. No. 2311, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE FOR DESIGN PROFESSIONAL SERVICES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 512 returning H.B. No. 2314, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 513 returning H.B. No. 2354, HD 2, SD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 514 returning H.B. No. 2392, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 515 returning H.B. No. 2405, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 516 returning H.B. No. 2407, HD 1, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 517 returning H.B. No. 2409, HD 1, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 518 returning H.B. No. 2410, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 519 returning H.B. No. 2418, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 520 returning H.B. No. 2423, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 521 returning H.B. No. 2425, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 522 returning H.B. No. 2429, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 523 returning H.B. No. 2434, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 524 returning H.B. No. 2445, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 525 returning H.B. No. 2446, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 526 returning H.B. No. 2447, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 527 returning H.B. No. 2458, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 528 returning H.B. No. 2468, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 529 returning H.B. No. 2469, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 530 returning H.B. No. 2471, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 531 returning H.B. No. 2472, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 532 returning H.B. No. 2473, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 533 returning H.B. No. 2476, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 534 returning H.B. No. 2480, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 535 returning H.B. No. 2481, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 536 returning H.B. No. 2483, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 537 returning H.B. No. 2484, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CORPORATIONS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 538 returning H.B. No. 2491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 539 returning H.B. No. 2501, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 540 returning H.B. No. 2506, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 541 returning H.B. No. 2513, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 542 returning H.B. No. 2514, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 543 returning H.B. No. 2521, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 544 returning H.B. No. 2530, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 545 returning H.B. No. 2534, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 546 returning H.B. No. 2537, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 547 returning H.B. No. 2539, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 548 returning H.B. No. 2542, HD 1, SD 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," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 549 returning H.B. No. 2556, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 550 returning H.B. No. 2559, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 551 returning H.B. No. 2572, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 552 returning H.B. No. 2573, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 553 returning H.B. No. 2574, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 554 returning H.B. No. 2576, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 555 returning H.B. No. 2582, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 556 returning H.B. No. 2585, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 557 returning H.B. No. 2586, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 558 returning H.B. No. 2588, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 559 returning H.B. No. 2624, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 560 returning H.B. No. 2643, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 561 returning H.B. No. 2648, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 562 returning H.B. No. 2650, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 563 returning H.B. No. 2653, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 564 returning H.B. No. 2701, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 565 returning H.B. No. 2727, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND VEHICLE TRANSFERS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 566 returning H.B. No. 2760, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 567 returning H.B. No. 2774, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 568 returning H.B. No. 2793, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 569 returning H.B. No. 2797, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 570 returning H.B. No. 2801, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 571 returning H.B. No. 2802, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 572 returning H.B. No. 2820, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 573 returning H.B. No. 2835, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 574 returning H.B. No. 2878, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 575 returning H.B. No. 2901, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 576 returning H.B. No. 2906, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 577 returning H.B. No. 2955, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW ECONOMY SKILLS TRAINING," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 578 returning H.B. No. 2984, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 579 returning H.B. No. 3001, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 580 returning H.B. No. 3014, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 581 returning H.B. No. 3016, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 582 returning H.B. No. 3018, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

Sen. Com. No. 583 returning H.B. No. 3021, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," which passed Third Reading in the Senate on April 11, 2000, in an amended form.

On motion by Representative Case, seconded by Representative Yonamine and carried, the House disagreed to the amendments made by the Senate to H.B. Nos. 101, HD1 (SD 1); 284, HD 1 (SD 1); 286, HD 2 (SD 2); 540, HD2, (SD1); 564, HD 2 (SD 2); 750, HD 1, (SD1); 755, HD2, (SD2); 1457 (SD1); 1491, HD1 (SD1); 1632, HD3 (SD1); 1759, HD2 (SD2); 1763, HD2 (SD2); 1764, (SD1); 1773, HD1 (SD1); 1846, HD1 (SD1); 1874, HD1 (SD2); 1881, HD2 (SD2); 1889, HD2 (SD2); 1900, HD1 (SD1); 1905, HD2 (SD1); 1909, HD1 (SD2); 1912, HD1 (SD1); 1925, (SD1); 1933, HD1 (SD2); 1938, HD1 (SD1); 1939, HD1 (SD1); 1940, HD2 (SD2); 1944, HD2 (SD2); 1946, HD2 (SD1); 1947, HD2 (SD2); 1956, HD1 (SD2); 1969, HD2 (SD1); 1983, HD1 (SD2); 1984, HD1 (SD2); 1994, HD2 (SD2); 2017, HD1 (SD1); 2023, HD2 (SD2); 2060, HD2 (SD1); 2087, HD2 (SD2); 2092, (SD1); 2095, (SD1); 2098, HD2 (SD1); 2129, HD1 (SD1); 2151, HD1 (SD1); 2154, HD2, (SD2); 2160, HD2 (SD2); 2171, HD1 (SD2); 2183, HD1 (SD1); 2188, HD2 (SD2); 2194, HD2 (SD1); 2213, (SD1); 2218, HD1 (SD1); 2222, HD1 (SD1); 2273, HD2 (SD1); 2277, HD1 (SD1); 2280, HD2 (SD1); 2297, (SD1); 2309, HD1 (SD1); 2311, HD1 (SD1); 2314, HD1 (SD2); 2354, HD2 (SD2); 2392, HD2, (SD1); 2405, HD2 (SD1); 2407, HD1 (SD2); 2409, HD1 (SD1); 2410, HD1 (SD2); 2418, (SD1); 2423, (SD1); 2425, HD1 (SD1); 2429, HD2 (SD2); 2434, HD1 (SD1); 2445, (SD1); 2446, (SD1); 2447, (SD2); 2458, (SD1); 2468, HD1 (SD1); 2469, HD1 (SD1); 2471, HD1 (SD1); 2472, HD2 (SD2); 2473, HD1 (SD1); 2476, HD1 (SD2); 2480, HD1 (SD1); 2481, HD1 (SD1); 2483, HD1 (SD1); 2484, (SD1); 2491, HD1 (SD1); 2501, HD2 (SD1); 2506, HD1 (SD2); 2513, HD1 (SD1); 2514, (SD2); 2521, (SD1); 2530, HD1 (SD1); 2534, HD2 (SD1); 2537, (SD1); 2539, HD2 (SD1); 2542, HD1 (SD1); 2556, HD1 (SD1); 2559, HD1 (SD2); 2572, HD1 (SD2); 2573, HD1 (SD1); 2574, HD1 (SD1); 2576, HD1 (SD1); 2582, HD1 (SD2); 2585, HD1 (SD1); 2586, (SD1); 2588, HD1 (SD1); 2624, HD1 (SD1); 2643, HD1 (SD2); 2648, HD2 (SD2); 2650, HD1 (SD2); 2653, HD2 (SD1); 2701, HD3 (SD1); 2727, HD1 (SD2); 2774, (SD1); 2793, HD1 (SD1); 2797, HD1 (SD1); 2801, HD2 (SD2); 2802, (SD1); 2820, HD1 (SD1); 2835, HD2 (SD2); 2878, HD2 (SD2); 2901, HD2 (SD2); 2906, HD1 (SD1); 2955, HD1 (SD1); 2984, HD2 (SD2); 3014, HD1 (SD1); 3016, HD1 (SD1); 3018, (SD1); and 3021, HD1 (SD1), and requested a conference on the subject matter of said amendments. (Representatives Chang, Halford, Kawakami, Morita, Okamura, Takamine, Whalen and Yamane were excused.)

By unanimous consent, the aforementioned bills, as amended by the Senate, were placed on the Clerk's desk.

Representative Case moved to give notice of the intention to agree to the amendments in H.B. Nos. 1949, HD2 (SD2); 2262, HD2 (SD1); 2278, HD2 (SD1); 2760, HD2 (SD1) and 3001, HD2 (SD1), seconded by Representative Marumoto and

carried. (Representatives Chang, Halford, Morita Arakaki, Okamura, Takamine, Whalen and Yamane were excused.)

At 11:49 o'clock a.m., Representative Arakaki asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock a.m.

INTRODUCTIONS

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

Representative McDermott introduced students from the Holy Family Catholic School, accompanied by their teacher, Ms. Debra Gibo.

Representative Menor introduced students from Mililani Mauka Elementary School and their teachers, Mrs. Yanagita, Mrs. Shiroma, and Mrs. Yamaguchi; parent chaperones, Mrs. Patricia Menor, Representative Ron Menor's wife; and Mr. Peter Oshiro, Representative Marcus Oshiro's family member; students, Master Benji Menor, Representative Ron Menor's son; and Master Darren Oshiro, Representative Marcus Oshiro's family member.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate concurrent resolutions were referred to committee by the Speaker as follows:

S.C.R.
Nos.

Referral to:

- 19 Committee on Public Safety and Military Affairs
- 21 Jointly to the Committee on Agriculture and the Committee on Public Safety and Military Affairs
- 25 Committee on Consumer Protection and Commerce
- 87 Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce

STANDING COMMITTEE REPORTS

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1467-00) recommending that H.R. No. 18, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 18, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com.

Rep. No. 1468-00) recommending that H.C.R. No. 18, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 18, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented reports (Stand. Com. Rep. No. 1469-00 and Stand. Com. Rep. No. 1470-00) recommending that H.R. No. 98, as amended in HD 1, and H.C.R. No. 109, as amended in HD 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 98, HD 1, and H.C.R. No. 109, HD 1, be adopted, seconded by Representative Yonamine.

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

Representative Auwae's remarks are as follows:

"Mr. Speaker, I rise to speak in support of H.R. No. 98. Animal companionship has been proven to be beneficial to elderly and disabled persons. Social and medical research also reveals that animal companionship offers therapeutic value to a person's health and happiness. In a recent survey of Oahu residents, ninety-six percent said they believed animal companionship is important to one's quality of life. It is for reasons such as this that House Resolution 98 was submitted.

"This resolution urges landlords, associations of apartment owners, and tenants to respect others' rights and to work together to provide for the needs of all owners and tenants in regards to pet ownership. It is very important that we support this resolution to show the people that depend on an animal companion that we acknowledge their needs."

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

"Mr. Speaker, I rise to speak in support of H.R. No. 98 and H.C.R. No. 109. Animal companionship has been proven to be beneficial to elderly and disabled persons. Social and medical research also reveals that animal companionship offers therapeutic value to a person's health and happiness.

"In a recent survey of Oahu residents, ninety-six percent said they believed animal companionship is important to one's quality of life. It is for reasons such as this that H.R. No. 98 and H.C.R. No. 109, was submitted.

"These Resolutions urge landlords, associations of apartment owners, and tenants to respect others' rights and to work together to provide for the needs of all owners and tenants in regards to pet ownership. It is very important that we support these Resolutions to show the people that depend on an animal companion that we acknowledge their needs."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 98, HD 1, entitled: "HOUSE RESOLUTION URGING LANDLORDS, ASSOCIATIONS OF APARTMENT OWNERS, AND TENANTS WITH AND WITHOUT PETS, TO RESPECT

EACH OTHERS' RIGHTS AND TO WORK TOGETHER TO PROVIDE FOR THE NEEDS OF ALL OWNERS AND TENANTS," and H.C.R. No. 109, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING LANDLORDS, ASSOCIATIONS OF APARTMENT OWNERS, AND TENANTS WITH AND WITHOUT PETS, TO RESPECT EACH OTHERS' RIGHTS AND TO WORK TOGETHER TO PROVIDE FOR THE NEEDS OF ALL OWNERS AND TENANTS," were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1471-00) recommending that H.C.R. No. 38, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW AND EVALUATE THE LICENSING REQUIREMENTS FOR PSYCHOLOGISTS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented reports (Stand. Com. Rep. No. 1472-00 and Stand. Com. Rep. No. 1473-00) recommending that H.R. No. 124, HD 1, as amended in HD 2, and H.C.R. No. 141, HD 1, as amended in HD 2, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 124, HD 2, and H.C.R. 141, HD 2, be adopted, seconded by Representative Yonamine.

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

"This is a resolution encouraging the United States military to return to the Philippines and clean up toxic waste left behind when they left their bases. I certainly think they should do that. What I object to is the tone of the resolution which is kind of accusatory and heavy handed. If we look back in history and see what was going on when the military moved out of there, they were given very short notice as to the fact that the Philippine Government no longer wanted to renew their lease and were given a very short time to get out. Mt. Pinatubo had left the air base totally covered in ash which was not an ideal situation and so that's my objection to this resolution. Thank you."

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

"I want to first thank the members for agreeing to have us hear this resolution and hopefully pass it out today. I wanted to update for the members on the fact that there appears to have been a breakthrough, with respect to the government's involvement in this issue, that would be the Philippine Government along with the Government of the United States. In an article in today's Philippine Daily Enquirer, out of Manila, it has been reported that the United States Government has finally acknowledged that there is serious environmental and health concerns caused by hazardous waste at Clark Air Base and Subic Naval Base. These acknowledgments came after a first ever meeting between the two governments' respective investigatory panels that were empowered to look into this issue. I just wanted to tell the members that Hawai'i would appear to be ahead of the curve on this issue and this is the resolution I would like to use as a means to go to the Philippines later this year, together with my good friend and colleague across the aisle, Representative David Pendleton to see what Hawai'i based companies might do to lend a hand in

the effort and clean up of toxic waste left behind by the United States Military in the Philippines.

"As to the sudden departure of the military from the Philippines, while it is true that Mt. Pinatubo helped to usher the military out of a very serious situation the Philippine people have actually, for many years, been trying to come out from under U.S. control. I can remember going to the Philippines back in 1990 and there were many protest demonstrations by the Philippine people urging the United States to vacate the subject bases. I can remember that the one person who led that particular demonstration, in front of the Philippine Congress, is now the Philippine President. It has been for a number of years that the U.S. has known that the Philippine Government has been trying to get the military to let the Philippine people run its own affairs and see what they could do with the subject bases on their own. I look forward to perhaps visiting these two facilities later in the year to see what Hawai'i can do to clean up this situation, literally. Thank you, Mr. Speaker."

Representative Takumi then rose to speak in support of the measure, and asked that the remarks of Representative Garcia be entered into the Journal as his own, and the Chair "so ordered". (By reference only)

Representative Takumi continued, stating:

"I think with this issue when we say that perhaps the language is a little strident, one need only go to the Philippines. When I visited the base in 1989, and like my colleague from across the aisle, saw the firsthand the impact of the U.S. Military bases there and it was clear at the time that the U.S. had ample notice that there was a growing movement concerned about the presence of the bases and some of the problems that resulted from its presence, including the clean up of toxic waste on the bases.

"I remember sitting down with then Senator Estrada, and the whole focus of the discussion was the impact of the bases. So I think we are taking a good step here in urging the United States Government to look at our responsibility in cleaning up our mess. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 124, HD 2, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO TAKE APPROPRIATE ACTION TO ADDRESS THE SERIOUS ENVIRONMENTAL AND PUBLIC HEALTH PROBLEMS POSED BY THE TOXIC WASTES LEFT BEHIND AT FORMER UNITED STATES MILITARY INSTALLATIONS IN THE PHILIPPINES," and H.C.R. No. 141, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO TAKE APPROPRIATE ACTION TO ADDRESS THE SERIOUS ENVIRONMENTAL AND PUBLIC HEALTH PROBLEMS POSED BY THE TOXIC WASTES LEFT BEHIND AT FORMER UNITED STATES MILITARY INSTALLATIONS IN THE PHILIPPINES," were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1474-00) recommending that H.C.R. No. 13, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF SUBMERGED LANDS AT DUKE KAHANAMOKU BEACH AT WAIKIKI, HONOLULU, OAHU, FOR PIER PURPOSES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1475-00) recommending that H.C.R. No. 89, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1476-00) recommending that H.C.R. No. 117, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW THE STATUTORY FRAMEWORK RELATING TO THE LEASING OF STATE LANDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1477-00) recommending that H.C.R. No. 31, HD 1, as amended in HD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 31, HD 2, 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 adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1478-00) recommending that H.C.R. No. 165, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 165, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1479-00) recommending that H.C.R. No. 172, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 172, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE DEPARTMENTS OF HEALTH AND EDUCATION TO ASSESS THE PREVALENCE OF HEAD LICE AND THE CURRENT USE OF CHEMICAL TREATMENT FOR HEAD LICE IN HAWAII'S SCHOOLS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1480-00) recommending that H.R. No. 90, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 90, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1481-00) recommending that H.C.R. No. 101, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 101, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1482-00) recommending that H.R. No. 160, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 160, HD 1, entitled: "HOUSE RESOLUTION RELATING TO WAIANAEO COAST TRAFFIC PROBLEMS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1483-00) recommending that H.C.R. No. 182, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 182, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO WAIANAEO COAST TRAFFIC PROBLEMS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1484-00) recommending that H.R. No. 150, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 150, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE

DEPARTMENTS OF HEALTH AND EDUCATION TO ASSESS THE PREVALENCE OF HEAD LICE AND THE CURRENT USE OF CHEMICAL TREATMENT FOR HEAD LICE IN HAWAII'S SCHOOLS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1485-00) recommending that H.C.R. No. 8, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 8, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING A DRUG COURT IN THE THIRD CIRCUIT," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1486-00) recommending that H.C.R. No. 195, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO STUDY TRAFFIC PATTERNS AT THE JUNCTION OF LOWER KAIMUKI, KAPAHULU, MOILIILI, KAPIOLANI BOULEVARD, ST. LOUIS HEIGHTS, AND UNIVERSITY OF HAWAII," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. No. 1487-00 and Stand. Com. Rep. No. 1488-00) recommending that H.R. No. 4, HD 1, and H.C.R. 5, HD 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 4, HD 1, and H.C.R. 5, HD1, be adopted, seconded by Representative Yonamine.

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

"These two resolutions are part of the House Women's Caucus Package and I'd like to request that the balance of my remarks be placed in the Journal", and the Chair "so ordered."

Representative Thielen's remarks are as follows:

"The purpose of these Resolutions is to urge the development of protocols and the special training of paramedics in the treatment of domestic violence patients.

"In order to provide adequate medical care, medical technicians must be able to recognize the signs of domestic abuse.

"There are many 'secondary' health effects from domestic abuse that only medical technicians trained in handling domestic violence situations would know how to detect. For example, less visible health disorders such as gastrointestinal disorders can result from domestic violence, and unless EMS workers are trained to recognize the symptoms of domestic abuse, many of these less visible disorders will go ignored and untreated.

"Because so many victims of domestic abuse first encounter EMS workers, it is key that these workers recognize a domestic violence case when they see it, in order to better inform doctors and other hospital staff, and therefore ensure better medical care for the patient and appropriate counseling.

"It is important to note that this is not just a public policy/social issue, but it is a health issue. The January 20, 2000 Star-Bulletin reported that one-third of women have suffered some kind of abuse.

"I urge my colleagues to support these Resolutions."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 4, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," and H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEVELOPMENT OF PROTOCOLS AND THE SPECIAL TRAINING OF PARAMEDICS IN THE TREATMENT OF DOMESTIC VIOLENCE PATIENTS," were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1489-00 and Stand. Com. Rep. No. 1490-00) recommending that H.R. No. 6, HD 1, and H.C.R. No. 7, HD 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 6, HD 1, and H.C.R. No. 7, HD 1, be adopted, seconded by Representative Yonamine.

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

"The Hawai'i State Commission on the Status of Women is the only statewide governmental and community resource dedicated to addressing the broad scope of issues impacting women and girls in Hawai'i.

"The Commission was first established in 1964 to address the problems facing girls and women in our state, and to create and implement solutions to those problems. During its life we have seen the role that girls and women play in society increase dramatically, as we have seen more doors of opportunity open.

"The work is not done, however. Far from it. Women in this country still do not have equal pay with their male counterparts; far more women than men live in poverty (and often these women are raising children); women of childbearing years pay a staggering 68 percent more in out-of-pocket health care costs than their male counterparts. The list of disparities are many, and continues to reflect gender inequities in our society, and in Hawai'i.

"The Commission on the Status of Women comprises dedicated, informed, and compassionate individuals who have made and continue to make a huge difference in the lives of Hawai'i's girls and women, through: education, advocacy, collaboration, and program development.

"Were it not for the Commission, there would be no Clearinghouse for Missing Children; a nationally modeled Women's Health Month in September; or the Violence Prevention Consortium, to name just a few.

"The Legislature must continue to support the Commission. This is good government. The role the Commission plays is a core governmental function. The good work carried out by the Commission is exactly the kind of government the people of the State of Hawai'i need.

"It is my hope that the passage of this resolution will put an end to the yearly debate about whether the existence of the Commission is justified. That process is demeaning in itself. I think we have made a strong statement - you need only look around you in this House to see that we still have a long way to go. Thank you, Mr. Speaker."

Representative Stegmaier then rose in support of the measure, and asked that the remarks of Representative Lee be entered into the Journal as his own, and the Chair "so ordered." (By reference only)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 6, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," and H.C.R. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1491-00) recommending that H.R. No. 17, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 17, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1492-00) recommending that H.C.R. No. 17, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 17, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INCORPORATION OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN STANDARDS IN ALL NEW AND RENOVATED BUILDINGS OF THE PUBLIC SCHOOL AND LIBRARY SYSTEMS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1493-00) recommending that H.R. No. 144, HD 1, as amended in HD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 144, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1494-00) recommending that H.C.R. No. 164, HD 1, as amended in HD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 164, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1495-00) recommending that H.C.R. No. 20, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 20, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SUPPORT OF THE STATE AND COUNTY ADMINISTRATIONS TO IMPLEMENT EVENTS PLANNED BY THE 50TH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION AND HONORING THE 50TH ANNIVERSARY OF THE KOREAN WAR," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1496-00) recommending that H.R. No. 27, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 27, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1497-00) recommending that H.C.R. No. 24, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 24, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1498-00) recommending that H.R. No. 86, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 86, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1499-00) recommending that H.C.R. No. 96, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1500-00) recommending that H.R. No. 105, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 105, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1501-00) recommending that H.C.R. No. 120, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 120, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1502-00) recommending that H.R. No. 138, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 138, entitled: "HOUSE RESOLUTION REQUESTING AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1503-00) recommending that H.C.R. No. 157, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1504-00) recommending that H.C.R. No. 111, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 111, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was

adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1505-00) recommending that H.C.R. No. 151, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND WAIMEA CANYON STATE PARKS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1506-00) recommending that H.C.R. No. 158, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1507-00) recommending that H.R. No. 143, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 143, HD 1, entitled: "HOUSE RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1508-00) recommending that H.C.R. No. 163, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 163, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1509-00) recommending that H.R. No. 165, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 165, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1510-00) recommending that H.C.R. No. 190, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1511-00) recommending that H.C.R. No. 184, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1512-00) recommending that H.C.R. No. 191, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 191, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO INCREASE THE WORKLOAD AND EMPLOYMENT AT PEARL HARBOR NAVAL SHIPYARD AND TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1513-00) recommending that H.C.R. No. 192, be adopted.

Representative Case moved that the report of the Committee be adopted and H.C.R. No. 192, be adopted, seconded by Representative Yonamine.

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.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION INTO THE ACQUISITION OF NO. 1 CAPITOL DISTRICT BY THE STATE," was adopted, with Representative Rath voting no and Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1514-00) recommending that H.C.R. No. 196, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 196, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A STATEWIDE, COMPREHENSIVE, AND EFFECTIVE WORKING PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTINGS POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1515-00) recommending that H.C.R. No. 152, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING LEGISLATORS TO FOSTER COMMUNITY SUPPORT OF PUBLIC SCHOOLS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Kanoho, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1516-00) recommending that H.C.R. No. 81, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 81, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO-SCHOOL DAY IN HAWAII," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Ito, for the Committee on Education, presented reports (Stand. Com. Rep. No. 1517-00 and Stand. Com. Rep. No. 1518-00) recommending that H.R. No. 108, as amended in HD 1, and H.C.R. No. 123, as amended in HD 1, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 108, HD 1, and H.C.R. No. 123, HD 1, be adopted.

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

"I would like to extend my mahalo to you and Chairman Ito for the great support of Maile Elementary and the conditions there. As you all know we are surrounded by farmers and perhaps the leaders of our past had decided to put a school amidst the farms. We certainly support farmers but, may we use this as an example that we never do this again, ever, ever again. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," and H.C.R. No. 123, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY

DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL, were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1519-00) recommending that H.R. No. 99, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 99, entitled: "HOUSE RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1520-00) recommending that H.C.R. No. 110, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1521-00) recommending that H.R. No. 123, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES HOUSE OF REPRESENTATIVES TO SPEEDILY PASS S. 1052 RELATING TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1522-00) recommending that H.C.R. No. 140, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES HOUSE OF REPRESENTATIVES TO SPEEDILY PASS S. 1052 RELATING TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Herkes, for the Committee on Economic Development and Business Concerns, presented a report (Stand. Com. Rep. No. 1523-00) recommending that H.C.R. No. 116, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 116, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO STUDY ISSUES RELATING TO ENCOURAGING AND ATTRACTING THE DEVELOPMENT OF PUBLIC AND PRIVATE HIGH TECHNOLOGY BIOSCIENCE RESEARCH

IN THE STATE," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Herkes, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1524-00) recommending that H.C.R. No. 62, HD 1, be adopted.

Representative Case moved that the report of the Committee be adopted and H.C.R. No. 62, HD 1, be adopted, seconded by Representative Yonamine.

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

"This actually requests the Legislative Reference Bureau to compile data on the number of the percentage of employees of private companies on contract with the State who may be affected by the implementation of the minimum wage. I believe all companies would be affected by an implementation of a minimum wage law, so it's pretty deceiving in the title, but also I don't know that we know what a living wage is. It would probably depend on where you live, the number of children you have, your age, your health and many other factors I think that we are asking to do nearly the impossible. So for those reasons I have reservations."

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

"We should be looking to rescind the little "Davis-Bacon Act" and not increase the impacts on the private industry at the cost of government. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 62, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," was adopted, with Representative Rath voting no and Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1525-00) recommending that H.C.R. No. 67, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 67, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO INITIATE A COLLABORATIVE EFFORT WITH PRIVATE DEVELOPERS AND THE MILITARY TO DEVELOP AND ANALYZE OPTIONS TO PROVIDE LOW-INCOME HOUSING TO THE CIVILIAN AND MILITARY POPULATIONS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented reports (Stand. Com. Rep. No. 1526-00 and Stand. Com. Rep. No. 1527-00) recommending that H.R. No. 62, and H.C.R. No. 71, be adopted.

Representative Case moved that the reports of the Committee be adopted and H.R. No. 62, and H.C.R. No. 71, be adopted, seconded by Representative Yonamine.

Representative Arakaki rose and requested a late introduction, and the Chair, "so ordered."

Representative Arakaki introduced students from Kalihi-Uka Elementary School and their teachers, Ms. Susan Kano, Ms. Joann Eno, Kupuna Amano and Ms. Lordes Bangot.

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

"I think you and I know, Mr. Speaker, there's a great correlation between the income level and the reading level of our schools and the students. There is also a correlation between the proportionate amount of immigrants in our schools and as we learned from one of our Superintendents that there is also a great correlation with the ability to read and to the future success of a child in terms of graduation rates.

"Although the Department of Education is working on standards, they are working on accountability, I think it is really important for us as policy makers to really make a statement, and to really set forth that vision that we want our children to be able to read by the third grade. It's a benchmark that's very clear and very attainable. But unless we focus on benchmarks like this it is really hard to measure and assure success in our schools. I wanted to dedicate the adoption of these resolutions to the students who are here today from Kalihi-Uka Elementary School. Thank you for coming to visit us. Thank you, Mr. Speaker."

Representative Rath then rose to speak in support of the measure, and asked that the remarks of Representative Arakaki be entered into the Journal as his own, and the Chair "so ordered": (By reference only)

Representative Rath continued stating:

"I don't think anybody would disagree, in grades 1 through 3 students learn to read so that in grades 4 and up, they can read to learn. If they are missing that most important component, that ability to read, everything beyond that is pretty much a waste and relegates them to the bottom of the social economic scale as the previous speaker has indicated. I think this is an admirable goal and a benchmark that we should meet. We should strive for 100 percent not 90 percent. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 62, entitled: "HOUSE RESOLUTION ADOPTING AND ACHIEVING A POLICY GOAL THAT BY THE YEAR 2004 NINETY PERCENT OF STUDENTS IN PUBLIC ELEMENTARY SCHOOLS READ AT OR ABOVE GRADE LEVEL BY THE END OF THE THIRD GRADE," and H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION ADOPTING AND ACHIEVING A POLICY GOAL THAT BY THE YEAR 2004 NINETY PERCENT OF STUDENTS IN PUBLIC ELEMENTARY SCHOOLS READ AT OR ABOVE GRADE LEVEL BY THE END OF THE THIRD GRADE," were adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1528-00) recommending that H.R. No. 68, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 68, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO REQUIRE A SOCIAL IMPACT STATEMENT TO BE SUBMITTED FOR ANY PROPOSED YOUTH FACILITY INVOLVING MENTAL HEALTH OR PUBLIC SAFETY IN A COMMUNITY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1529-00) recommending that H.C.R. No. 77, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 77, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO REQUIRE A SOCIAL IMPACT STATEMENT TO BE SUBMITTED FOR ANY PROPOSED YOUTH FACILITY INVOLVING MENTAL HEALTH OR PUBLIC SAFETY IN A COMMUNITY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1530-00) recommending that H.R. No. 79, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 79, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONDUCT A COMPREHENSIVE REVIEW OF ALL PROGRAMS IN THE STATE FOR, AND THE BENEFITS RECEIVED BY, HAWAII'S ELDERS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1531-00) recommending that H.C.R. No. 86, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONDUCT A COMPREHENSIVE REVIEW OF ALL PROGRAMS IN THE STATE FOR, AND THE BENEFITS RECEIVED BY, HAWAII'S ELDERS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1532-00) recommending that H.R. No. 83, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 83, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A TEN-YEAR PLAN FOR TEACHER EDUCATION ON THE NEIGHBOR ISLANDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1533-00) recommending that H.C.R. No. 93, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A TEN-YEAR PLAN FOR TEACHER EDUCATION ON THE NEIGHBOR ISLANDS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1534-00) recommending that H.C.R. No. 34, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 34, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON 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, AND DETERMINING UNIVERSAL PAYMENT POLICIES, RECOGNIZED PROVIDERS, AND POLICIES REGARDING PAYMENT FOR SUPPLIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Menor, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1535-00) recommending that H.R. No. 40, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 40, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON 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, AND DETERMINING UNIVERSAL PAYMENT POLICIES, RECOGNIZED PROVIDERS, AND POLICIES REGARDING PAYMENT FOR SUPPLIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1536-00) recommending that H.C.R. No. 57, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1537-00) recommending that H.C.R. No. 66, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1538-00) recommending that H.C.R. No. 78, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF DEVELOPING SEVEN FALLS AND ADJOINING AREAS INTO A TOURIST ATTRACTION," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1539-00) recommending that H.C.R. No. 186, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 186, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUIRING THE DEPARTMENT OF EDUCATION AND THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION TO ALLOW OUTRIGGER CANOE PADDLING TO BE A SANCTIONED SCHOOL SPORT STATEWIDE," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1540-00) recommending that H.R. No. 47, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 47, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING EXPANSION OF A STATE WEB SITE ENTITLED "FOR THE SAKE OF THE CHILDREN" FOR PUBLIC ACCESS INFORMATION PURPOSES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1541-00) recommending that H.C.R. No. 42, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 42, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING EXPANSION OF A STATE WEB SITE ENTITLED "FOR THE SAKE OF THE CHILDREN" FOR PUBLIC ACCESS INFORMATION PURPOSES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1542-00) recommending that H.R. No. 57, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 57, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO LONG-TERM LEASES AND DEVELOPMENT AGREEMENTS WITH HAWAIIAN CANOE CLUBS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1543-00) recommending that H.C.R. No. 60, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND EACH COUNTY TO ENTER INTO LONG-TERM LEASES AND DEVELOPMENT AGREEMENTS WITH HAWAIIAN CANOE CLUBS THAT DESIRE TO MAKE IMPROVEMENTS TO THEIR EXISTING TENANCIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1544-00) recommending that H.R. No. 58, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 58, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1545-00) recommending that H.C.R. No. 65, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1546-00) recommending that H.R. No. 163, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 163, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1547-00) recommending that H.C.R. No. 188, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 188, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1548-00) recommending that H.R. No. 167, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 167, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF THE GOALS AND OBJECTIVES OF THE A-PLUS PROGRAM AND INCLUDING RECOMMENDATIONS FOR ITS IMPROVEMENT IN CONJUNCTION WITH THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1549-00) recommending that H.C.R. No. 199, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 199, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE GOALS AND OBJECTIVES OF THE A-PLUS PROGRAM AND INCLUDING RECOMMENDATIONS FOR ITS IMPROVEMENT IN CONJUNCTION WITH THE COMPREHENSIVE STUDENT SUPPORT SYSTEM," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1550-00) recommending that H.R. No. 92, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 92, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON MARINE MAMMALS IN WATERS OFF THE WAIANAE COAST OF OAHU," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1551-00) recommending that H.C.R. No. 103, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.C.R. No. 103, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON MARINE MAMMALS IN WATERS OFF THE WAIANAE COAST OF OAHU," was adopted, with Representatives Cachola, Chang, Halford, Kahikina, Morita, Nakasone, Okamura, Saiki, Whalen and Yamane being excused.

HOUSE COMMUNICATIONS

A communication dated April 11, 2000, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Benjamin J. Cayetano, Governor of the State of Hawai'i, giving notice of the final form of Senate Bill No. 539, SD 1, HD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," in accordance with the

provisions of Article XVII, Section 3 of the Hawai'i Revised Statutes.

A communication dated April 11, 2000, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Benjamin J. Cayetano, Governor of the State of Hawai'i, giving notice of the final form of Senate Bill No. 2941, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," in accordance with the provisions of Article XVII, Section 3 of the Hawai'i Revised Statutes.

ANNOUNCEMENTS

Representative Kawakami: "On behalf of the Blood Bank of Hawai'i I would like to thank all of you for your tremendous support of our Capitol drive yesterday. The result exceeded what we expected. There were 104 people willing to give the gift of life, including our Governor, Lt. Governor, our Speaker and all of the legislators and their staffers who were able to give. It resulted in a total of 83 pints of blood. Last year we had only 39 pints of blood. So you can see we far exceeded our goal. As a member of the Board of Trustees I want to thank all of you for contributing to this worthy cause. Thank you, members."

Representative Arakaki: "The Keiki Caucus will be meeting right after session in Room 325. We will be going over measures and issues that are related to children and youth. It is for lunch so I want to ask the Keiki Caucus Members to join us. Thank you."

Representative Takai: "The House Foodbank Drive will end tomorrow and I want to ask all of us to kokua in terms of making sure that all of the pledges from the Fun Run come in today and if not today, tomorrow. I would also like to encourage my colleagues to participate in the whole myriad of activities happening on Saturday. The Foodbank is going to have a number of different locations throughout on the island and if you are interested in those locations it is located in today's newspaper. I encourage all of you to wrap things up so we can give you a full report on Monday. Thank you."

Representative Kanohe: "I am very pleased to report that the House has enjoyed a great victory. We did not get a chance to win but the score at the end of the ten matches was 5-5. So I think we deserve a round of applause."

Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day to receive any House Bills with Senate amendments and disagree to the same, seconded by Representative Pendleton and carried. (Representatives Cachola, Chang, Halford, Hiraki, Morita, Nakasone, Okamura, Takamine, Whalen and Yamane were excused.)

At 12:13 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving House Bills with Senate amendments.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 584 through 588) were received and were placed on file:

Sen. Com. No. 584, returning H.B. No. 2443, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 13, 2000.

Sen. Com. No. 585, returning H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE

LOANS," which passed Third Reading in the Senate on April 13, 2000.

Sen. Com. No. 586, returning H.B. No. 1883, HD 2, (SD 3), entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," which passed Third Reading in the Senate on April 13, 2000, in an amended form.

Sen. Com. No. 587, returning H.B. No. 2024, HD 1, (SD2), entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," which passed Third Reading in the Senate on April 13, 2000, in an amended form.

Sen. Com. No. 588, returning H.B. No. 2649, HD 1 (SD 1), entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," which passed Third Reading in the Senate on April 13, 2000, in an amended form.

In accordance with the motion made earlier, the House disagreed to the amendments proposed by the Senate to H.B. Nos. 1883, HD 2 (SD 3); 2024, HD 1 (SD 2); and 2649, HD 1 (SD 1), and requested a conference on the subject matter of said amendments.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 14, 2000.

FIFTY-FIRST DAY

Friday, April 14, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:39 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Mr. John Whitson, Lay Visitation Minister of Moanalua Gardens Missionary Church, after which the Roll was called showing all members present with the exception of Representatives Auwae, Chang, Goodenow, Kahikina, Kaho'ohalahala, Kanoho, Meyer, Morihara, Okamura, Takamine, Whalen and Yonamine, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 184) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 184, transmitting copies of the following: The Environmental Council, Environmental Report Card, 1999.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 589 through 661) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 589 transmitting S.C.R. No. 6, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT OR DIVISION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 590 transmitting S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 591 transmitting S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 592 transmitting S.C.R. No. 18, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 593 transmitting S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 594 transmitting S.C.R. No. 29, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 595 transmitting S.C.R. No. 30, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 596 transmitting S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR DIABETES SELF-MANAGEMENT EDUCATION AND TRAINING," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 597 transmitting S.C.R. No. 38, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 598 transmitting S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 599 transmitting S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO DEVELOP A POLICY ON LEGISLATIVE BILL LIMITS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 600 transmitting S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 601 transmitting S.C.R. No. 58, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A SCHOOL CHOICE PROGRAM FOR HAWAII PUBLIC SCHOOLS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 602 transmitting S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 603 transmitting S.C.R. No. 60, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 604 transmitting S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 605 transmitting S.C.R. No. 73, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 606 transmitting S.C.R. No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 607 transmitting S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 608 transmitting S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 609 transmitting S.C.R. No. 82, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 610 transmitting S.C.R. No. 85, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 611 transmitting S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND TO CONVENE A TASK FORCE TO ADDRESS EARLY DETECTION AND SCREENING," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 612 transmitting S.C.R. No. 89, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE

ECOSYSTEM," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 613 transmitting S.C.R. No. 92, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 614 transmitting S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT THE TRUSTEES TO THE OFFICE OF HAWAIIAN AFFAIRS TO SERVE OUT THEIR TERMS OF OFFICE IF THE RICE V. CAYETANO DECISION REQUIRES THEIR REMOVAL AS ELECTED OFFICIALS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 615 transmitting S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 616 transmitting S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 617 transmitting S.C.R. No. 101, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 618 transmitting S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 619 transmitting S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM "AN UNTOLD TRIUMPH" AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 620 transmitting S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION ASKING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE ISSUE OF AVAILABILITY OF OBTAINING A FALSE IDENTIFICATION VIA THE INTERNET," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 621 transmitting S.C.R. No. 105, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 622 transmitting S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS

AND THE EFFECTS OF THE RICE V. CAYETANO DECISION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 623 transmitting S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONTINUE THE DOMESTIC VIOLENCE WORKING GROUP ESTABLISHED IN 1999 BY THE HAWAII STATE LEGISLATURE AND EXPAND THE MEMBERSHIP OF THE GROUP," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 624 transmitting S.C.R. No. 115, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S CAMPAIGN FINANCE LAWS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 625 transmitting S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 626 transmitting S.C.R. No. 117, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 627 transmitting S.C.R. No. 122, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 628 transmitting S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 629 transmitting S.C.R. No. 129, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 630 transmitting S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 631 transmitting S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 632 transmitting S.C.R. No. 133, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 633 transmitting S.C.R. No. 134, SD 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 634 transmitting S.C.R. No. 135, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 635 transmitting S.C.R. No. 137, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INVESTIGATE THE MANAGEMENT OF ALL STATE GOVERNMENT HOUSING PROJECTS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 636 transmitting S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 637 transmitting S.C.R. No. 142, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING A WORK EXPERIENCE, COMMUNITY SERVICE, OR SERVICE LEARNING COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 638 transmitting S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 639 transmitting S.C.R. No. 149, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 640 transmitting S.C.R. No. 151, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS AND TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 641 transmitting S.C.R. No. 155, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 642 transmitting S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 643 transmitting S.C.R. No. 166, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 644 transmitting S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONDUCT A STUDY ON METHODS TO FINANCE THE UNDERGROUNDING OF OVERHEAD UTILITY LINES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 645 transmitting S.C.R. No. 170, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COLLABORATE WITH ELECTRICAL SERVICE PROVIDERS AND ASSESS NET ENERGY METERING," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 646 transmitting S.C.R. No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM TO LOCATE UNDERGROUND FACILITIES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 647 transmitting S.C.R. No. 173, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 648 transmitting S.C.R. No. 176, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 649 transmitting S.C.R. No. 179, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 650 transmitting S.C.R. No. 181, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT FOR SMALLER INDEPENDENT PRODUCERS OF ENERGY," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 651 transmitting S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 652 transmitting S.C.R. No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT AN ANALYSIS OF CURRENT AND COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING FOR K-12 EDUCATION," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 653 transmitting S.C.R. No. 196, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 654 transmitting S.C.R. No. 199, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 655 transmitting S.C.R. No. 204, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 656 transmitting S.C.R. No. 206, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT ASSESSING THE IMPACT OF THE INCREASED WORKLOADS OF SCHOOL PRINCIPALS AND OTHER ADMINISTRATORS ON THEIR ABILITY TO BE EFFECTIVE INSTRUCTIONAL LEADERS," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 657 transmitting S.C.R. No. 207, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL AND PLAINTIFFS TO AMICABLY AND INFORMALLY RESOLVE, THROUGH MEDIATION, NEGOTIATION, AND SETTLEMENT, *KALIMA V. STATE OF HAWAII*, CIVIL NO. 99-4771-12 VSM, PENDING BEFORE THE FIRST CIRCUIT COURT," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 658 transmitting S.C.R. No. 208, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 659 transmitting S.C.R. No. 210, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," which was adopted by the Senate on April 13, 2000.

Sen. Com. No. 660, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 185, SD 2, HD 1, entitled: "RELATING TO EDUCATION";

- S.B. No. 211, SD 1, HD 2, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- S.B. No. 278, SD 2, HD 1, entitled: "RELATING TO HIGHER EDUCATION";
- S.B. No. 426, SD 2, HD 1, entitled: "RELATING TO FUNDS";
- S.B. No. 539, SD 1, HD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY";
- S.B. No. 568, SD 2, HD 3, entitled: "RELATING TO HISTORIC PRESERVATION";
- S.B. No. 851, SD 2, HD 2, entitled: "RELATING TO HEALTH CARE";
- S.B. No. 862, SD 2, HD 1, entitled: "RELATING TO MEDICAL USE OF MARIJUANA";
- S.B. No. 873, SD 1, HD 2, entitled: "RELATING TO REAL PROPERTY APPRAISALS";
- S.B. No. 915, SD 1, HD 1, entitled: "RELATING TO CANDIDATE VACANCIES";
- S.B. No. 1095, HD 2, entitled: "RELATING TO HUNTING";
- S.B. No. 1281, SD 2, HD 2, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- S.B. No. 2021, SD 2, HD 1, entitled: "RELATING TO HOUSING";
- S.B. No. 2056, SD 1, HD 1, entitled: "RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS";
- S.B. No. 2058, SD 1, HD 1, entitled: "RELATING TO INCOME TAX CREDITS";
- S.B. No. 2059, SD 1, HD 2, entitled: "RELATING TO WELFARE REFORM";
- S.B. No. 2061, SD 1, HD 2, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES";
- S.B. No. 2062, SD 1, HD 3, entitled: "RELATING TO LONG-TERM CARE";
- S.B. No. 2074, SD 2, HD 2, entitled: "RELATING TO CORRECTIONS";
- S.B. No. 2108, SD 2, HD 2, entitled: "RELATING TO THE PUBLIC LAND TRUST";
- S.B. No. 2115, SD 1, HD 2, entitled: "RELATING TO FALSE CLAIMS";
- S.B. No. 2121, SD 1, HD 1, entitled: "RELATING TO OBSOLETE LAWS";
- S.B. No. 2134, SD 1, HD 2, entitled: "RELATING TO AGRICULTURE AND ANIMALS";
- S.B. No. 2147, SD 1, HD 1, entitled: "RELATING TO CAMPAIGN SPENDING";
- S.B. No. 2151, SD 1, HD 1, entitled: "RELATING TO FIREARMS";
- S.B. No. 2152, SD 1, HD 1, entitled: "RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS";
- S.B. No. 2154, SD 1, HD 1, entitled: "RELATING TO PROTECTIVE ORDERS";
- S.B. No. 2160, SD 1, HD 1, entitled: "RELATING TO GENERAL EXCISE TAX";
- S.B. No. 2166, HD 2, entitled: "RELATING TO WIND FARMS";
- S.B. No. 2186, SD 2, HD 2, entitled: "RELATING TO INSURANCE";
- S.B. No. 2194, SD 1, HD 1, entitled: "RELATING TO INCOME TAX CREDITS";
- S.B. No. 2218, SD 1, HD 2, entitled: "RELATING TO NEW CENTURY CHARTER SCHOOLS";
- S.B. No. 2221, SD 1, HD 2, entitled: "RELATING TO ETHANOL";
- S.B. No. 2254, SD 1, HD 2, entitled: "RELATING TO PRIVACY OF HEALTH CARE INFORMATION";
- S.B. No. 2278, SD 1, HD 1, entitled: "RELATING TO CAPTIVE INSURANCE";
- S.B. No. 2287, SD 1, HD 2, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";
- S.B. No. 2293, HD 1, entitled: "RELATING TO INSURANCE";
- S.B. No. 2301, SD 2, HD 1, entitled: "RELATING TO HARBORS";
- S.B. No. 2303, SD 2, HD 2, entitled: "RELATING TO HARBORS";
- S.B. No. 2311, SD 1, HD 1, entitled: "RELATING TO MANDATORY USE OF SEATBELTS";
- S.B. No. 2312, SD 1, HD 1, entitled: "RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND";
- S.B. No. 2352, SD 2, HD 1, entitled: "RELATING TO COMPUTER OFFENSES";
- S.B. No. 2354, SD 1, HD 2, entitled: "RELATING TO PUBLIC ACCESS";
- S.B. No. 2369, SD 1, HD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- S.B. No. 2409, SD 1, HD 2, entitled: "RELATING TO TAXATION";
- S.B. No. 2411, SD 1, HD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";
- S.B. No. 2419, SD 1, HD 1, entitled: "RELATING TO CAPITAL ACCESS PROGRAM";
- S.B. No. 2420, SD 2, HD 2, entitled: "RELATING TO TECHNOLOGY";
- S.B. No. 2427, SD 1, HD 1, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS";

- S.B. No. 2432, SD 1, HD 1, entitled: "RELATING TO A SENTENCING SIMULATION MODEL";
- S.B. No. 2433, SD 2, HD 2, entitled: "RELATING TO PRISONS";
- S.B. No. 2448, SD 2, HD 2, entitled: "RELATING TO AUTISM";
- S.B. No. 2467, SD 2, HD 1, entitled: "RELATING TO UNLICENSED CONTRACTORS";
- S.B. No. 2475, SD 1, HD 3, entitled: "RELATING TO GENDER EQUITY IN SPORTS";
- S.B. No. 2480, SD 1, HD 1, entitled: "RELATING TO ANNULMENT, DIVORCE, AND SEPARATION";
- S.B. No. 2482, SD 1, HD 1, entitled: "RELATING TO TECHNOLOGY BUSINESS TAXATION";
- S.B. No. 2484, SD 1, HD 1, entitled: "RELATING TO MEDICAID RECOVERY";
- S.B. No. 2486, SD 2, HD 2, entitled: "RELATING TO TAXATION";
- S.B. No. 2490, SD 2, HD 1, entitled: "RELATING TO LONG-TERM RESIDENTIAL CARE";
- S.B. No. 2493, SD 2, HD 1, entitled: "MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES";
- S.B. No. 2513, SD 1, HD 1, entitled: "RELATING TO CONVEYANCE TAX";
- S.B. No. 2521, SD 1, HD 1, entitled: "RELATING TO PROFESSIONAL SERVICE CONTRACTS";
- S.B. No. 2530, SD 1, HD 1, entitled: "RELATING TO AGRICULTURE";
- S.B. No. 2533, SD 1, HD 2, entitled: "RELATING TO CRIME VICTIM COMPENSATION";
- S.B. No. 2535, HD 1, entitled: "RELATING TO PROBATE";
- S.B. No. 2536, SD 1, HD 2, entitled: "RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT";
- S.B. No. 2545, HD 1, entitled: "RELATING TO GLASS RECOVERY";
- S.B. No. 2562, SD 1, HD 1, entitled: "RELATING TO INSURANCE";
- S.B. No. 2574, SD 1, HD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";
- S.B. No. 2575, SD 2, HD 2, entitled: "RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND";
- S.B. No. 2576, SD 2, HD 1, entitled: "RELATING TO STATE OWNED PUBLIC HOUSING";
- S.B. No. 2579, SD 1, HD 2, entitled: "RELATING TO HOUSING";
- S.B. No. 2598, SD 2, HD 1, entitled: "RELATING TO HOUSING";
- S.B. No. 2607, SD 1, HD 3, entitled: "RELATING TO THE COMMISSION ON THE STATUS OF WOMEN";
- S.B. No. 2621, SD 1, HD 2, entitled: "RELATING TO HEALTH";
- S.B. No. 2655, SD 2, HD 2, entitled: "RELATING TO HEALTH";
- S.B. No. 2657, SD 2, HD 2, entitled: "RELATING TO HEALTH";
- S.B. No. 2666, SD 1, HD 1, entitled: "RELATING TO ELECTIONS";
- S.B. No. 2667, HD 1, entitled: "RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE";
- S.B. No. 2670, HD 1, entitled: "RELATING TO ELECTIONS";
- S.B. No. 2692, SD 2, HD 2, entitled: "RELATING TO SALARIES";
- S.B. No. 2706, SD 1, HD 2, entitled: "RELATING TO TAXATION";
- S.B. No. 2716, SD 1, HD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2717, SD 1, HD 2, entitled: "RELATING TO SOCIAL WORKERS";
- S.B. No. 2722, SD 1, HD 2, entitled: "RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM";
- S.B. No. 2725, HD 2, entitled: "RELATING TO TOWING COMPANIES";
- S.B. No. 2729, SD 1, HD 2, entitled: "RELATING TO SERVICE CONTRACTS";
- S.B. No. 2731, SD 1, HD 2, entitled: "RELATING TO INSURANCE";
- S.B. No. 2736, SD 2, HD 1, entitled: "RELATING TO KIKALA-KEOKEA";
- S.B. No. 2741, HD 2, entitled: "RELATING TO THE STATE WATER CODE";
- S.B. No. 2745, SD 1, HD 2, entitled: "RELATING TO AQUACULTURE";
- S.B. No. 2758, SD 1, HD 2, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";
- S.B. No. 2779, SD 1, HD 2, entitled: "RELATING TO STATE ENTERPRISE ZONES";
- S.B. No. 2781, SD 2, HD 2, entitled: "RELATING TO TAXATION";
- S.B. No. 2785, SD 1, HD 1, entitled: "RELATING TO UNCLAIMED PROPERTY";
- S.B. No. 2802, SD 1, HD 1, entitled: "RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS";
- S.B. No. 2808, HD 2, entitled: "RELATING TO THE CONSUMER ADVOCATE";
- S.B. No. 2819, SD 1, HD 1, entitled: "RELATING TO INSURANCE";

S.B. No. 2837, SD 1, HD 2, entitled: "RELATING TO EDUCATIONAL ACCOUNTABILITY";

S.B. No. 2838, SD 1, HD 1, entitled: "RELATING TO THE STATE INTERNET PORTAL";

S.B. No. 2843, HD 2, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

S.B. No. 2849, HD 1, entitled: "RELATING TO REVIEW HEARINGS";

S.B. No. 2850, SD 1, HD 2, entitled: "RELATING TO KINSHIP CARE";

S.B. No. 2856, SD 1, HD 1, entitled: "RELATING TO PUBLIC ASSISTANCE";

S.B. No. 2859, SD 1, HD 1, entitled: "RELATING TO PUBLIC EMPLOYMENT";

S.B. No. 2863, SD 1, HD 2, entitled: "RELATING TO ADVANCE HEALTH-CARE DIRECTIVES";

S.B. No. 2869, HD 1, entitled: "RELATING TO SAFE DRINKING WATER";

S.B. No. 2870, SD 1, HD 2, entitled: "RELATING TO SAFE DRINKING WATER";

S.B. No. 2872, SD 1, HD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION";

S.B. No. 2873, SD 1, HD 2, entitled: "RELATING TO HAWAII HEALTH SYSTEMS CORPORATION";

S.B. No. 2879, SD 2, HD 2, entitled: "RELATING TO MOTOR VEHICLE TIRES";

S.B. No. 2905, HD 2, entitled: "RELATING TO EMPLOYMENT SECURITY";

S.B. No. 2930, SD 2, HD 1, entitled: "RELATING TO CONTROLLED SUBSTANCES";

S.B. No. 2935, SD 1, HD 2, entitled: "RELATING TO DANGEROUS DRUGS";

S.B. No. 2938, SD 1, HD 1, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE";

S.B. No. 2945, SD 1, HD 3, entitled: "RELATING TO TAXATION";

S.B. No. 2946, SD 1, HD 1, entitled: "RELATING TO TAXATION APPEALS";

S.B. No. 2948, SD 1, HD 2, entitled: "RELATING TO HIGH TECHNOLOGY";

S.B. No. 2961, SD 2, HD 1, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR";

S.B. No. 2982, SD 1, HD 1, entitled: "RELATING TO CHILD SUPPORT";

S.B. No. 2987, SD 1, HD 2, entitled: "RELATING TO PUBLIC CONTRACTS";

S.B. No. 2988, SD 2, HD 2, entitled: "RELATING TO PUBLIC CONTRACTS AND PROCUREMENT";

S.B. No. 2993, SD 2, HD 2, entitled: "RELATING TO THE ENVIRONMENT";

S.B. No. 3002, SD 2, HD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

S.B. No. 3003, SD 1, HD 1, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";

S.B. No. 3026, SD 1, HD 1, entitled: "RELATING TO SCHOOL FACILITIES";

S.B. No. 3032, SD 2, HD 2, entitled: "RELATING TO ECONOMIC DEVELOPMENT";

S.B. No. 3043, SD 2, HD 1, entitled: "RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION";

S.B. No. 3045, SD 1, HD 2, entitled: "RELATING TO THE AUDITOR";

S.B. No. 3079, HD 1, entitled: "RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE";

S.B. No. 3123, SD 2, HD 2, entitled: "RELATING TO POST-SECONDARY EDUCATION";

S.B. No. 3125, SD 2, HD 1, entitled: "RELATING TO PUBLICATION OF NOTICE";

S.B. No. 3133, SD 1, HD 1, entitled: "RELATING TO CRIME";

S.B. No. 3160, SD 2, HD 2, entitled: "RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS";

S.B. No. 3179, HD 3, entitled: "RELATING TO TOBACCO";

S.B. No. 3190, SD 1, HD 1, entitled: "RELATING TO CAPTIVE INSURANCE";

S.B. No. 3193, SD 1, HD 2, entitled: "RELATING TO THE HAWAII INSURANCE EXCHANGE";

S.B. No. 3194, SD 2, HD 2, entitled: "RELATING TO THE RIGHT TO FARM";

S.B. No. 3199, SD 1, HD 2, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

S.B. No. 3201, SD 1, HD 2, entitled: "RELATING TO A SCENIC HIGHWAYS SYSTEM";

Sen. Com. No. 661 returning H.C.R. No. 27, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION INVITING THE PRESIDENT AND CONGRESS TO GATHER WITH NATIVE HAWAIIANS IN OBSERVANCE OF THE CENTENNIAL OF THE ORGANIC ACT," which was adopted by the Senate on April 13, 2000, in an amended form.

INTRODUCTIONS

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

Representative Thielen introduced students from Le Jardin School.

Representative Menor introduced students from Mililani Mauka Elementary School and their teachers, Mrs. Bianca

Kusatsu, Ms. Michelle Tanoue, Ms. Kelly Hirata and Ms. Joanna Aloag.

Representative Morita introduced Ms. Leona Guillermo, Mr. Nathan Guillermo, Ms. Rene Guillermo, Ms. Kanoë Guillermo, Mr. Clifford Kaholokula, Ms. Mary Jane Kaholokula, Ms. Luella Ah Soon, Ms. Thelma Chock, Ms. Sandy Cobb-Adams and Ms. Alicia Zuniga.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

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

S.C.R.

Nos.

Referred to:

6	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance	73	Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance
14	Committee on Water and Land Use	74	Committee on Finance
16	Committee on Labor and Public Employment, then to the Committee on Finance	76	Committee on Judiciary and Hawaiian Affairs
18	Jointly to the Committee on Economic Development and Business Concerns and the Committee on Labor and Public Employment, then to the Committee on Finance	77	Committee on Water and Land Use, then to the Committee on Finance
26	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance	82	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
29	Jointly to the Committee on Human Services and Housing and the Committee on Consumer Protection and Commerce, then to the Committee on Finance	85	Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance
30	Committee on Health, then to the Committee on Finance	88	Committee on Consumer Protection and Commerce, then to the Committee on Finance
32	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management, then to the Committee on Finance	89	Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
38	Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance	92	Committee on Judiciary and Hawaiian Affairs
47	Committee on Legislative Management, then to the Committee on Finance	93	Committee on Judiciary and Hawaiian Affairs
56	Committee on Legislative Management, then to the Committee on Finance	95	Committee on Water and Land Use, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
57	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance	97	Committee on Tourism, then to the Committee on Finance
58	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance	101	Committee on Economic Development and Business Concerns, then to the Committee on Finance
59	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance	102	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Economic Development and Business Concerns, then to the Committee on Finance
60	Committee on Water and Land Use, then to the Committee on Finance	103	Jointly to the Committee on Public Safety and Military Affairs and the Committee on Culture and the Arts, then to the Committee on Finance
68	Jointly to the Committee on Economic Development and Business Concerns and the Committee on Higher Education, then to the Committee on Finance	104	Committee on Judiciary and Hawaiian Affairs
		105	Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management, then to the Committee on Finance
		113	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
		114	Jointly to the Committee on Human Services and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
		115	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
		116	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
		117	Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
		122	Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance

- 125 Committee on Transportation, then to the Committee on Finance
- 129 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 130 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 131 Committee on Agriculture, then to the Committee on Legislative Management, then to the Committee on Finance
- 133 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 134 Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
- 135 Jointly to the Committee on Human Services and Housing and the Committee on Health, then to the Committee on Finance
- 137 Committee on Human Services and Housing, then to the Committee on Finance
- 141 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance
- 142 Jointly to the Committee on Education and the Committee on Labor and Public Employment, then to the Committee on Finance
- 143 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 149 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 151 Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance
- 155 Committee on Ocean Recreation and Marine Resources, then to the Committee on Legislative Management, then to the Committee on Finance
- 157 Jointly to the Committee on Education and the Committee on Public Safety and Military Affairs, then to the Committee on Finance
- 166 Committee on Education, then to the Committee on Judiciary and Hawaiian Affairs
- 169 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 170 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 171 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 173 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 176 Committee on Finance
- 179 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 181 Jointly to the Committee on Energy and Environmental Protection and the Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 183 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 185 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
- 196 Committee on Health, then to the Committee on Finance
- 199 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 204 Committee on Energy and Environmental Protection, then to the Committee on Finance
- 206 Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance
- 207 Committee on Judiciary and Hawaiian Affairs, then to the Committee on Finance
- 208 Committee on Human Services and Housing, then to the Committee on Labor and Public Employment, then to the Committee on Finance
- 210 Committee on Health, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 193) was received and announced by the Clerk and the following action taken:

H.R. No. 193, entitled: "HOUSE RESOLUTION RECOGNIZING MAY 11, 2000, AS EQUAL PAY DAY," was jointly offered by Representatives Catalani, Lee, Thielen, Kaho'ohalahala, Kanoho, Meyer, Nakasone, Okamura, Ahu Isa, Yoshinaga, Morita, Auwae, Leong and Marumoto.

On motion by Representative Catalani, seconded by Representative Lee and carried, H.R. No. 193 was adopted, with Representatives Auwae, Chang, Herkes, Kahikina, Kaho'ohalahala, Kanoho, Meyer, Nakasone, Okamura, Takamine, Whalen and Yonamine being excused.

Representative Catalani introduced the following guests who were seated in the gallery: Ms. Allicyn Hikida Tasaka, Executive Director, HSCSW and Co-Chair of the Hawaii Women's Coalition; Ms. Lora Liss, Member of the Hawaii Women's Coalition and Hawaii Women Lawyers; Mr. Tom Jackson, Department of Labor; Ms. Laura Manis, AARP/Coalition for Long-Term Care; Ms. Yvonne Lau, Member of the Hawaii Women's Coalition; Ms. April Wilson South, Member of the Hawaii Women's Coalition and President of National Employment Lawyers Association; Ms. Jo Kamae Byrne, President of Volunteer Legal Services of Hawaii; Mr. John Ishihara, Legal Counsel of Hawaii Civil Rights Commission; Ms. Jill Tsuchitori, Member of the Hawaii Women's Coalition and her son, Aaron; Ms. Nancy Aleck, American Friends Service Committee; Ms. Pamela Ferguson-Brey, President of Business and Professional Women of Hawaii; Ms. Analise Beck, President of Business and Professional Women of Hawaii, Waikiki Club; Ms. Susan Boyter, Vice President of Business and Professional Women of Hawaii, Honolulu Club; Ms. Celeste Rodgers, Vice President of Business and Professional Women of Hawaii; and Ms. Georgia

Miller, Member of Business and Professional Women of Hawaii, Waikiki Club.

Representative Lee introduced the honorees who were seated on the House floor: Ms. Leslie Wilkins, Chair of Hawaii State Commission on the Status of Women; Ms. Annelie Amaral, Co-Chair of the Hawaii Women's Coalition; Mr. Terry Lau, Director of the Commission on Political Education, AFL-CIO; Ms. Nancy Bethurem, President of Hawaii Women Lawyers; and Ms. Nora Kanemura, University of Hawaii President's Commission on the Status of Women.

At 11:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:03 o'clock a.m.

LATE INTRODUCTIONS

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

Representative Thielen introduced Ms. Martha Ross.

Representative Takai introduced Mr. Noboru Kametani, a member of the Osaka Prefectural Assembly.

ANNOUNCEMENTS

Representative Thielen: "I would just like to wish all of the members a happy hemp aloha Friday and congratulate the 12 members who are wearing hemp shirts. They look marvelous."

Representative Lee: "Could I ask the members of the Women's Caucus to remain for a few minutes after today's session. Thank you."

Representative Takai: "Today is the last day for our House Foodbank Drive so if you have any money or food, please give my office a call. In addition, tomorrow Kendall Matsuyoshi, the coordinator of this whole effort, will be going along with me to the Ward Warehouse at about 12:30 p.m. to present a check to the Foodbank of behalf of the House of Representatives. If anyone is interested please come and see me or call my office so we can coordinate it. It will be at Ward Warehouse. Thank you."

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Representative Garcia, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 17, 2000. (Representatives Auwae, Chang, Halford, Herkes, Kahikina, Kaho'ohalahala, Kanoho, Luke, Menor, Meyer, Nakasone, Okamura, Rath, Saiki, Souki, Takamine, Whalen, Yamane and Yonamine were excused.)

FIFTY-SECOND DAY

Monday, April 17, 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 David D. Stegmaier, after which the Roll was called showing all members present with the exception of Representatives Cachola, Goodenow, Herkes, Hiraki, Kahikina, Kaho'ohalahala, Menor, Morihara, Okamura, Pendleton, Rath, Souki and Takai, who were excused.

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

DEPARTMENTAL COMMUNICATION

The following Departmental communication (Dept. Com. No. 24) was received by the Clerk and was placed on file:

Dept. Com. No. 24, from the Real Estate Commission, transmitting copies of the Real Estate Commission's March 2000 issue of the Real Estate Bulletin.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 662) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 662, informing the House that the following bills passed Final Reading in the Senate on April 14, 2000:

S.B. No. 914, entitled: "RELATING TO VOTE COUNT"; and

S.B. No. 887, entitled: "RELATING TO JUDGES FOR THE CIRCUIT COURT".

INTRODUCTIONS

Representative Santiago introduced some of his fellow colleagues in the field of social work who were seated in the gallery: Ms. Wendy Mow-Taira, Mr. Oscar Curren, Ms. Adrienne Ramele, Ms. Anitta Trubit, Ms. Mary Sheridan and Ms. Debbie Shimizu.

Representative Case introduced his staffmember, Ms. Kimberly McDonald, who was leaving to return to her home in Florida.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B.
Nos. **Re-referred to:**

755 Committee on Water and Land Use, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

1883 Committee on Energy and Environmental Protection, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance

1909 Jointly to the Committee on Tourism and the Committee on Water and Land Use, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

1984 Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

2060 Committee on Higher Education, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

2095 Committee on Education, then to the Committee on Public Safety and Military Affairs

2188 Committee on Economic Development and Business Concerns, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance

2277 Committee on Health, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

2314 Committee on Consumer Protection and Commerce, then to the Committee on Finance

2423 Committee on Health, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

2468 Committee on Consumer Protection and Commerce, then to the Committee on Finance

2513 Committee on Human Services and Housing, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

2559 Committee on Labor and Public Employment, then to the Committee on Finance

2572 Committee on Ocean Recreation and Marine Resources, then to the Committee on Finance

2586 Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

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

S.B.
No. **Re-referred to:**

862 Committee on Health, then to the Committee on Judiciary and Hawai'ian Affairs

The following Senate concurrent resolution was re-referred to committee by the Speaker, as follows:

S.C.R.
No. **Re-referred to:**

131 Committee on Finance

APPOINTMENT OF CONFEREES

In accordance with the disagreement of the House to the amendments proposed by the Senate to the following House bills and the request for a conference on the respective subject matter thereof, the Speaker appointed the following Managers on the part of the House for conference:

H.B. No. 11, HD 1, SD 1:

Representatives Hiraki/Menor, Co-Chairs; Morita and Rath

H.B. No. 37, HD 1, SD 2:

Representatives Herkes/Takai/Luke, Co-Chairs; Suzuki and Leong

H.B. No. 47, HD 1, SD 1:

Representatives Santiago/Menor, Co-Chairs; Whalen

H.B. No. 71, HD 2, SD 1:

Representatives Hamakawa/Yamane, Co-Chairs; Auwae

H.B. No. 83, HD 1, SD 1:

Representative Hamakawa, Chair; Chang, Takumi and Auwae

H.B. No. 101, HD 1, SD 1:

Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Moses

H.B. No. 122, HD 2, SD 1, CD 1:

Representatives Herkes/Arakaki/Nakasone, Co-Chairs; Suzuki and Rath

H.B. No. 133, SD 1:

Representatives Herkes/Menor/Kawakami, Co-Chairs; Luke, Suzuki and Whalen

H.B. No. 139, HD 1, SD 2:

Representatives Herkes/Yoshinaga/Yamane, Co-Chairs; Luke, Suzuki and Meyer

H.B. No. 140, SD 2:

Representatives Herkes/Yoshinaga/Luke, Co-Chairs; Suzuki and Meyer

H.B. No. 142, HD 1, SD 2, CD 1:

Representatives Yoshinaga/Takamine, Co-Chairs; Catalani, Goodenow, Nakasone, Suzuki, Meyer and Moses

H.B. No. 150, HD 2, SD 1:

Representatives Ito/Hamakawa/Takamine, Co-Chairs; Kawakami and Takai

H.B. No. 157, HD 2, SD 2, CD 1:

Representatives Hamakawa/Garcia/Yamane, Co-Chairs; Pendleton

H.B. No. 159, HD 2, SD 2:

Representatives Yoshinaga/Hamakawa, Co-Chairs; Garcia, Nakasone and Moses

H.B. No. 162, HD 1, SD 2, CD 1:

Representatives KanoHo/Hamakawa/Takamine, Co-Chairs; Ahu Isa and Halford

H.B. No. 164, SD 1:

Representatives Hamakawa/Nakasone, Co-Chairs; KanoHo, Saiki and Meyer

H.B. No. 174, SD 1:

Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Meyer

H.B. No. 176, HD 2, SD 2:

Representatives Santiago/Suzuki, Co-Chairs; Goodenow, Kahikina and Leong

H.B. No. 232, HD 2, SD 1:

Representatives Herkes/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Meyer

H.B. No. 235, HD 2, SD 2:

Representatives Hamakawa/Suzuki, Co-Chairs; Kahikina and Moses

H.B. No. 284, HD 1, SD 1:

Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Moses

H.B. No. 286, HD 2, SD 2:

Representatives Hiraki/Hamakawa/Nakasone, Co-Chairs; Goodenow and Thielen

H.B. No. 303, HD 2, SD 1:

Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, KanoHo and Meyer

H.B. No. 318, SD 1:

Representatives Ito/Kawakami, Co-Chairs; Goodenow, Takai and Meyer

H.B. No. 353, HD 2, SD 1:

Representatives Menor/Suzuki, Co-Chairs; Cachola, Nakasone and Fox

H.B. No. 374, HD 2, SD 1:

Representatives Abinsay/Takamine, Co-Chairs; Espero, Suzuki and Rath

H.B. No. 375, HD 1, SD 1:

Representatives Takamine/Herkes/Arakaki/Menor, Co-Chairs; Nakasone, Souki, Suzuki, Meyer, Whalen

H.B. No. 389, SD 1:

Representatives Ito/Nakasone, Co-Chairs; Morihara, Schatz and Moses

H.B. No. 510, HD 1, SD 2:

Representatives Ito/Luke, Co-Chairs; Ahu Isa, Morihara and McDermott

H.B. No. 512, HD 2, SD 2:

Representatives Ito/Menor/Luke, Co-Chairs; Ahu Isa, Morihara and McDermott

H.B. No. 531, SD 2:

Representatives Garcia/Catalani, Co-Chairs; Ahu Isa, Kaho'ohalahala and Pendleton

H.B. No. 540, HD 2, SD 1:

Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott

H.B. No. 557, HD 2, SD 1:

Representatives Abinsay/Espero, Co-Chairs; Suzuki and Rath

H.B. No. 564, HD 2, SD 2:

Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Meyer

H.B. No. 632, HD 2, SD 1:

Representatives Santiago/Yamane, Co-Chairs; Espero, Kahikina and Fox

H.N. No. 645, SD 2:

Representatives Garcia/KanoHo, Co-Chairs; Kaho'ohalahala, Pendleton

- H.B. No. 657, HD 2, SD 1:**
Representatives Menor/Ahu Isa, Co-Chairs; Nakasone and Marumoto
- H.B. No. 658, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 664, HD 1, SD 1:**
Representative Menor, Chair; Garcia, Lee, Takumi and Rath
- H.B. No. 677, HD 1, SD 2:**
Representatives Morita/Takumi/Morihara/Schatz, Co-Chairs; Meyer
- H.B. No. 718, HD 1, SD 2:**
Representatives Hiraki/Cachola/Takamine, Co-Chairs; Goodenow and Fox
- H.B. No. 747, HD 1, SD 2:**
Representatives Yoshinaga/Kanoho/Catalani, Co-Chairs; Nakasone, Suzuki and Moses
- H.B. No. 749, HD 3, SD 2:**
Representatives Santiago/Menor/Kawakami, Co-Chairs; Lee and Halford
- H.B. No. 750, HD 1, SD 1:**
Representatives Takai/Saiki, Co-Chairs; Hamakawa, Ito and Leong
- H.B. No. 755, HD 2, SD 2:**
Representatives Cachola/Hamakawa/Kanoho, Co-Chairs; Garcia and Meyer
- H.B. No. 756, HD 2, SD 2:**
Representatives Herkes/Menor/Luke, Co-Chairs; Chang and Rath
- H.B. No. 830, HD 1, SD 2:**
Representatives Herkes/Menor, Co-Chairs; Chang, Lee and Rath
- H.B. No. 855, HD 1, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Arakaki, Santiago and Leong
- H.B. No. 949, HD 2, SD 2:**
Representatives Abinsay/Takamine, Co-Chairs; Chang, Espero and Whalen
- H.B. No. 1006, HD 2, SD 2:**
Representatives Hamakawa/Kanoho, Co-Chairs; Garcia, Yamane and Thielen
- H.B. No. 1018, HD 2, SD 1:**
Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott
- H.B. No. 1041, HD 2, SD 2:**
Representatives Yoshinaga/Suzuki, Co-Chairs; Goodenow, Nakasone and Moses
- H.B. No. 1048, HD 1, SD 1:**
Representatives Yoshinaga/Takamine, Co-Chairs; Goodenow, Nakasone, Suzuki and Moses
- H.B. No. 1061, HD 2, SD 1:**
Representatives Arakaki/Santiago/Kanoho, Co-Chairs; Kahikina and Fox
- H.B. No. 1063, HD 1, SD 1:**
Representative Menor, Chair; Hiraki, Kaho'ohalahala, Lee and Rath
- H.B. No. 1071, HD 1, SD 2:**
Representatives Yoshinaga/Menor/Yamane, Co-Chairs; Catalani, Lee, Suzuki, Marumoto and Whalen
- H.B. No. 1073, HD 1, SD 2:**
Representatives Menor/Hamakawa, Co-Chairs; Lee and Thielen
- H.B. No. 1080, HD 2, SD 1:**
Representatives Herkes/Menor/Luke, Co-Chairs; Morita and Thielen
- H.B. No. 1083, HD 2, SD 1:**
Representatives Menor/Kawakami, Co-Chairs; Chang, Takumi, Yamane and Auwae
- H.B. No. 1145, SD 2:**
Representatives Santiago/Takamine, Co-Chairs; Marumoto
- H.B. No. 1149, HD 1, SD 1:**
Representatives Santiago/Takamine, Co-Chairs; Kawakami, Yamane and Meyer
- H.B. No. 1160, HD 1, SD 2:**
Representatives Yoshinaga/Hamakawa, Co-Chairs; Catalani, Takai and Auwae
- H.B. No. 1172, HD 2, SD 1:**
Representatives Cachola/Takamine, Co-Chairs; Garcia, Kanoho, Kawakami and Moses
- H.B. No. 1267, HD 1, SD 2:**
Representatives Menor/Hamakawa, Co-Chairs; Chang and Pendleton
- H.B. No. 1276, HD 1, SD 2:**
Representative Menor, Chair; Cachola, Lee and Whalen
- H.B. No. 1367, HD 2, SD 1:**
Representatives Santiago/Arakaki/Hamakawa/Yamane, Co-Chairs; Marumoto
- H.B. No. 1411, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Herkes and Whalen
- H.B. No. 1457, SD 1:**
Representatives Hiraki/Hamakawa/Takamine, Co-Chairs; Saiki and Moses
- H.B. No. 1460, HD 2, SD 2:**
Representatives Garcia/Hamakawa/Kanoho, Co-Chairs; Pendleton
- H.B. No. 1491, HD 1, SD 1:**
Representatives Menor/Hamakawa, Co-Chairs; Lee, Saiki and Whalen
- H.B. No. 1593, HD 1, SD 2:**
Representatives Herkes/Cachola/Yoshinaga/Luke, Co-Chairs; Meyer
- H.B. No. 1620, HD 1, SD 2:**
Representatives Herkes/Luke, Co-Chairs; Yamane and Halford
- H.B. No. 1623, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Herkes, Lee and Whalen
- H.B. No. 1624, HD 2, SD 1:**
Representatives Menor/Yamane, Co-Chairs; Morita, Suzuki and Thielen
- H.B. No. 1632, HD 3, SD 1:**
Representatives Abinsay/Kanoho, Co-Chairs; Espero, Kawakami and Halford

- H.B. No. 1636, HD 2, SD 1:**
Representatives Hiraki/Goodenow, Co-Chairs; Nakasone, Takai and Fox
- H.B. No. 1641, HD 1, SD 2:**
Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and McDermott
- H.B. No. 1683, HD 2, SD 2:**
Representatives Luke/Takamine, Co-Chairs; Chang, Kawakami, Suzuki and Whalen
- H.B. No. 1726, HD 1, SD 1:**
Representatives Arakaki/Santiago/Yamane, Co-Chairs; Kahikina and McDermott
- H.B. No. 1759, HD 2, SD 2:**
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Takai and Fox
- H.B. No. 1763, HD 2, SD 2:**
Representatives Hiraki/Hamakawa, Co-Chairs; Goodenow, Saiki and Fox
- H.B. No. 1764, SD 1:**
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Takai and Fox
- H.B. No. 1773, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 1846, HD 1, SD 1:**
Representatives Arakaki/Santiago/Kawakami, Co-Chairs; Kahikina and Marumoto
- H.B. No. 1869, HD 1, SD 1:**
Representatives Yoshinaga/Suzuki, Co-Chairs; Goodenow and Meyer
- H.B. No. 1873, HD 2, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Moses
- H.B. No. 1874, HD 1, SD 2:**
Representatives Ito/Takamine, Co-Chairs; Kawakami, Takai and Moses
- H.B. No. 1881, HD 2, SD 2:**
Representatives Hiraki/Hamakawa, Co-Chairs; Goodenow, Saiki and Auwae
- H.B. No. 1883, HD 2, SD 3:**
Representatives Morita/Menor/Yamane, Co-Chairs; Herkes and Whalen
- H.B. No. 1889, HD 2, SD 2:**
Representatives Abinsay/Garcia/Espero, Co-Chairs; Chang and Halford
- H.B. No. 1893, HD 1, SD 1:**
Representatives Morita/Kanoho, Co-Chairs; Cachola, Schatz and Meyer
- H.B. No. 1900, HD 1, SD 1:**
Representative Takamine, Chair; Ahu Isa, Catalani, Espero, Goodenow, Kahikina, Kanoho, Kawakami, Luke, Nakasone, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer and Moses
- H.B. No. 1902, HD 1, SD 1:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Meyer
- H.B. No. 1905, HD 2, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Moses
- H.B. No. 1909, HD 1, SD 2:**
Representatives Chang/Cachola/Hamakawa/Kanoho, Co-Chairs; Fox
- H.B. No. 1912, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Halford
- H.B. No. 1925, SD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- H.B. No. 1933, HD 1, SD 2:**
Representatives Menor/Saiki, Co-Chairs; Hamakawa, Lee and Pendleton
- H.B. No. 1934, HD 2, SD 1:**
Representatives Santiago/Menor, Co-Chairs; Cachola, Yoshinaga and Whalen
- H.B. No. 1938, HD 1, SD 1:**
Representatives Menor/Saiki, Co-Chairs; Hamakawa, Lee and Whalen
- H.B. No. 1939, HD 1, SD 1:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Yamane and Auwae
- H.B. No. 1940, HD 2, SD 2:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Yamane and Auwae
- H.B. No. 1944, HD 2, SD 2:**
Representatives Menor/Takamine, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 1946, HD 2, SD 1:**
Representatives Morita/Kanoho, Co-Chairs; Cachola, Schatz and Meyer
- H.B. No. 1947, HD 2, SD 2:**
Representatives Takumi/Hamakawa, Co-Chairs; Saiki, Schatz and Auwae
- H.B. No. 1955, HD 2, SD 1:**
Representatives Garcia/Kanoho, Co-Chairs; Ahu Isa, Kaho'ohalahala and Moses
- H.B. No. 1956, HD 1, SD 2:**
Representatives Herkes/Menor/Luke, Co-Chairs; Suzuki and Halford
- H.B. No. 1969, HD 2, SD 1:**
Representatives Herkes/Luke, Co-Chairs; Ahu Isa, Suzuki and Halford
- H.B. No. 1983, HD 1, SD 2:**
Representative Hamakawa, Chair; Saiki and Auwae
- H.B. No. 1984, HD 1, SD 2:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and Auwae
- H.B. No. 1994, HD 2, SD 2:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa, Chang and Halford
- H.B. No. 2017, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2023, HD 2, SD 2:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa, Chang and Halford

- H.B. No. 2024, HD 1, SD 2:**
Representative Takamine, Chair; Kanohe, Kawakami, Luke and Moses
- H.B. No. 2060, HD 2, SD 1:**
Representatives Takai/Hamakawa/Kanohe, Co-Chairs; Yamane and Leong
- H.B. No. 2062, HD 2, SD 1:**
Representatives Takai/Kanohe, Co-Chairs; Goodenow, Yamane and Leong
- H.B. No. 2066, HD 1, SD 1:**
Representatives Takai/Kanohe, Co-Chairs; Goodenow, Yamane and Leong
- H.B. No. 2087, HD 2, SD 2:**
Representatives Ito/Saiki, Co-Chairs; Hamakawa, Takai and Leong
- H.B. No. 2092, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Moses
- H.B. No. 2095, SD 1:**
Representatives Ito/Garcia, Co-Chairs; Takai and Leong
- H.B. No. 2098, HD 2, SD 1:**
Representatives Ito/Saiki, Co-Chairs; Hamakawa, Takai and Pendleton
- H.B. No. 2129, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2151, HD 1, SD 1:**
Representative Takamine, Chair; Ahu Isa, Catalani, Espero, Goodenow, Kahikina, Kanohe, Kawakami, Luke, Nakasone, Schatz, Suzuki, Yamane, Fox, Marumoto, Meyer and Moses
- H.B. No. 2154, HD 2, SD 2:**
Representatives Yoshinaga/Arakaki/Takamine, Co-Chairs; Kahikina and Moses
- H.B. No. 2160, HD 2, SD 2:**
Representatives Santiago/Yamane, Co-Chairs; Kahikina, Stegmaier and McDermott
- H.B. No. 2171, HD 1, SD 2:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Moses
- H.B. No. 2183, HD 1, SD 1:**
Representatives Morita/Abinsay, Espero, Co-Chairs; Luke and Fox
- H.B. No. 2185, HD 2, SD 1:**
Representatives Hiraki/Cachola, Co-Chairs; Goodenow, Kanohe and Halford
- H.B. No. 2188, HD 2, SD 2:**
Representatives Herkes/Menor/Luke, Co-Chairs; Lee and Halford
- H.B. No. 2194, HD 2, SD 1:**
Representatives Kanohe/Takamine, Co-Chairs; Kawakami, Suzuki and Moses
- H.B. No. 2213, SD 1:**
Representative Saiki, Chair; Hamakawa and Auwae
- H.B. No. 2218, HD 1, SD 1:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2222, HD 1, SD 1:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2273, HD 2, SD 1:**
Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott
- H.B. No. 2277, HD 1, SD 1:**
Representatives Santiago/Hamakawa/Takamine, Co-Chairs; Yamane and McDermott
- H.B. No. 2280, HD 2, SD 1:**
Representatives Ito/Morihara/Yoshinaga/Takamine, Co-Chairs; Leong
- H.B. No. 2297, SD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- H.B. No. 2309, HD 1, SD 1:**
Representatives Cachola/Kanohe, Co-Chairs; Garcia, Schatz and Meyer
- H.B. No. 2311, HD 1, SD 1:**
Representatives Kanohe/Takamine, Co-Chairs; Saiki, Yamane and Marumoto
- H.B. No. 2314, HD 1, SD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2354, HD 2, SD 2:**
Representatives Garcia/Kahikina, Co-Chairs; Luke and Moses
- H.B. No. 2392, HD 2, SD 1:**
Representatives Menor/Kawakami, Co-Chairs; Kahikina, Lee and McDermott
- H.B. No. 2405, HD 2, SD 1:**
Representatives Abinsay/Morita/Espero, Co-Chairs; Chang and Halford
- H.B. No. 2406, HD 1, SD 1:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa, Chang and Halford
- H.B. No. 2407, HD 1, SD 2:**
Representative Takamine, Chair; Catalani, Goodenow, Kawakami and Moses
- H.B. No. 2409, HD 1, SD 1:**
Representative Takamine, Chair; Catalani, Goodenow, Kawakami and Moses
- H.B. No. 2410, HD 1, SD 2:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Kanohe and Auwae
- H.B. No. 2418, SD 1:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Yamane and Auwae
- H.B. No. 2423, SD 1:**
Representatives Santiago/Saiki/Nakasone, Co-Chairs; Kahikina and McDermott
- H.B. No. 2425, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2429, HD 2, SD 2:**
Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott
- H.B. No. 2432, HD 1, SD 1:**

- Representatives Arakaki/Kahikina, Co-Chairs; Stegmaier, Yamane and McDermott
- H.B. No. 2434, HD 1, SD 1:**
Representatives Herkes/Takamine, Co-Chairs; Nakasone, Suzuki and Halford
- H.B. No. 2445, SD 1:**
Representatives Yoshinaga/Suzuki, Co-Chairs; Catalani, Goodenow and Meyer
- H.B. No. 2446, SD 1:**
Representatives Yoshinaga/Goodenow, Co-Chairs; Catalani, Suzuki and Meyer
- H.B. No. 2447, SD 2:**
Representatives Yoshinaga/Goodenow; Co-Chairs; Catalani, Suzuki and Fox
- H.B. No. 2458, SD 1:**
Representatives Yoshinaga/Goodenow; Co-Chairs; Catalani, Suzuki and Fox
- H.B. No. 2468, HD 1, SD 1:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2469, HD 1, SD 1:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2471, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2472, HD 2, SD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- H.B. No. 2473, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Chang, Lee and Whalen
- H.B. No. 2476, HD 1, SD 2:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2480, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Rath
- H.B. No. 2481, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Rath
- H.B. No. 2483, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Rath
- H.B. No. 2484, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2485, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2490, HD 1, SD 1:**
Representative Ito, Chair; Morihara, Santiago, Takai and Leong
- H.B. No. 2491, HD 1, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa, Takai and Moses
- H.B. No. 2492, HD 1, SD 1:**
Representatives Ito/Kawakami, Co-Chairs; Santiago, Takai and Leong
- H.B. No. 2501, HD 2, SD 1:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Yamane and Auwae
- H.B. No. 2506, HD 1, SD 2:**
Representatives Arakaki/Saiki/Kahikina, Co-Chairs; Hamakawa and Auwae
- H.B. No. 2513, HD 1, SD 1:**
Representatives Arakaki/Hamakawa/Kahikina, Co-Chairs; Saiki and Auwae
- H.B. No. 2514, SD 2:**
Representatives Arakaki/Kahikina, Co-Chairs; Yamane and Meyer
- H.B. No. 2521, SD 1:**
Representatives Santiago/Ito/Kawakami, Co-Chairs; Yamane and Leong
- H.B. No. 2530, HD 1, SD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Kanoho, Saiki and Auwae
- H.B. No. 2534, HD 2, SD 1:**
Representatives Santiago/Yamane, Co-Chairs; Kahikina, Kawakami and Moses
- H.B. No. 2537, SD 1:**
Representative Takamine, Chair; Goodenow, Kawakami and Moses
- H.B. No. 2539, HD 2, SD 1:**
Representatives Morita/Takamine, Co-Chairs; Goodenow, Kanoho and Auwae
- H.B. No. 2542, HD 1, SD 1:**
Representative Takamine, Chair; Kahikina, Kawakami, Luke and Fox
- H.B. No. 2556, HD 1, SD 1:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Moses
- H.B. No. 2559, HD 1, SD 2:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Meyer
- H.B. No. 2572, HD 1, SD 2:**
Representatives Takumi/Schatz, Co-Chairs; Catalani and Thielen
- H.B. No. 2573, HD 1, SD 1:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Meyer
- H.B. No. 2574, HD 1, SD 1:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Meyer
- H.B. No. 2576, HD 1, SD 1:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Thielen
- H.B. No. 2582, HD 1, SD 2:**
Representatives Herkes/Menor, Co-Chairs; Lee, Luke and Rath
- H.B. No. 2585, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Rath
- H.B. No. 2586, SD 1:**
Representatives Hamakawa/Kanoho/Catalani, Co-Chairs; Saiki and Auwae
- H.B. No. 2588, HD 1, SD 1:**

- Representative Takamine, Chair; Ahu Isa, Catalani, Kawakami and Marumoto
- H.B. No. 2624, HD 1, SD 1:**
Representative Kawakami, Chair; Catalani, Luke, Schatz and Fox
- H.B. No. 2643, HD 1, SD 2:**
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Takai and Fox
- H.B. No. 2648, HD 2, SD 2:**
Representatives Hamakawa/Nakasone, Co-Chairs; Kanoho, Saiki and Auwae
- H.B. No. 2649, HD 1, SD 1:**
Representative Saiki, Chair; Hamakawa and Auwae
- H.B. No. 2650, HD 1, SD 2:**
Representatives Hamakawa/Takamine, Co-Chairs; Kawakami, Saiki and Moses
- H.B. No. 2653, HD 2, SD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki, Yamane and Auwae
- H.B. No. 2701, HD 3, SD 1:**
Representatives Morita/Ito/Menor/Schatz, Co-Chairs; Leong
- H.B. No. 2727, HD 1, SD 2:**
Representatives Hiraki/Menor, Co-Chairs; Goodenow, Lee and Rath
- H.B. No. 2774, SD 1:**
Representatives Yoshinaga/Hamakawa, Co-Chairs; Catalani, Saiki and Auwae
- H.B. No. 2793, HD 1, SD 1:**
Representatives Abinsay/Takamine, Co-Chairs; Chang, Espero and Halford
- H.B. No. 2797, HD 1, SD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- H.B. No. 2801, HD 2, SD 2:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa, Chang and Halford
- H.B. No. 2802, SD 1:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa, Chang and Halford
- H.B. No. 2820, HD 1, SD 1:**
Representatives Ito/Saiki/Kawakami, Co-Chairs; Kaho'ohalahala and Leong
- H.B. No. 2835, HD 2, SD 2:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Schatz and Moses
- H.B. No. 2878, HD 2, SD 2:**
Representatives Herkes/Yoshinaga/Kanoho, Co-Chairs; Suzuki and Fox
- H.B. No. 2901, HD 2, SD 2:**
Representatives Herkes/Morihara/Yoshinaga/Takamine, Co-Chairs; Fox
- H.B. No. 2906, HD 1, SD 1:**
Representatives Hiraki/Menor, Co-Chairs; Goodenow, Lee and Rath
- H.B. No. 2955, HD 1, SD 1:**
Representatives Herkes/Morihara/Takamine, Co-Chairs; Luke and Halford
- H.B. No. 2984, HD 2, SD 2:**
Representatives Yoshinaga/Herkes/Takamine, Co-Chairs; Luke and Moses
- H.B. No. 3014, HD 1, SD 1:**
Representative Takamine, Chair; Catalani, Goodenow, Kawakami and Moses
- H.B. No. 3016, HD 1, SD 1:**
Representatives Arakaki/Takamine, Co-Chairs; Kahikina, Kawakami and Fox
- H.B. No. 3018, SD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- H.B. No. 3021, HD 1, SD 1:**
Representatives Morita/Kanoho, Co-Chairs; Cachola, Schatz and Meyer
- In accordance with the disagreement of the Senate to the amendments proposed by the House to the following Senate bills and the request for a conference on the respective subject matter thereof, the Speaker appointed the following Managers on the part of the House for conference:
- S.B. No. 185, SD 2, HD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa and Leong
- S.B. No. 211, SD 1, HD 2:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Fox
- S.B. No. 278, SD 2, HD 1:**
Representatives Takai/Kanoho, Co-Chairs; Goodenow and McDermott
- S.B. No. 426, SD 2, HD 1:**
Representative Takamine, Chair; Kawakami, Suzuki and Marumoto
- S.B. No. 539, SD 1, HD 1:**
Representatives Takai/Saiki/Takamine, Co-Chairs; McDermott
- S.B. No. 568, SD 2, HD 3:**
Representatives Cachola/Hamakawa/Kanoho, Co-Chairs; Meyer
- S.B. No. 851, SD 2, HD 2:**
Representatives Santiago/Menor/Yamane, Co-Chairs; McDermott
- S.B. No. 862, SD 2, HD 1:**
Representatives Santiago/Hamakawa, Co-Chairs; Saiki and Thielen
- S.B. No. 873, SD 1, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 915, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 1095, HD 2:**
Representatives Cachola/Hamakawa/Kanoho, Co-Chairs; Meyer
- S.B. No. 1117, SD 1, HD 2:**
Representatives Yoshinaga/Nakasone, Co-Chairs; Kanoho, Suzuki and Marumoto
- S.B. No. 1281, SD 2, HD 2:**
Representatives Yoshinaga/Goodenow, Co-Chairs; Catalani, Suzuki and Fox

- S.B. No. 2021, SD 2, HD 1:**
Representatives Arakaki/Kahikina, Co-Chairs; Yamane and McDermott
- S.B. No. 2056, SD 1, HD 1:**
Representatives Arakaki/Kahikina, Co-Chairs; Yamane and McDermott
- S.B. No. 2058, SD 1, HD 1:**
Representative Takamine, Chair; Kawakami, Suzuki and Marumoto
- S.B. No. 2059, SD 1, HD 2:**
Representatives Arakaki/Yamane, Co-Chairs; Kahikina, Santiago and McDermott
- S.B. No. 2061, SD 1, HD 2:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Fox
- S.B. No. 2062, SD 1, HD 3:**
Representatives Arakaki/Menor/Kanoho/Yamane, Co-Chairs; Pendleton
- S.B. No. 2074, SD 2, HD 2:**
Representatives Garcia/Arakaki/Kanoho, Co-Chairs; Pendleton
- S.B. No. 2108, SD 2, HD 2:**
Representatives Hamakawa/Cachola/Kanoho, Co-Chairs; Kaho'ohalahala and Thielen
- S.B. No. 2115, SD 1, HD 2:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa and Auwae
- S.B. No. 2121, SD 1, HD 1:**
Representative Herkes, Chair; Ahu Isa, Luke and Halford
- S.B. No. 2134, SD 1, HD 2:**
Representatives Abinsay/Garcia/Espero, Co-Chairs; Halford
- S.B. No. 2147, SD 1, HD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and McDermott
- S.B. No. 2151, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2152, SD 1, HD 1:**
Representatives Garcia/Saiki/Kanoho, Co-Chairs; Pendleton
- S.B. No. 2154, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2160, SD 1, HD 1:**
Representatives Herkes/Suzuki, Co-Chairs; Luke and Halford
- S.B. No. 2166, HD 2:**
Representatives Morita/Menor/Luke, Co-Chairs; Fox
- S.B. No. 2186, SD 2, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2194, SD 1, HD 1:**
Representative Takamine, Chair; Kawakami, Suzuki and Marumoto
- S.B. No. 2218, SD 1, HD 2:**
Representatives Ito/Kanoho/Yoshinaga/Kawakami, Co-Chairs; Leong
- S.B. No. 2221, SD 1, HD 2:**
Representatives Morita/Abinsay/Herkes/Luke, Co-Chairs; Fox
- S.B. No. 2254, SD 1, HD 2:**
Representatives Santiago/Menor/Saiki, Co-Chairs; Auwae
- S.B. No. 2278, SD 1, HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2283, SD 1 HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2287, SD 1 HD 2:**
Representatives Morita/Menor/Schatz, Co-Chairs; Moses
- S.B. No. 2293, HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2301, SD 2, HD 1:**
Representatives Hiraki/Cachola, Goodenow, Co-Chairs; Fox
- S.B. No. 2303, SD 2, HD 2:**
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Takai and Fox
- S.B. No. 2311, SD 1, HD 1:**
Representatives Hiraki/Hamakawa, Co-Chairs; Goodenow, Saiki and Auwae
- S.B. No. 2312, SD 1, HD 1:**
Representatives Yoshinaga/Catalani, Co-Chairs; Goodenow, Nakasone and Fox
- S.B. No. 2352 SD 2 HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2354, SD 1, HD 2:**
Representatives Kanoho/Takamine, Co-Chairs; Fox
- S.B. No. 2369, SD 1, HD 1:**
Representatives Yoshinaga/Goodenow, Co-Chairs; Suzuki and Moses
- S.B. No. 2409, SD 1, HD 2:**
Representatives Herkes/Takamine, Co-Chairs; Suzuki and Halford
- S.B. No. 2411, SD 1, HD 1:**
Representatives Abinsay/Kanoho, Co-Chairs; Espero and Halford
- S.B. No. 2419, SD 1, HD 1:**
Representatives Herkes/Luke, Co-Chairs; Suzuki and Halford
- S.B. No. 2420, SD 2, HD 2:**
Representatives Herkes/Morihara/Takamine, Co-Chairs; Souki, Yoshinaga, Halford and Meyer
- S.B. No. 2427, SD 1, HD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki, Meyer
- S.B. No. 2432, SD 1, HD 1:**
Representatives Saiki/Garcia/Nakasone, Co-Chairs; Meyer
- S.B. No. 2433, SD 2, HD 2:**
Representatives Garcia/Yoshinaga/Takamine, Co-Chairs; Pendleton
- S.B. No. 2448, SD 2, HD 2:**
Representatives Santiago/Yamane, Co-Chairs; Kahikina and McDermott

- S.B. No. 2467, SD 2, HD 1:**
Representatives Menor/Saiki, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2475, SD 1, HD 3:**
Representatives Ito/Saiki/Catalani, Co-Chairs; Leong
- S.B. No. 2480, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2482, SD 1, HD 1:**
Representatives Herkes/Morihara/Takamine, Co-Chairs; Luke, Suzuki, Halford and Meyer
- S.B. No. 2484, SD 1, HD 1:**
Representatives Saiki/Arakaki/Nakasone, Co-Chairs; Meyer
- S.B. No. 2486, SD 2, HD 2:**
Representatives Menor/Saiki/Yamane, Co-Chairs; Whalen
- S.B. No. 2490, SD 2, HD 1:**
Representatives Arakaki/Santiago/Kahikina, Co-Chairs; Pendleton
- S.B. No. 2493, SD 2, HD 1:**
Representatives Arakaki/Santiago/Kahikina, Co-Chairs; Pendleton
- S.B. No. 2513, SD 1, HD 1:**
Representatives Cachola/Kanoho, Co-Chairs; Garcia, Meyer
- S.B. No. 2521, SD 1, HD 1:**
Representative Takamine, Chair; Kanoho, Kawakami, Marumoto
- S.B. No. 2530, SD 1, HD 1:**
Representatives Abinsay/Espero, Co-Chairs; Chang, Kaho'ohalahala and Halford
- S.B. No. 2533, SD 1, HD 2:**
Representatives Garcia/Saiki/Kanoho, Co-Chairs; Pendleton
- S.B. No. 2535, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2536, SD 1, HD 2:**
Representatives Saiki/Menor/Nakasone, Co-Chairs; Meyer
- S.B. No. 2545, HD 1:**
Representatives Morita/Saiki/Schatz, Co-Chairs; Moses
- S.B. No. 2562, SD 1, HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2574, SD 1, HD 1:**
Representatives Takai/Kanoho, Co-Chairs; Goodenow and McDermott
- S.B. No. 2575, SD 2, HD 2:**
Representatives Takai/Takamine, Co-Chairs; Goodenow, Kanoho and McDermott
- S.B. No. 2576, SD 2, HD 1:**
Representatives Arakaki/Kahikina, Co-Chairs; Yamane and McDermott
- S.B. No. 2579, SD 1, HD 2:**
Representatives Arakaki/Santiago/Nakasone, Co-Chairs; Pendleton
- S.B. No. 2598, SD 2, HD 1:**
Representatives Arakaki/Nakasone, Co-Chairs; Kahikina and Pendleton
- S.B. No. 2607, SD 1, HD 3:**
Representatives Yoshinaga/Hamakawa/Catalani, Co-Chairs; Goodenow and Thielen
- S.B. No. 2621, SD 1, HD 2:**
Representatives Santiago/Hamakawa, Co-Chairs; Saiki and Auwae
- S.B. No. 2655, SD 2, HD 2:**
Representatives Santiago/Menor/Yamane, Co-Chairs; Cachola and McDermott
- S.B. No. 2657, SD 2, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2666, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2667, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2670, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2692, SD 2, HD 2:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and Meyer
- S.B. No. 2706, SD 1, HD 2:**
Representatives Hiraki/Herkes/Luke, Co-Chairs; Moses
- S.B. No. 2711, SD 1, HD 1:**
Representatives Herkes/Menor, Co-Chairs; Luke and Halford
- S.B. No. 2716, SD 1, HD 1:**
Representatives Herkes/Takamine, Co-Chairs; Souki, Suzuki and Halford
- S.B. No. 2717, SD 1, HD 2:**
Representatives Arakaki/Santiago/Menor, Co-Chairs; Pendleton
- S.B. No. 2722, SD 1, HD 2:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa and Leong
- S.B. No. 2725, HD 2:**
Representatives Hiraki/Menor, Co-Chairs; Goodenow and Moses
- S.B. No. 2729, SD 1, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2731, SD 1, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2736, SD 2, HD 1:**
Representative Takamine, Chair; Kanoho, Kawakami and Marumoto
- S.B. No. 2741, HD 2:**
Representatives Abinsay/Cachola/Espero, Co-Chairs; Halford
- S.B. No. 2745, SD 1, HD 2:**
Representatives Abinsay/Takumi/Espero, Co-Chairs; Halford
- S.B. No. 2758, SD 1, HD 2:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and Meyer
- S.B. No. 2766, SD 1, HD 1:**

- Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2769, HD 1:**
Representatives Morita/Chair; Garcia, Schatz and Thielen
- S.B. No. 2779, SD 1, HD 2:**
Representatives Herkes/Luke, Co-Chairs; Souki, Suzuki and Halford
- S.B. No. 2781, SD 2, HD 2:**
Representatives Herkes/Takamine, Co-Chairs; Souki, Suzuki and Halford
- S.B. No. 2785, SD 1, HD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and Meyer
- S.B. No. 2791, HD 1:**
Representative Takamine, Chair; Kanoho, Kawakami and Marumoto
- S.B. No. 2802, SD 1, HD 1:**
Representatives Yoshinaga/Suzuki, Co-Chairs; Goodenow and Meyer
- S.B. No. 2808, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 2819, SD 1, HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 2837, SD 1, HD 2:**
Representatives Ito/Yoshinaga/Takamine, Co-Chairs; Leong
- S.B. No. 2838, SD 1, HD 1:**
Representatives Herkes/Luke, Co-Chairs; Souki, Suzuki and Halford
- S.B. No. 2843, HD 2:**
Representatives Saiki/Nakasone, Co-Chairs; Kaho'ohalahala and Auwae
- S.B. No. 2849, HD 1:**
Representatives Arakaki/Hamakawa, Co-Chairs; Kahikina and Pendleton
- S.B. No. 2850, SD 1, HD 2:**
Representatives Arakaki/Saiki/Kahikina, Co-Chairs; Pendleton
- S.B. No. 2856, SD 1, HD 1:**
Representatives Arakaki/Hamakawa/Kahikina, Co-Chairs; Pendleton
- S.B. No. 2859, SD 1, HD 1:**
Representatives Yoshinaga/Takamine, Co-Chairs; Goodenow and Moses
- S.B. No. 2863, SD 1, HD 2:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Meyer
- S.B. No. 2869, HD 1:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa, Meyer
- S.B. No. 2870, SD 1, HD 2:**
Representatives Saiki/Menor/Nakasone, Co-Chairs; Meyer
- S.B. No. 2872, SD 1, HD 1:**
Representative Takamine, Chair; Kanoho, Kawakami and Marumoto
- S.B. No. 2873, SD 1, HD 2:**
Representatives Santiago/Yamane, Co-Chairs; Nakasone and McDermott
- S.B. No. 2879, SD 2, HD 2:**
Representatives Morita/Schatz, Co-Chairs; Garcia and Fox
- S.B. No. 2905, HD 2:**
Representatives Yoshinaga/Herkes/Takamine, Co-Chairs; Moses
- S.B. No. 2924, SD 1, HD 1:**
Representatives Herkes/Saiki, Co-Chairs; Hamakawa and Halford
- S.B. No. 2930, SD 2, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2935, SD 1, HD 2:**
Representatives Saiki/Garcia/Nakasone, Co-Chairs; Meyer
- S.B. No. 2938, SD 1, HD 1:**
Representative Takamine, Chair; Kawakami, Suzuki and Marumoto
- S.B. No. 2945, SD 1, HD 3:**
Representatives Herkes/Menor/Suzuki, Co-Chairs; Halford
- S.B. No. 2946, SD 1, HD 1:**
Representative Takamine, Chair; Kawakami, Suzuki and Marumoto
- S.B. No. 2948, SD 1, HD 2:**
Representatives Herkes/Morihara/Takamine, Co-Chairs; Luke and Halford
- S.B. No. 2961, SD 2, HD 1:**
Representatives Saiki/Nakasone, Co-Chairs; Hamakawa and Meyer
- S.B. No. 2982, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 2987, SD 1, HD 2:**
Representatives Menor/Yoshinaga/Yamane, Co-Chairs; Whalen
- S.B. No. 2988, SD 2, HD 2:**
Representatives Herkes/Yoshinaga/Kanoho, Co-Chairs; Luke and Halford
- S.B. No. 2993, SD 2, HD 2:**
Representatives Morita/Menor/Saiki/Kanoho, Co-Chairs; Moses
- S.B. No. 3002, SD 2, HD 1:**
Representatives Yoshinaga/Goodenow, Co-Chairs; Suzuki and Moses
- S.B. No. 3003, SD 1, HD 1:**
Representatives Yoshinaga/Goodenow, Co-Chairs; Suzuki and Moses
- S.B. No. 3026, SD 1, HD 1:**
Representatives Ito/Kawakami, Co-Chairs; Ahu Isa and Leong
- S.B. No. 3032, SD 2, HD 2:**
Representatives Herkes/Takamine, Co-Chairs; Cachola, Morita and Halford
- S.B. No. 3038, SD 1, HD 1:**
Representatives Ito/Saiki, Co-Chairs; Hamakawa and Leong
- S.B. No. 3043, SD 2, HD 1:**

- Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 3045, SD 1, HD 2:**
Representatives KanoHo/Saiki, Co-Chairs; Fox
- S.B. No. 3073, SD 2, HD 1:**
Representatives Hiraki/Hamakawa, Co-Chairs; Goodenow, Saiki and Auwae
- S.B. No. 3079, HD 1:**
Representatives Ito/Hamakawa, Co-Chairs; Saiki and Leong
- S.B. No. 3123, SD 2, HD 2:**
Representatives Arakaki/Yoshinaga/Goodenow, Co-Chairs; Santiago and Pendleton
- S.B. No. 3125, SD 2, HD 1:**
Representatives Hamakawa/Nakasone, Co-Chairs; Saiki and Meyer
- S.B. No. 3129, HD 2:**
Representatives Santiago/Menor, Co-Chairs; Lee and Whalen
- S.B. No. 3133, SD 1, HD 1:**
Representative Hamakawa, Chair; Saiki and Auwae
- S.B. No. 3160, SD 2, HD 2:**
Representatives Menor/Yamane, Co-Chairs; Cachola, Lee and Whalen
- S.B. No. 3179, HD 3:**
Representatives Santiago/Menor/Saiki/Yamane, Co-Chairs; Auwae
- S.B. No. 3190, SD 1, HD 1:**
Representative Menor, Chair; Cachola, Garcia, Lee and Whalen
- S.B. No. 3193, SD 1, HD 2:**
Representatives Menor/Yoshinaga/Yamane, Co-Chairs; Whalen
- S.B. No. 3194, SD 2, HD 2:**
Representatives Abinsay/Saiki, Co-Chairs; Espero and Halford
- S.B. No. 3199, SD 1, HD 2:**
Representatives Abinsay/Espero, Co-Chairs; Ahu Isa and Halford
- S.B. No. 3201, SD 1, HD 2:**
Representatives Hiraki/Goodenow, Co-Chairs; Catalani, Takai and Fox

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representatives Cachola/Chang, Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai and Whalen were excused.)

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

Representative Case moved that the House agree to the amendments proposed by the Senate to the following House bills:

H.B. Nos. 1949, HD 2 (SD 2); 2262, HD 2 (SD 1); 2278, HD 2 (SD 1); 2760, HD 2 (SD 1); and 3001, HD 2 (SD 1), seconded

by Representative Marumoto and carried. (Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai and Whalen were excused.)

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

The House of Representatives reconvened at 12:18 o'clock p.m.

FINAL READING

H.B. No. 1949, HD 2, SD2:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1949, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ALIEN AQUATIC ORGANISMS," passed Final Reading by a vote of 42 ayes, with Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai, Takamine and Whalen being excused.

H.B. No. 2262, HD 2, SD 1:

Representative Case moved that H.B. No. 2262, HD 2, SD 1, pass Final Reading, seconded by Representative Marumoto.

Representative Luke rose in support of the measure, and asked that her comments be inserted into the Journal, and the chair "so ordered."

Representative Luke's remarks are as follows:

"Mr. Speaker, I rise in support of H.B. No. 2262 - Establishing a Commission to Celebrate the One-Hundredth Anniversary of the Arrival of the Koreans to Hawai'i.

"The purpose of this bill is to provide for the celebration of the centennial anniversary of the Korean people in Hawai'i. This centennial is a significant milestone in the history of the Korean community who have contributed significantly and substantially to the State of Hawai'i.

"Since the arrival of the first Korean immigrants to Hawai'i in 1903, the rich culture and proud heritage of the Korean people have been and continues to be a positive influence upon life in Hawai'i. From Chief Justice Ronald Moon to former Vice-Speaker Jackie Young, Korean-Americans have made a lasting contribution to our society.

"The year 2003 will mark the one-hundredth anniversary of their arrival in Hawai'i. In recognition of the great contributions that members of the Korean community have made to our diverse and multicultural society, a celebration to commemorate their arrival and subsequent achievements in Hawai'i is truly warranted.

"On behalf of the Korean community, I thank my colleagues in both the House and Senate for their support of commemorating this significant and historic event. With the passage of this bill, we hope to plan a fitting commemoration that all people in Hawai'i can share in and participate. Thank you."

Representative Moses then rose in support of the measure, and asked that his comments be inserted into the Journal, and the chair "so ordered."

Representative Moses' remarks are as follows:

"Mr. Speaker. I rise to speak in support of HB 2262 that establishes a commission to celebrate the one-hundredth anniversary of the arrival of Koreans to Hawai'i.

"Although the first Koreans arrived in the late 19th Century as ginseng merchants, the first ship load of 102 Korean agricultural workers arrived in Honolulu Harbor on the S.S. Gaelic on January 13, 1903. Among them were 56 men, 21 women and 25 children who were dispatched to the Waiiala sugar fields to begin working. Most of these Koreans were from the city and were not farmers. But they recognized Hawai'i as the land of opportunity. At that time, Korea was undergoing severe political upheavals. These early arrivals were Christians and they quickly established churches of their own in which the Korean community worships until this day. There was no Statue of Liberty, holding high the torch of freedom to greet them; nor was there any Ellis Island to help them settle in their adopted home. Instead, they were sent to the fields to work for \$12.50 a month on three-year contracts. The dream of returning to Korea with wealth quickly evaporated.

"These first Koreans proved to be industrious and hardworking. So during the next few years, 65 ships brought an additional 7,843 Koreans, including 677 women and 465 children to Hawai'i. Because of the obvious discrepancy in the number of men to women, picture brides were sought. From 1912 to 1924, 951 adventurous young women, mostly from the Pusan area, came to Hawai'i seeking a better life. A new wave arrived as a result of the Korean War. Since then the Korean Community continues to grow. As a matter of fact, my wife, my in-laws, including nieces and nephews, and my children are Korean or part Korean and are helping expand the local Korean community. Now there are about 30,000 living in our state -- not all of them my relatives!

"The Koreans in our community have become business, industrial, community and government leaders. They have served on the City Councils, in the State Legislature and on the Hawai'i Supreme Court. They have made a name for themselves in all the professions. There is no doubt they have made significant contributions to our multi-cultural society

"I urge the members of this august body to support this measure to create a Centennial Commission to honor the descendants of these hardy pioneers who have embraced our customs and society while preserving their own unique culture. Should you grant the establishment of this commission I am certain you would have their full appreciation. And I would thank you too. Kum-sum-ni-da!"

The motion was put to vote by the Chair and carried, and H.B. No. 2262, HD 2, SD 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII," passed Final Reading by a vote of 42 ayes, with Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai, Takamine and Whalen being excused.

H.B. No. 2278, HD 2, SD 1:

Representative Case moved that H.B. No. 2278, HD 2, SD 1, pass Final Reading, seconded by Representative Marumoto.

Representative Santiago rose to disclose a potential conflict of interest, stating:

"Before I begin, just for the record and probably for the final time, I would like to ask for a ruling on a potential conflict. I am a social worker," and the Chair ruled "no conflict."

Representative Santiago continued, stating:

"I rise in support of this measure. The protection of consumers of mental health services in our community is important. This measure assures the public that when they seek help from a social worker that the individual is indeed qualified. The effort for permanent licensing for social workers in Hawai'i is one that has lasted for more than twenty years. As

most of you know, we were the last state to regulate social workers when we passed the first licensure of social workers bill in 1994. By passing this bill today we now make permanent the safeguards for our community that have been put into place. We will also join all the other states in recognizing and regulating social workers. It is the public who will be the main beneficiaries of our requirement that social workers be licensed. The public must be assured that the people who provide social services to them are qualified and have the experience and expertise necessary to provide quality services. This standard of care is something that we as legislators owe to our constituents and should anyone in the field fail to provide quality services or fail to provide services at all, that person's license can be revoked so that the public will be protected.

"Mr. Speaker, there are many individuals, groups and professions that have supported this measure over the years. Obviously, the NASW, the National Association of Social Workers had a special interest in seeing this bill pass. But others such as the physicians, the nurses, the psychologists, private and public agencies, former clients and many more all testified in support of its passage. Our federal workforce of social workers will also directly benefit from this measure, because under federal rules the social workers must be licensed in order to work in a federal facility, such as Tripler.

"I am pleased with the support from the Senate and would like to personally thank my colleagues in the House. The Chair of the CPC Committee, Representative Ron Menor; my good friend, the Chair of the Human Services and Housing Committee, Representative Dennis Arakaki; you, Mr. Speaker; and all the members who played a role in passing this measure.

"On a personal note, at this stage of my career as a legislator and a social worker, it is very gratifying to know that I had a part to play in the passage of this legislation that will have such a positive affect on our community. Thank you, members and thank you, Mr. Speaker."

Representative Arakaki then rose to speak in support of the measure, and asked that the remarks of Representative Santiago be entered into the Journal as his own, and the Chair "so ordered". (By reference only.)

Representative Arakaki continued, stating:

"Especially for our two resident social workers which will be reduce by half, hopefully not more, and also our Majority Floor Leader from Pearl City, who is also a long time social worker. I think this bill will be a legacy for the Chair of the Health Committee and represents the commitment, compassion and the conviction that I think are the hallmarks of a social worker. We are very privileged and very fortunate to have him present that perspective for us for so many years. We can remember him for all that he accomplished as a social worker and a legislator. Thank you, Speaker."

Representative Menor then rose to speak in support of the measure, and asked that the remarks of Representatives Santiago and Arakaki be entered into the Journal as his own, and the Chair "so ordered". (By reference only.)

Representative Menor continued, stating:

"The Representative from Wailua has been a very strong and tireless advocate throughout his distinguished career for the social work profession. If not for his efforts, this bill would not have come to pass. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2278, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS," passed Final Reading by a vote of 42 ayes, with Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai, Takamine and Whalen being excused.

H.B. No. 2760, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2760, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM," passed Final Reading by a vote of 42 ayes, with Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai, Takamine and Whalen being excused.

H.B. No. 3001, HD 2, SD 1:

Representative Case moved that H.B. No. 3001, HD 2, SD 1, pass Final Reading, seconded by Representative Marumoto.

Representative Meyer rose and asked to be excused from voting on H.B. No 3001, HD 2, SD 1, as "my husband and I are owners of a non-commercial pier."

The Chair responded: "You are excused."

The motion was put to vote by the Chair and carried, and H.B. No. 3001, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NONCOMMERCIAL PIERS," passed Final Reading by a vote of 41 ayes, with Representatives Cachola/Herkes, Kaho'ohalahala, Meyer, Okamura, Pendleton, Rath, Takai, Takamine and Whalen being excused.

The Chair directed the Clerk to note that H.B. Nos. 1949, 2262, 2278, 2760 and 3001 had passed Final Reading at 12:25 o'clock p.m.

HOUSE COMMUNICATION

A communication, dated April 17, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the House has made the following changes to the conferees on the following House and Senate Bills:

H.B. No. 1883, HD 2, SD 3:

Discharged Representative Yamane as third Co-Chair.
Added Representative Goodenow as third Co-Chair.

S.B. No. 873, SD 1, HD 2:

Discharged Representative Whalen as a member.
Added Representative Marumoto as a member.

S.B. No. 2151, SD 1, HD 1:

Discharged Representative Auwae as a member.
Added Representative Whalen as a member.

S.B. No. 2194, SD 1, HD 1:

Discharged Representatives Kawakami and Suzuki as members.
Added Representatives Goodenow and Yamane as members.

S.B. No. 2254, SD 1, HD 2:

Added Representative Cachola as a member.

S.B. No. 2287, SD 1, HD 2:

Discharged Representative Moses as a member.
Added Representatives Kanohe and Marumoto as members.

S.B. No. 2301, SD 2, HD 1:

Discharged Representative Fox as a member.
Added Representative Meyer as a member.

S.B. No. 2312, SD 1, HD 1:

Discharged Representative Fox as a member.
Added Representative Moses as a member.

S.B. No. 2467, SD 2, HD 1:

Discharged Representative Whalen as a member.
Added Representative Marumoto as a member.

S.B. No. 2657, SD 2, HD 2:

Discharged Representative Whalen as a member.
Added Representative Marumoto as a member.

S.B. No. 2692, SD 2, HD 2:

Discharged Representative Meyer as a member.
Added Representative Auwae as a member.

S.B. No. 2729, SD 1, HD 2:

Discharged Representative Whalen as a member.
Added Representative Marumoto as a member.

S.B. No. 2935, SD 1, HD 2:

Discharged Representative Meyer as a member.
Added Representative Halford as a member.

S.B. No. 2945, SD 1, HD 3:

Discharged Representative Halford as a member.
Added Representatives Souki and Marumoto as members.

S.B. No. 3002, SD 2, HD 1:

Discharged Representative Moses as a member.
Added Representative Auwae as a member.

ANNOUNCEMENTS

Representative Arakaki: "I would like to request a waiver of the 48-hour hearing notice requirement to hear H.C.R. Nos. 29, 38, 73, 85, 114, 135, 137, and 208 which will be heard Wednesday morning at 10:30 in Conference Room 329," and the Chair "so ordered".

Representative Marumoto: "Your Minority will be caucusing directly after session. Thank you."

ADJOURNMENT

At 12:27 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. Wednesday, April 19, 2000. (Representatives Cachola/Herkes, Kaho'ohalahala, Okamura, Pendleton, Rath, Takai, Takamine and Whalen were excused.)

FIFTY-THIRD DAY

Wednesday, April 19, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Sister Claudia Wong from the Sisters of St. Joseph's Compassionate Counseling, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Garcia, Menor, Meyer, Morihara, Okamura and Whalen, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. No. 663 through 673) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 663, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills on April 17, 2000:

- S.B. No. 278, SD 2, HD 1:**
Senators D. Ige/Fukunaga, Co-Chairs; and Sakamoto.
- S.B. No. 539, SD 1, HD 1:**
Senators D. Ige/Fukunaga/Levin/Chumbley, Co-Chairs; and Slom.
- S.B. No. 568, SD 2, HD 3:**
Senators Hanabusa/Nakata, Co-Chairs; Matsuura, Tanaka and Anderson.
- S.B. No. 851, SD 2, HD 2:**
Senators Chun Oakland/Chumbley/Levin, Co-Chairs; and Anderson.
- S.B. No. 873, SD 1, HD 2:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 1281, SD 2, HD 2:**
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2021, SD 2, HD 1:**
Senators Tam/Chun, Co-Chairs; Matsuura and Anderson.
- S.B. No. 2056, SD 1, HD 1:**
Senator Fukunaga, Chair; Chun Oakland, Nakata and Anderson.
- S.B. No. 2058, SD 1, HD 1:**
Senators Fukunaga/Levin, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 2059, SD 1, HD 2:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2062, SD 1, HD 3:**
Senators Chun Oakland/Taniguchi/Kanno/Levin, Co-Chairs; and Anderson.
- S.B. No. 2074, SD 2, HD 2:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; and Anderson.
- S.B. No. 2108, SD 2, HD 2:**
Senators Hanabusa/Matsunaga/Levin, Co-Chairs; Tanaka and Anderson.
- S.B. No. 2115, SD 1, HD 2:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 2121, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Tam, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 2134, SD 1, HD 2:**
Senators Inouye/Kawamoto/Levin, Co-Chairs; and Slom.
- S.B. No. 2147, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- S.B. No. 2151, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Kawamoto, Co-Chairs; Ihara and Bunda.
- S.B. No. 2152, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; and Anderson.
- S.B. No. 2154, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 2166, HD 2:**
Senators Inouye/Kanno/Nakata, Co-Chairs; Ihara and Slom.
- S.B. No. 2186, SD 2, HD 2:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2194, SD 1, HD 1:**
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2218, SD 1, HD 2:**
Senators D. Ige/Sakamoto/Iwase, Co-Chairs; and Slom.
- S.B. No. 2221, SD 1, HD 2:**
Senators Inouye/Chun, Co-Chairs; Buen and Slom.
- S.B. No. 2254, SD 1, HD 2:**
Senators Chun Oakland/Chumbley, Co-Chairs; Iwase and Anderson.
- S.B. No. 2278, SD 1, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2283, SD 1, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2287, SD 1, HD 2:**
Senators Taniguchi/Kanno/Kawamoto/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 2301, SD 2, HD 1:**
Senators Kawamoto/Hanabusa/Levin, Co-Chairs; Bunda and Slom.
- S.B. No. 2303, SD 2, HD 2:**
Senators Kawamoto/Inouye/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2311, SD 1, HD 1:**
Senators Kawamoto/Matsunaga, Co-Chairs; Bunda, Buen and Anderson.

- S.B. No. 2312, SD 1, HD 1:**
Senators Kanno/Taniguchi/Kawamoto, Co-Chairs; and Slom.
- S.B. No. 2352, SD 2, HD 1:**
Senators D. Ige/Sakamoto/Chumbley, Co-Chairs; and Slom.
- S.B. No. 2354, SD 1, HD 2:**
Senator Fukunaga, Chair; D. Ige, Chun and Anderson.
- S.B. No. 2369, SD 1, HD 1:**
Senators Kanno/Taniguchi/Levin, Co-Chairs; and Slom.
- S.B. No. 2409, SD 1, HD 2:**
Senators Inouye/D. Ige/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 2411, SD 1, HD 1:**
Senators Inouye/Chun, Co-Chairs; and Slom.
- S.B. No. 2419, SD 1, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2420, SD 2, HD 2:**
Senators D. Ige/Fukunaga/Kanno/Inouye, Co-Chairs; Sakamoto and Slom.
- S.B. No. 2427, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2432, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2433, SD 2, HD 2:**
Senators Chumbley/Matsunaga/Levin/Fukunaga/Nakata, Co-Chairs; and Anderson.
- S.B. No. 2448, SD 2, HD 2:**
Senators Chun Oakland/D. Ige/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2467, SD 2, HD 1:**
Senators Kanno/Taniguchi/Matsunaga, Co-Chairs; and Slom.
- S.B. No. 2475, SD 1, HD 3:**
Senators D. Ige/Sakamoto/Iwase, Co-Chairs; and Slom.
- S.B. No. 2480, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 2482, SD 1, HD 1:**
Senators Inouye/Fukunaga, Co-Chairs; Chun, Buen and Slom.
- S.B. No. 2484, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Chun Oakland, Co-Chairs; Chun and Anderson.
- S.B. No. 2486, SD 2, HD 2:**
Senators Chun Oakland/Fukunaga/Taniguchi, Co-Chairs; and Anderson.
- S.B. No. 2490, SD 2, HD 1:**
Senators Chun Oakland/Buen, Co-Chairs; Chun and Anderson.
- S.B. No. 2493, SD 2, HD 1:**
Senators Chun Oakland/Levin, Co-Chairs; and Anderson.
- S.B. No. 2513, SD 1, HD 1:**
Senators Hanabusa/Nakata, Co-Chairs; Matsuura, Tanaka and Anderson.
- S.B. No. 2521, SD 1, HD 1:**
- S.B. No. 2530, SD 1, HD 1:**
Senators Inouye/Chun, Co-Chairs; and Slom.
- S.B. No. 2533, SD 1, HD 2:**
Senators Chumbley/Matsunaga/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2536, SD 1, HD 2:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; and Anderson.
- S.B. No. 2562, SD 1, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2574, SD 1, HD 1:**
Senators D. Ige/Sakamoto/Iwase, Co-Chairs; and Slom.
- S.B. No. 2575, SD 2, HD 2:**
Senators D. Ige/Sakamoto/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2576, SD 2, HD 1:**
Senators Tam/Chun, Co-Chairs; and Anderson.
- S.B. No. 2579, SD 1, HD 2:**
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2598, SD 2, HD 1:**
Senators Tam/Chun, Co-Chairs; Matsuura and Anderson.
- S.B. No. 2607, SD 1, HD 3:**
Senators Chun Oakland/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2621, SD 1, HD 2:**
Senators Chun Oakland/Kawamoto, Co-Chairs; Levin and Anderson.
- S.B. No. 2655, SD 2, HD 2:**
Senators Chun Oakland/Taniguchi/Kanno, Co-Chairs; and Anderson.
- S.B. No. 2657, SD 2, HD 2:**
Senators Chun Oakland/Taniguchi/Kanno, Co-Chairs; and Anderson.
- S.B. No. 2692, SD 2, HD 2:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; and Anderson.
- S.B. No. 2706, SD 1, HD 2:**
Senators Kawamoto/Fukunaga, Co-Chairs; Taniguchi and Slom.
- S.B. No. 2711, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Sakamoto and Anderson.
- S.B. No. 2716, SD 1, HD 1:**
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2717, SD 1, HD 2:**
Senators Kanno/Taniguchi, Co-Chairs; Ihara and Slom.
- S.B. No. 2722, SD 1, HD 2:**
Senators Hanabusa/D. Ige, Co-Chairs; Chun, Tanaka and Anderson.
- S.B. No. 2725, HD 2:**
Senator Kawamoto, Chair; Bunda, Buen and Slom.
- S.B. No. 2729, SD 1, HD 2:**

- Senators Taniguchi/Kanno, Co-Chairs; and Ihara.
- S.B. No. 2731, SD 1, HD 2:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- S.B. No. 2741, HD 2:**
Senators Hanabusa/Inouye/Fukunaga, Co-Chairs; Tanaka and Anderson.
- S.B. No. 2745, SD 1, HD 2:**
Senators Inouye/Kawamoto, Co-Chairs; Buen and Slom.
- S.B. No. 2766, SD 1, HD 1:**
Senators Kawamoto/Tam, Co-Chairs; Bunda and Slom.
- S.B. No. 2779, SD 1, HD 2:**
Senators Inouye/Fukunaga/Levin, Co-Chairs; Buen and Slom.
- S.B. No. 2781, SD 2, HD 2:**
Senators Inouye/Fukunaga/Levin, Co-Chairs; Buen and Slom.
- S.B. No. 2802, SD 1, HD 1:**
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Nakata.
- S.B. No. 2808, HD 2:**
Senators Kanno/Taniguchi/Hanabusa, Co-Chairs; and Slom.
- S.B. No. 2819, SD 1, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; Ihara and Slom.
- S.B. No. 2837, SD 1, HD 2:**
Senators D. Ige/Nakata/Iwase, Co-Chairs; Sakamoto and Slom.
- S.B. No. 2838, SD 1, HD 1:**
Senators D. Ige/Sakamoto/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 2843, HD 2:**
Senators Hanabusa/Taniguchi, Co-Chairs; Matsuura, Tanaka and Anderson.
- S.B. No. 2850, SD 1, HD 2:**
Senators Chun Oakland/Chumbley, Co-Chairs; Iwase and Anderson.
- S.B. No. 2856, SD 1, HD 1:**
Senators Chun Oakland/Tam/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 2859, SD 1, HD 1:**
Senators Nakata/Levin/Fukunaga, Co-Chairs; Kanno and Slom.
- S.B. No. 2863, SD 1, HD 2:**
Senators Chun Oakland/Kawamoto/Chumbley, Co-Chairs; and Anderson.
- S.B. No. 2872, SD 1, HD 1:**
Senators Chun Oakland/Levin/Fukunaga, Co-Chairs; Chun and Anderson.
- S.B. No. 2873, SD 1, HD 2:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2879, SD 2, HD 2:**
Senators Nakata/Chun/Kawamoto, Co-Chairs; Ihara and Anderson.
- S.B. No. 2905, HD 2:**
Senators Nakata/Fukunaga, Co-Chairs; Chun and M. Ige.
- S.B. No. 2945, SD 1, HD 3:**
- Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2946, SD 1, HD 1:**
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- S.B. No. 2948, SD 1, HD 2:**
Senators Inouye/Fukunaga, D. Ige, Co-Chairs; and Slom.
- S.B. No. 2961, SD 2, HD 1:**
Senators D. Ige/Sakamoto/Iwase, Co-Chairs; and Slom.
- S.B. No. 2982, SD 1, HD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- S.B. No. 2987, SD 1, HD 2:**
Senators Tam/Kawamoto, Co-Chairs; Matsuura and Anderson.
- S.B. No. 2988, SD 2, HD 2:**
Senators Tam/Fukunaga, Co-Chairs; Chun and Anderson.
- S.B. No. 2993, SD 2, HD 2:**
Senators Kanno/Taniguchi/Nakata/Hanabusa, Co-Chairs.
- S.B. No. 3002, SD 2, HD 1:**
Senators Kanno/Taniguchi/Levin, Co-Chairs; and Slom.
- S.B. No. 3003, SD 1, HD 1:**
Senators Kanno/Taniguchi, Levin/Fukunaga, Co-Chairs; and Anderson.
- S.B. No. 3026, SD 1, HD 1:**
Senators D. Ige/Sakamoto/Fukunaga/Levin, Co-Chairs; and Slom.
- S.B. No. 3032, SD 2, HD 2:**
Senators Inouye/Fukunaga, Levin, Co-Chairs; Buen and Slom.
- S.B. No. 3038, SD 1, HD 1:**
Senators D. Ige/Sakamoto/Chumbley, Co-Chairs; and Slom.
- S.B. No. 3043, SD 2, HD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Anderson.
- S.B. No. 3045, SD 1, HD 2:**
Senators Fukunaga/Levin/Matsunaga, Co-Chairs; and Anderson.
- S.B. No. 3073, SD 2, HD 1:**
Senators Kawamoto/Matsunaga, Co-Chairs; Buen and Slom.
- S.B. No. 3079, HD 1:**
Senators D. Ige/Sakamoto/Chumbley, Co-Chairs; and Slom.
- S.B. No. 3123, SD 2, HD 2:**
Senators Chun Oakland/D. Ige/Fukunaga, Co-Chairs; and Slom.
- S.B. No. 3125, SD 2, HD 1:**
Senators Tam/Matsunaga, Co-Chairs; Matsuura and Anderson.
- S.B. No. 3129, HD 2:**
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- S.B. No. 3133, SD 1, HD 1:**
Senators Chumbley/Matsunaga/Kawamoto, Co-Chairs; Tanaka and Anderson.
- S.B. No. 3160, SD 2, HD 2:**
Senators Tam/Chun, Co-Chairs; Matsuura and Anderson.
- S.B. No. 3179, HD 3:**

Senators Taniguchi/Kanno/Matsunaga/Chun, Co-Chairs; and Slom.

S.B. No. 3190, SD 1, HD 1:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

S.B. No. 3193, SD 1, HD 2:

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Anderson.

S.B. No. 3194, SD 2, HD 2:

Senators Inouye/Chumbley, Co-Chairs; Buen and Anderson.

S.B. No. 3201, SD 1, HD 2:

Senators Kawamoto/Buen, Co-Chairs; Bunda and Slom.

Sen. Com. No. 664, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills on April 17, 2000:

H.B. No. 101, HD 1, SD 1:

Senators Kanno/Taniguchi, Co-Chairs; and Slom.

H.B. No. 284, HD 1, SD 1:

Senators D. Ige/Sakamoto, Co-Chairs; and Slom.

H.B. No. 286, HD 2, SD 1:

Senators Kawamoto/Levin, Co-Chairs; Bunda and Slom.

H.B. No. 540, HD 2, SD 1:

Senators Chun Oakland/Fukunaga/Levin, Co-Chairs.

H.B. No. 564, HD 2, SD 2:

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.

H.B. No. 750, HD 1, SD 1:

Senator Hanabusa, Chair; Tanaka, Matsuura and Anderson.

H.B. No. 755, HD 2, SD 2:

Senators Hanabusa/Chun, Co-Chairs; Tanaka, Matsuura and Anderson.

H.B. No. 1491, HD 1, SD 1:

Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.

H.B. No. 1632, HD 3, SD 1:

Senators Inouye/Levin, Co-Chairs; Buen and Anderson.

H.B. No. 1759, HD 2, SD 2:

Senators Kawamoto/Matsunaga/Buen, Co-Chairs; Iwase and Anderson.

H.B. No. 1763, HD 2, SD 2:

Senators Kawamoto/Matsunaga, Co-Chairs; and Buen.

H.B. No. 1764, SD 1:

Senator Kawamoto, Chair; Taniguchi and Slom.

H.B. No. 1773, HD 1, SD 1:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

H.B. No. 1846, HD 1, SD 1:

Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.

H.B. No. 1869, HD 1, SD 1:

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Nakata.

H.B. No. 1873, HD 2, SD 1:

Senators D. Ige/Sakamoto/Fukunaga/Levin, Co-Chairs; and Slom.

H.B. No. 1874, HD 1, SD 2:

Senators D. Ige/Nakata, Co-Chairs; Sakamoto, Iwase and Slom.

H.B. No. 1881, HD 2, SD 2:

Senators Kawamoto/Matsunaga, Co-Chairs; Iwase and Slom.

H.B. No. 1883, HD 2, SD 3:

Senators Taniguchi/Kanno/Fukunaga/Levin, Co-Chairs; and Chun.

H.B. No. 1889, HD 2, SD 2:

Senators Inouye/Kawamoto/Levin, Co-Chairs; and Slom.

H.B. No. 1893, HD 1, SD 1:

Senator Nakata, Chair; Ihara and Slom.

H.B. No. 1900, HD 1, SD 1:

Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.

H.B. No. 1902, HD 1, SD 1:

Senator Hanabusa, Chair; Tanaka, Matsuura and Anderson.

H.B. No. 1905, HD 2, SD 1:

Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.

H.B. No. 1909, HD 1, SD 2:

Senators Hanabusa/Inouye/Levin, Co-Chairs; Matsuura and Anderson.

H.B. No. 1912, HD 1, SD 1:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

H.B. No. 1925, SD 1:

Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.

H.B. No. 1933, HD 1, SD 2:

Senators Kanno/Taniguchi/Matsunaga, Co-Chairs; and Anderson.

H.B. No. 1934, HD 2, SD 1:

Senators Kanno/Taniguchi, Co-Chairs; and Slom.

H.B. No. 1938, HD 1, SD 1:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

H.B. No. 1939, HD 1, SD 1:

Senators Hanabusa/Chun, Co-Chairs; Tanaka, Matsuura and Anderson.

H.B. No. 1940, HD 2, SD 2:

Senators Chumbley/Matsunaga/Levin/Fukunaga, Co-Chairs; and Anderson.

H.B. No. 1944, HD 2, SD 2:

Senators Kanno/Taniguchi/Fukunaga/Levin/ Kawamoto, Co-Chairs; and Slom.

H.B. No. 1946, HD 2, SD 1:

Senators Inouye/Taniguchi, Co-Chairs; and Slom.

H.B. No. 1947, HD 2, SD 2:

Senators Inouye/Hanabusa, Co-Chairs; Tanaka, Matsuura and Slom.

H.B. No. 1955, HD 2, SD 1:

Senators Chumbley/Matsunaga, Co-Chairs; Tanaka and Anderson.

H.B. No. 1956, HD 1, SD 2:

Senators Inouye/Taniguchi, Co-Chairs; and Slom.

H.B. No. 1969, HD 2, SD 1:

- Senators Inouye/Levin, Co-Chairs; Buen and Slom.
- H.B. No. 1983, HD 1, SD 2:**
Senators Kanno/Taniguchi/Tam/Matsunaga, Co-Chairs; and Slom.
- H.B. No. 1984, HD 1, SD 2:**
Senators Chumbley/Matsunaga/Iwase, Co-Chairs; Ihara and Anderson.
- H.B. No. 1994, HD 2, SD 2:**
Senators Inouye/Nakata, Co-Chairs; and Slom.
- H.B. No. 2017, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2023, HD 2, SD 2:**
Senators Inouye/Levin/Fukunaga, Co-Chairs; Buen and Slom.
- H.B. No. 2024, HD 1, SD 2:**
Senators Fukunaga/Levin, Co-Chairs; Taniguchi and Anderson.
- H.B. No. 2060, HD 2, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2062, HD 2, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2066, HD 1, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2087, HD 2, SD 2:**
Senators D. Ige/Chumbley/Sakamoto, Co-Chairs; and Slom.
- H.B. No. 2092, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; and Slom.
- H.B. No. 2095, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; and Slom.
- H.B. No. 2098, HD 2, SD 1:**
Senators D. Ige/Chumbley/Sakamoto, Co-Chairs; and Slom.
- H.B. No. 2129, HD 1, SD 1:**
Senators Kanno/Taniguchi/Matsunaga, Co-Chairs; and Slom.
- H.B. No. 2151, HD 1, SD 1:**
Senators Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 2154, HD 2, SD 2:**
Senators Nakata/Chun Oakland/Levin, Co-Chairs; M. Ige and Slom.
- H.B. No. 2160, HD 2, SD 2:**
Senators Chumbley/Matsunaga/Chun Oakland, Co-Chairs; and Anderson.
- H.B. No. 2171, HD 1, SD 2:**
Senators Nakata/Kawamoto, Co-Chairs; and Kanno.
- H.B. No. 2183, HD 1, SD 1:**
Senators Inouye/Chun, Co-Chairs; and Slom.
- H.B. No. 2185, HD 2, SD 1:**
Senators Kawamoto/Hanabusa, Co-Chairs; Buen, Tanaka and Anderson.
- H.B. No. 2188, HD 2, SD 2:**
Senators Taniguchi/Kanno/Matsunaga, Co-Chairs; and Slom.
- H.B. No. 2194, HD 2, SD 1:**
Senator Fukunaga, Chair; D. Ige, Chun and Anderson.
- H.B. No. 2213, SD 1:**
- Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2218, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Anderson.
- H.B. No. 2222, HD 1, SD 1:**
Senators Kanno/Taniguchi/Tam, Co-Chairs; and Anderson.
- H.B. No. 2273, HD 2, SD 1:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 2277, HD 1, SD 1:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 2280, HD 2, SD 1:**
Senators D. Ige/Nakata, Co-Chairs; Sakamoto and Slom.
- H.B. No. 2297, SD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Chun Oakland and Anderson.
- H.B. No. 2309, HD 1, SD 1:**
Senators Hanabusa/Levin, Co-Chairs; Tanaka, Matsuura and Anderson.
- H.B. No. 2311, HD 1, SD 1:**
Senators Tam/Fukunaga, Co-Chairs; Matsuura and Anderson.
- H.B. No. 2314, HD 1, SD 2:**
Senators Taniguchi/Kanno/Chun, Co-Chairs; and Slom.
- H.B. No. 2354, HD 2, SD 2:**
Senator Kawamoto, Chair; Bunda and Slom.
- H.B. No. 2392, HD 2, SD 1:**
Senators Chun Oakland/Taniguchi/Kanno, Co-Chairs; Kawamoto and Anderson.
- H.B. No. 2405, HD 2, SD 1:**
Senators Nakata/Inouye/Levin, Co-Chairs; Chun and Slom.
- H.B. No. 2406, HD 1, SD 1:**
Senator Inouye, Chair; Buen and Slom.
- H.B. No. 2407, HD 1, SD 2:**
Senators Inouye/Fukunaga, Co-Chairs; Buen and Slom.
- H.B. No. 2409, HD 1, SD 1:**
Senators D. Ige/Sakamoto/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 2410, HD 1, SD 2:**
Senators Chumbley/Matsunaga/Levin/Fukunaga, Co-Chairs; and Anderson.
- H.B. No. 2423, SD 1:**
Senators Chumbley/Matsunaga/Chun, Co-Chairs; and Anderson.
- H.B. No. 2425, HD 1, SD 1:**
Senators Tam/Taniguchi, Co-Chairs; Chun and Anderson.
- H.B. No. 2429, HD 2, SD 2:**
Senators Tam/Chun, Co-Chairs; Matsuura and Anderson.
- H.B. No. 2432, HD 1, SD 1:**
Senators Tam/Chun, Co-Chairs; Matsuura and Anderson.
- H.B. No. 2434, HD 1, SD 1:**
Senators Fukunaga/Levin, Co-Chairs; and D. Ige.
- H.B. No. 2445, SD 1:**

- Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 2446, SD 1:**
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 2447 SD 2:**
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 2458, SD 1:**
Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.
- H.B. No. 2468, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Anderson.
- H.B. No. 2469, HD 1, SD 1:**
Senators Kanno/Taniguchi/Matsunaga, Co-Chairs; and Slom.
- H.B. No. 2471, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2472, HD 2, SD 2:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2473, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2476, HD 1, SD 2:**
Senators Nakata/Kanno/Taniguchi, Co-Chairs; Ihara and Anderson.
- H.B. No. 2480, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2481, HD 1, SD 1:**
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 2483, HD 1, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; and Slom.
- H.B. No. 2484, SD 1:**
Senators Taniguchi/Kanno, Co-Chairs; Hanabusa and Slom.
- H.B. No. 2485, HD 1, SD 1:**
Senators Kanno/Taniguchi, Co-Chairs; and Slom.
- H.B. No. 2490, HD 1, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; and Slom.
- H.B. No. 2491, HD 1, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2492, HD 1, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2501, HD 2, SD 1:**
Senators Hanabusa/Chun, Co-Chairs; Tanaka, Matsuura and Anderson.
- H.B. No. 2506, HD 1, SD 2:**
Senators Chun Oakland/Chumbley, Co-Chairs; and Anderson.
- H.B. No. 2513, HD 1, SD 1:**
Senators Chun Oakland/M. Ige, Co-Chairs; and Anderson.
- H.B. No. 2514, SD 2:**
Senators Chun Oakland/Chun, Co-Chairs; Iwase and Anderson.
- H.B. No. 2521, SD 1:**
Senators D. Ige/Chun Oakland, Co-Chairs; Sakamoto and Slom.
- H.B. No. 2530, HD 1, SD 1:**
Senator Nakata, Chair; Ihara and Slom.
- H.B. No. 2534, HD 2, SD 1:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; Iwase and Anderson.
- H.B. No. 2537, SD 1:**
Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.
- H.B. No. 2539, HD 2, SD 1:**
Senators Nakata/Levin/Fukunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 2556, HD 1, SD 1:**
Senators Nakata/Kawamoto, Co-Chairs; Kanno and Slom.
- H.B. No. 2559, HD 1, SD 2:**
Senators Nakata/Kawamoto/D. Ige, Co-Chairs; and Slom.
- H.B. No. 2572, HD 1, SD 2:**
Senators Inouye/Hanabusa/Levin/Fukunaga, Co-Chairs; and Slom.
- H.B. No. 2573, HD 1, SD 1:**
Senators Hanabusa/Fukunaga, Co-Chairs; Tanaka, Matsuura and Anderson.
- H.B. No. 2574, HD 1, SD 1:**
Senators Hanabusa/Fukunaga, Co-Chairs; Tanaka, Matsuura and Anderson.
- H.B. No. 2576, HD 1, SD 1:**
Senators Hanabusa/Fukunaga, Co-Chairs; Tanaka, Matsuura and Anderson.
- H.B. No. 2582, HD 1, SD 2:**
Senators Tam/Matsunaga, Co-Chairs; Matsuura and Anderson.
- H.B. No. 2585, HD 1, SD 1:**
Senators Kanno/Taniguchi/D. Ige, Co-Chairs; and Slom.
- H.B. No. 2586, SD 1:**
Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.
- H.B. No. 2588, HD 1, SD 1:**
Senators Tam/Levin, Co-Chairs; Matsuura and Anderson.
- H.B. No. 2624, HD 1, SD 1:**
Senators D. Ige/Sakamoto, Co-Chairs; Iwase and Slom.
- H.B. No. 2643, HD 1, SD 2:**
Senators Kawamoto/Chun Oakland, Co-Chairs; Chun, Buen and Anderson.
- H.B. No. 2650, HD 1, SD 2:**
Senators Fukunaga/Levin, Co-Chairs; Buen, Chun, Chun Oakland, D. Ige, M. Ige, Iwase, Kawamoto, Nakata, Tam, Taniguchi and Anderson.
- H.B. No. 2701, HD 3, SD 1:**
Senators D. Ige/Nakata, Co-Chairs; and Slom.
- H.B. No. 2727, HD 1, SD 2:**
Senators Kawamoto/Taniguchi/Kanno, Co-Chairs; Inouye and Slom.
- H.B. No. 2774, SD 1:**
Senators Chun Oakland/Chumbley, Co-Chairs; and Anderson.
- H.B. No. 2793, HD 1, SD 1:**
Senators Inouye/Fukunaga, Co-Chairs; D. Ige and Slom.

H.B. No. 2797, HD 1, SD 1:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

H.B. No. 2801, HD 2, SD 2:

Senators Inouye/Chun, Co-Chairs; M. Ige and Slom.

H.B. No. 2802, SD 1:

Senators Inouye/Chun, Co-Chairs; and Slom.

H.B. No. 2820, HD 1, SD 1:

Senators D. Ige/Chumbley/Sakamoto, Co-Chairs; Iwase and Slom.

H.B. No. 2835, HD 2, SD 2:

Senators Hanabusa/Fukunaga/Levin, Co-Chairs; Chun and Matsuura.

H.B. No. 2878, HD 2, SD 2:

Senators Tam/Fukunaga, Co-Chairs; Chun and Anderson.

H.B. No. 2901, HD 2, SD 2:

Senators D. Ige/Fukunaga/Taniguchi/Inouye, Co-Chairs; and Slom.

H.B. No. 2955, HD 1, SD 1:

Senators Inouye/D. Ige, Co-Chairs; and Slom.

H.B. No. 3014, HD 1, SD 1:

Senators Inouye/Chun, Co-Chairs; and Anderson.

H.B. No. 3016, HD 1, SD 1:

Senators Chun Oakland/Fukunaga/Levin, Co-Chairs; and Anderson.

H.B. No. 3018, SD 1:

Senators Chun Oakland/Kawamoto/Chumbley, Co-Chairs; and Anderson.

H.B. No. 3021, HD 1, SD 1:

Senator Nakata, Chair; D. Ige and Slom.

Sen. Com. No. 665, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills on April 17, 2000:

S.B. No. 20, SD 1, HD 2:

Senators Taniguchi/Kanno, Co-Chairs; and Slom.

S.B. No. 2293, HD 1:

Senators Taniguchi/Kanno/Nakata, Co-Chairs; M. Ige and Slom.

S.B. No. 2666, SD 1, HD 1:

Senators Chumbley/Matsunaga/Kawamoto, Co-Chairs; Ihara and Anderson.

S.B. No. 2769, HD 1:

Senator Nakata, Chair; Kanno, Chun and Slom.

S.B. No. 2935, SD 1, HD 2:

Senators Chumbley/Matsunaga, Co-Chairs; and Anderson.

S.B. No. 3199, SD 1, HD 2:

Senators Inouye/Levin, Co-Chairs; and Slom.

Sen. Com. No. 666, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills on April 17, 2000:

S.B. No. 185, SD 2, HD 1:

Senators D. Ige/Chun Oakland, Co-Chairs; Sakamoto and Slom.

S.B. No. 211, SD 1, HD 2:

Senators Kanno/Taniguchi/Fukunaga/Levin, Co-Chairs; and Slom.

Sen. Com. No. 667, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills on April 17, 2000:

H.B. No. 164, SD 1:

Senators Chumbley/Matsunaga, Co-Chairs; Ihara and Anderson.

H.B. No. 303, HD 2, SD 1:

Senators Chumbley/Matsunaga, Co-Chairs; and Anderson.

H.B. No. 1457, SD 1:

Senators Kawamoto/Matsunaga, Co-Chairs; and Bunda.

H.B. No. 2906, HD 1, SD 1:

Senator Kawamoto, Chair; Buen and Slom.

H.B. No. 2984, HD 2, SD 2:

Senators Nakata/Levin, Co-Chairs; Kanno and Chun Oakland.

Sen. Com. No. 668, informing the House that the President has, on April 17, 2000, added Senator Fukunaga as the fourth Co-Chair at the Conference of House Bill No. 2154, HD 2, SD 2.

Sen. Com. No. 669, informing the House that the President has, on April 17, 2000, added Senator Kawamoto as an additional conferee on the part of the Senate at the Conference of House Bill No. 2434, HD 1, SD 1.

Sen. Com. No. 670, informing the House that the President has, on April 19, 2000, added Senator Fukunaga, as a Co-Chair at the Conference of House Bill No. 1632, HD 3, SD 1.

Sen. Com. No. 671, informing the House that the President has, on April 19, 2000, added Senator Levin as a Co-Chair at the Conference of House Bill No. 2901, HD 2, SD 2.

Sen. Com. No. 672, informing the House that the President has, on April 19, 2000, added Senator Chun as an additional conferee on the part of the Senate at the Conference of House Bill No. 2588, HD 1, SD 1.

Sen. Com. No. 673, informing the House that the President has made the following changes to Senate conferees assignments for the following Senate Bills on April 19, 2000:

S.B. No. 456, SD 2, HD 1:

Discharged Senator Slom as a member.
Added Senator Anderson as a member.

S.B. No. 2533, SD 1, HD 2:

Discharged Senator Anderson as a member.
Added Senator Chun as a member.

S.B. No. 2779, SD 1, HD 2:

Discharged Senators Fukunaga and Levin as Co-Chairs.
Added Senator D. Ige as a Co-Chair.

S.B. No. 2837, SD 1, HD 2:

Added Senator Kawamoto as a member.

INTRODUCTIONS

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

Representative Takamine introduced student leaders from the Big Island and their advisors: Mr. Leroy Simms, Mr. Nathan Morita, Mr. David Fortez and Ms. Cran Kozahara.

Representative Pendleton introduced, Mr. Eddie Campos, Mr. John Bennett, Mr. Mark Phillips, Mr. Jerry Calarosa and Mr. Gabriel Brown from the group the Parable Makers. Also introduced were students from Hawai'ian Mission Academy and their teacher, Ms. Theresa Patterson.

Representative Ito introduced students from the Koolau Baptist Academy and Pastor John Gooddell, Principal.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 13, dated April 10, 2000, from Ms. Jeannine Wood, Secretary of the Senate, Idaho State Senate, transmitting Senate Joint Memorial Nos. 108 and 109, both entitled, "A JOINT MEMORIAL TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, EACH STATE LEGISLATURE AND THE PRESIDENTIAL CANDIDATES," was received by the Clerk and was placed on file.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:14 o'clock a.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

<u>H.B.</u> <u>No.</u>	<u>Re-referred to:</u>
37	Committee on Culture and the Arts, then to the Committee on Finance

The following Senate Concurrent Resolutions were re-referred to committee by the Speaker, as follows:

<u>S.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
32	Committee on Legislative Management, then to the Committee on Finance
57	Committee on Education, then to the Committee on Finance
59	Committee on Education, then to the Committee on Finance
102	Committee on Public Safety and Military Affairs
115	Committee on Legislative Management, then to the Committee on Finance
125	Committee on Transportation
151	Committee on Legislative Management, then to the Committee on Finance

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Auwae, Cachola, Garcia, Meyer, Morihara, Okamura and Whalen were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action previously taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2409, HD 1 (SD 1); and 2537 (SD 1), seconded by Representative Marumoto.

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

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

Representative Takamine rose to explain the motion on H.B. No. 2409 and H.B. No. 2537, stating:

"Both of these measures are emergency appropriation measures submitted to us by the Governor. He has indicated in the prerequisite language in the measures, that this is an emergency measure and the need for the appropriation is justified.

"In particular, Mr. Speaker, with respect to H.B. No. 2537, this was the emergency measure for adult mental health. As the members will recall we are under judicial decree in this instance. This is one of the three health related concerns where we could face more serious consequences in terms of fiscal impact. Therefore, the Committee felt that it was fiscally prudent to expedite the passage of this measure. Given those circumstances as well as the representations from the Department of Health about the critical nature of moving this measure quickly in light of their payroll concerns. Those will be some of the comments regarding the background for these two measures. Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"I appreciate that explanation. The concern is merely that the process be open and I hope it was stated at the Conference Committee hearing that decision making would occur on the floor of the House of Representatives today. Thank you."

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

"I speak in favor of the motion to reconsider action. I speak in favor of the motion and we understand that all these motions will be taken in one day because this is an emergency measure as the Chair of Finance explained. The Committee met last night and had a quorum with proper notice, and voted in favor of accepting the amendments made by the Senate, and we will be acting on that today. Generally we have a one day legislative 'alert' as to whether the House will intend to agree to the amendments made by the Senate, but in this case it is an emergency procedure and we are handling all the motions in one day. Thank you very much."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate to House Bill Nos. 2409, HD 1 (SD 1); and 2537, (SD 1), with Representatives Cachola, Garcia, Meyer, Morihara, Okamura and Whalen being excused.

Representative Case moved to agree to the amendments made by the Senate to House Bill Nos. 2409, HD 1 (SD 1); and 2537, (SD 1), seconded by Representative Marumoto.

Representative Takamine rose to speak in support of the motion to agree, stating:

"Mr. Speaker, with respect to H.B. No. 2409, this is making an emergency appropriation for the Department of Accounting and General Services, for their information and communication services division. As indicated in the emergency measure, the House Draft didn't include a proviso that would allow DAGS to pursue the consultant that was involved in the over-collection situation to begin with. The Committee felt that this was a prudent measure and therefore on that basis decided to recommend in support of accepting the emergency measure in the Senate Draft version.

"With respect to H.B. No. 2537, SD 1, on this measure the importance has been indicated in moving expeditiously on this. Not only are we in federal district court under Judge Ezra on this matter, but the Committee also felt that it would be prudent to agree to the provisos inserted into the SD 1 which initially called for process and outcome evaluations.

"So with the \$14 million, \$250,000 would be used for that purpose and to also provide a role for the Auditor to provide further evaluation. This is a significant issue that has faced both subject matter committee as well as this body with respect to potential fiscal impact. The emergency measure of \$14 million speaks for itself. We certainly wanted to be ahead of the curve on this one and we feel that this evaluation and indicator measurements will be of assistance to us in the future. Thank you, Mr. Speaker."

Representative Moses rose to speak in support of the motion to agree, stating:

"I want to say that I think both of these measures are doing the best possible thing that we should do for the State and the citizens and I urge both of their passages. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to House Bill Nos. 2409, HD 1, (SD 1); and 2537, (SD 1), with Representatives Cachola, Garcia, Meyer, Morihara, Okamura and Whalen being excused.

At this time, the Chair inquired: "Madame Clerk, are you in receipt of the Record of Votes forms for the above-referenced House bills?"

The Clerk responded: "Yes Mr. Speaker, I am in receipt of the Record of Votes forms for the above-referenced House bills."

The Chair then stated: "Representative Case, please proceed."

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering bills on Final Reading on the basis of a modified consent calendar. (Representatives Cachola, Garcia, Meyer, Morihara, Okamura and Whalen were excused.)

FINAL READING

H.B. No. 2409, HD 1, SD 1:

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House agreed to the

amendments proposed by the Senate to H.B. No. 2409, HD 1, and H.B. No. 2409, HD 1, SD 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 Final Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Meyer, Morihara, Okamura and Whalen being excused.

H.B. No. 2537, SD 1:

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2537, and H.B. No. 2537, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION," passed Final Reading by a vote of 45 ayes, with Representatives Cachola, Garcia, Meyer, Morihara, Okamura and Whalen being excused.

The Chair directed the Clerk to note that H.B. Nos. 2409 and 2537 had passed Final Reading at 12:29 o'clock p.m.

HOUSE COMMUNICATIONS

A communication, dated April 18, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the following changes to the conferees were made to the following House and Senate Bills:

H.B. No. 37, HD 1, SD 2:

Discharged Representative Herkes as first Co-Chair;

H.B. No. 353, HD 2, SD 1:

Added Representative Souki as a member;

H.B. No. 564, HD 2, SD 2:

Added Representative Souki as a member;

H.B. No. 1149, HD 1, SD 2:

Added Representative Souki as a member;

H.B. No. 2024, HD 1, SD 1:

Added Representative Souki as a member;

H.B. No. 2311, HD 1, SD 1:

Discharged Representative Saiki as a member
Added Representative Souki as a member;

H.B. No. 2572, HD 1, SD 2:

Discharged Representative Thielen as a member
Added Representative Meyer as a member;

H.B. No. 2727, HD 1, SD 2:

Added Representative Souki as a member;

S.B. No. 992:

Added Representative Souki as a member;

S.B. No. 2409

Added Representative Souki as a member; and

S.B. No. 2859, SD 1, HD 1:

Added Representative Souki as a member.

A communication, dated April 19, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the following changes to the conferees were made to the following House and Senate Bills:

H.B. No. 2473, HD 1, SD 1:

Added Representatives Souki, Yoshinaga and Meyer as members; and

S.B. No. 2843, HD 2:

Added Representative Hamakawa as a member.

A communication, dated April 19, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the following changes to the conferees were made to the following House Bill:

H.B. No. 2572, HD 1, SD 2:

Discharged Representative Meyer as a member.
Added Representative Thielen as a member.

A communication, dated April 19, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 13, 2000 and has agreed to the amendments and passed the following House Bills on Final Reading on April 19, 2000: H.B. Nos. 2409, HD 1, SD 1; and 2537, SD 1.

ANNOUNCEMENTS

Representative Schatz: "On behalf of your Committee on Ocean Recreation and Marine Resources, I would like to request a waiver of the 48-hour hearing notice requirement for the purpose of hearing S.C.R. Nos. 82, 89 and 141 in Room 429 tomorrow morning at 8:00," and the Chair "so ordered".

Representative Arakaki: "Your Committees on Human Services and Housing and Health would like to continue their joint hearing on certain Senate Concurrent Resolutions immediately following session and if all the Committee members can report to Room 329 right after session," and the Chair "so ordered."

Representative Yoshinaga: "I would like to request a waiver of the 48-hour hearing notice requirement for the purpose of hearing S.C.R. No. 16 tomorrow afternoon at 2:30 in Conference Room 429," and the Chair "so ordered."

Representative Morita: "I would like to announce a room change for the public hearing that is scheduled this afternoon for your Committee on Consumer Protection and Commerce and Energy and Environmental Protection will be moved to room 329. The CPC agenda begins at 2:00 p.m. and the joint agenda for EEP/CPC will convene at 3:00 p.m. and EEP only will convene at 3:30 p.m. I would also like to request a waiver of the 48-hour hearing notice requirement for the purpose of hearing, with decision making to follow, on S.C.R. No. 183 to be heard at 3:30 p.m. in Room 329," and the Chair "so ordered."

Representative Yamane: "Your Committee on Health would like to request a 48-hour hearing notice requirement for the purpose of hearing S.C.R. Nos. 196 and 210 tomorrow afternoon at 1:00 in Room 329," and the Chair "so ordered."

Representative Abinsay: "Your Committees on Agriculture and Public Safety and Military Affairs would like to request a waiver of the 48-hour hearing notice requirement for the purpose of hearing S.C.R. No. 21 tomorrow morning at 10:00 in Room 325," and the Chair "so ordered."

Representative Takai: "Just a wrap-up on the House Food Drive. I know I have been talking about this quite often and this will be my last day for mentioning anything about the Foodbank. But we did it. We surpassed our goal of 25,000

units by collecting 28,736 units which represents about 22,000 pounds of food and over \$6,000 in cash.

"In addition I wanted to just briefly announce the winners of our contest. We decided to award two winners, one for the large offices and one for our smaller offices. The support office winner this year is LRB and the Representative office winner is Representative Marcus Oshiro's who brought in a total of 6,806 points. If you take a look at the newsletter you will see the top twenty and if you want to know where you stand if you are not in the top twenty, then you can give my office a call and we would be more than happy to provide that information to you.

"The last thing is immediately following today's session we will have the bags of rice coming from Sam's Club and the Foodbank volunteers who will be in the rotunda next to the Father Damien statue as well as the check that we made out to the Foodbank. If any of you would like to be part of a photo opportunity or to just meet some of the Foodbank volunteers this will commence right after today's session. I wanted to thank everyone for pulling through and helping us this year and especially recognize and thank the staff people who really pulled through and most especially Mr. Kendall Matayoshi who was our coordinator this year."

Representative Marumoto: "We applaud Representative Takai and his efforts for the Foodbank.

"The Legislature is now practicing new procedures for Conference Committees this year. These procedures require notice and proper notice and a quorum for open voting. We applaud this new openness. The Republicans would appreciate it if the new Conference Committee procedures could be inserted into the Journal if it has not as yet been done so," and the Chair "so ordered."

20th STATE LEGISLATURE JOINT SENATE-HOUSE 2000 COMMITTEES ON CONFERENCE PROCEDURES

The Senate and the House have agreed to the following special procedures for all 2000 Regular Session Committees on Conference meetings. Within these procedures:

"Conference Committee" refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular bill or resolution;

"Managers" refer to all members of the House and Senate assigned to a Conference Committee; and

"Chairs" refer to all of the designated co-chairs of a Conference Committee.

1. Conference Committee Scope and Amendments.

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a bill or resolution. Accordingly:

- a. With the exception of the Executive Budget and the Judiciary Budget, a Conference Committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject matter.
- b. To assure the integrity of individual bills, the merging of two or more distinct but related bills into one encompassing bill shall not be allowed.

2. Conference Committee Meeting Times.

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

3. Initial Public Meeting Notice.

The signatures of the Conference Committee chairs of both the House and Senate shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice.

Conference Committee chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee, and are strongly encouraged to provide more than 24 hours notice if at all possible.

4. Notice of Subsequent Meetings.

a. If agreement is not reached at a duly noticed meeting, but the chairs agree to meet again before midnight on the same day, the chairs should announce the time at which the Conference Committee will reconvene. Written notice of the reconvening of the Conference Committee on the same day is not required to be distributed. However, written notice containing information on the subsequent meeting must be provided to the Chief Clerks of both houses and posted, as soon as possible, adjacent to the door of the assigned conference room.

b. If agreement is not reached at a duly noticed meeting and the chairs agree to meet on another day, the chairs shall publicly announce the date(s) and time(s) of the subsequent meeting(s), post written notice, signed by the Conference Committee chairs, adjacent to the door of the assigned conference room, and submit copies of the written notice to the Chief Clerks of both houses.

c. If agreement is not reached at a duly noticed meeting and the dates(s) and time(s) of future meetings are not publicly announced at that noticed meeting, then chairs must ensure that written notice, signed by the chairs, are posted and distributed at least 24 hours in advance of the next meeting of the Conference Committee.

5. Conference Room Notice.

Notices of Conference Committee meetings shall be posted adjacent to the door of the assigned conference room and updated periodically to advise the public of the items for which the Conference Committee has concluded its work and those items still remaining in conference.

6. Conference Discussion.

Except as authorized by the respective Conference Committee chairs, only the respective Conference Committee chairs may speak during conference. All other managers or other authorized persons must be recognized by their respective chairs before speaking on any issue.

7. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers.

a. Conference Committee managers shall respect the differing views of other managers and conduct themselves in a courteous manner.

b. Conference Committee chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee in Conference

shall have the names of the absent chairs paged through the State Capitol public address system. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the members of the public present that the Conference Committee cannot be reconvened, and that, pursuant to 4c of these Conference Committee Procedures, 24-hour notification will be provided for a subsequent meeting of the Conference Committee.

8. Decision-making Meetings.

The decision-making meeting of a Conference Committee shall comply with the following open meeting provisions:

a. A quorum of the Conference Committee shall be present for the decision-making meeting. A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers and shall include the chairs of the Conference Committee.

b. To report a measure out of Conference Committee in amended form (CD), a majority of the quorum of House Committee managers and a majority of the quorum of Senate Committee managers must vote in favor of the proposed amendments.

c. The lead chair (or the lead chairs designee) representing their respective chamber shall call the roll and be the recorder of the quorum and the votes on that measure for that chamber. (Draft sample attached).

d. If, after naming a Conference Committee on a measure, the Conference Committee managers representing the chamber from which a measure originated agrees to the amendments made by the non-initiating chamber, only a quorum of those representing the originating chamber shall vote on the agreement at a duly noticed meeting. For example, if after naming a Conference Committee on a House measure, the House managers of the Conference Committee decide to agree to the amendments in the Senate draft (SD) of the measure, then only the House managers of the Conference Committee will vote on the measure, returning it to the House in its SD form. The Record of Votes of a Conference Committee sheet detailing the votes of the managers of the originating chamber shall be filed with the appropriate chamber without a Conference Committee Report.

9. Conference Committee Reports.

a. The House and Senate chairs of a Conference Committee shall attest to the action of the Conference Committee by signing the Conference Committee report on behalf of their respective managers. The Record of Votes of a Conference Committee sheet detailing the votes of the managers of the Conference Committee shall be attached to the report as a part thereof.

b. All House measures reported out of Conference Committee shall be filed with the House Clerk and likewise all Senate measures shall be filed with the Senate Clerk. A document filed in the originating chamber shall be deemed simultaneously filed in the other chamber. Only one original and one copy shall be required for filing of Conference Committee reports.

10. Decision-Making Deadlines.

On the deadline nights for Final Decking of both non-fiscal and fiscal bills:

- a. Conference Committees shall conclude their negotiations by 6:00 p.m. to allow adequate time for final preparation of the bills and committee reports.
- b. To provide all Conference Committee chairs with ample opportunity to review and sign the Committee reports before filing, all Conference Committee reports shall be available for review and signature by 9:00 p.m.
- c. All Conference Committee reports shall be filed with the respective Clerks office by 11:30 p.m.

11. Discharge of Conference Committees.

All Conference Committees are discharged on the session day immediately following the deadline day for filing of Conference Committee Reports on fiscal bills.

12. Electronic Transfer.

Should a Conference Committee for which the vehicle is a Senate bill decide to use a proposal drafted by the House, the House Chair shall have the House proposal electronically transferred to the appropriate Senate office so that the Conference Draft can be prepared. The converse shall apply to House bills with proposals drafted by the Senate that the Conference Committee agrees to.

13. Exceptions to these Procedures.

Exceptions to these deadlines and other procedures may be made only with the advance written approval of both the Senate President and the House Speaker.

Signed at the State Capitol
Honolulu, State of Hawai'i
this 6th day of April, 2000

/s/ Norman Mizuguchi
President of the Senate

/s/ Calvin K. Y. Say
Speaker of the House of Representatives

Representative Marumoto continued, stating:

"The Republican Caucus would strongly suggest that next year the new Conference Rules be incorporated into the House rules and the Senate rules also. Thank you."

Representative Kaho'ohalahala: "I would like to introduce Ms. Kili Namau'u, the Kahu and the Director of Punana Leo O' Maui who is visiting Oahu along with her two children, Ms. Kalia Namau'u and Ms. Kuakea Namau'u."

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 by the Chief Clerk's Office, seconded by Representative Pendleton and carried. (Representative Cachola, Garcia, Meyer, Morihara, Okamura, Souki, Takamine and Whalen were excused.)

Representative Yonamine then moved that all Standing Committee Reports received by the Clerk's Office up to 12:00 o'clock midnight this legislative day be adopted and that the Senate Concurrent Resolutions attached thereto proceed to their designated committees, seconded by Representative Pendleton and carried. (Representative Cachola, Garcia, Meyer,

Morihara, Okamura, Souki, Takamine and Whalen were excused.)

The Chair then announced: "Members, the advance notice requirement for decision making only hearings is hereby waived for those Senate Concurrent Resolutions which have had at least one public hearing in a House Committee and which will have been referred to their final committee by the 12:00 o'clock midnight filing deadline. Committee Chairs are never the less encouraged to announce decision making sessions as they are scheduled. These said accommodations are being made to meet the Second Crossover deadline for the Concurrent Resolutions scheduled for Monday, April 24."

At 12:37 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. 1552-00 through 1574-00) were received in the Clerk's Office up to 12:00 o'clock midnight this legislative day and the following actions taken:

Stand. Com. Rep. No. 1552-00 (WLU) was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII," was referred to the Committee on Judiciary and Hawai'ian Affairs.

Stand. Com. Rep. No. 1553-00 (LMG) was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1554-00 (LMG) was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO DEVELOP A POLICY ON LEGISLATIVE BILL LIMITS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1555-00 (CPC) was adopted and S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND TO CONVENE A TASK FORCE TO ADDRESS EARLY DETECTION AND SCREENING," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1556-00 (CPC) was adopted and S.C.R. No. 171, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM TO LOCATE UNDERGROUND FACILITIES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1557-00 (HSH/HLT) was adopted and S.C.R. No. 73, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1558-00 (HSH/HLT) was adopted and S.C.R. No. 135, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1559-00 (HSH) was adopted and S.C.R. No. 208, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was referred to the Committee on Labor and Public Employment.

Stand. Com. Rep. No. 1560-00 (PSM/CAR) was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM "AN UNTOLD TRIUMPH" AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1561-00 (JHA) was adopted and S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1562-00 (JHA) was adopted and S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1563-00 (JHA) was adopted and S.C.R. No. 122, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1564-00 (JHA) was adopted and S.C.R. No. 199, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1565-00 (EEP) was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1566-00 (EEP) was adopted and S.C.R. No. 129, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1567-00 (EEP) was adopted and S.C.R. No. 143, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1568-00 (EEP) was adopted and S.C.R. No. 204, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1569-00 (EEP/CPC) was adopted and S.C.R. No. 173, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1570-00 (EEP/CPC) was adopted and S.C.R. No. 179, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1571-00 (EDN) was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1572-00 (EDN) was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was referred to the Committee on Finance.

Stand. Com. Rep. No. 1573-00 (EDN) was adopted and S.C.R. No. 166, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was referred to the Committee on Judiciary and Hawai'ian Affairs.

Stand. Com. Rep. No. 1574-00 (EDN) was adopted and S.C.R. No. 123, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN," was referred to the Committee on Judiciary and Hawai'ian Affairs.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. on Thursday, April 20, 2000.

FIFTY-FOURTH DAY

Thursday, April 20, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:40 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Brian Schatz, after which the Roll was called showing all members present with the exception of Representatives Halford, Menor, Meyer, Morihara, Okamura and Stegmaier, 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 Thirty-Seventh, Thirty-Eighth, Thirty-Ninth, Fortieth, Forty-First, Forty-Second, Forty-Third, Forty-Fourth, Forty-Fifth, Forty-Sixth and Forty-Seventh Days were subsequently approved. (Representatives Halford, Menor, Meyer, Okamura and Stegmaier were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 185) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 185, informing the House that on April 17, 2000, he signed the following bills into law:

House Bill No. 2020 as Act 18, entitled: "RELATING TO OBSOLETE LAWS";

House Bill No. 2457 as Act 19, entitled: "RELATING TO VETERANS LOANS"; and

House Bill No. 2495, HD 1, as Act 20, entitled: "RELATING TO EDUCATION".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 674 through 676) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 674, returning H.C.R. No. 40, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF VETERANS AFFAIRS AND CONGRESSIONAL LEADERS TO WORK TOWARD ALLOWING FILIPINO-AMERICAN VETERANS TO BE INTERRED IN NATIONAL OR STATE VETERANS CEMETERIES," which was adopted by the Senate on April 19, 2000.

Sen. Com. No. 675, informing the House that the President has, on April 20, 2000, discharged Senator Chun as a Co-Chair and added Senator Chun as a member on the Conference of House Bill No. 2314, HD 1, SD 2.

Sen. Com. No. 676, informing the House that the President has, on April 20, 2000, added Senator Kanno as a Co-Chair at the Conference of Senate Bill No. 2843, HD 2.

MISCELLANEOUS COMMUNICATION

The following communication (Misc. Com. No. 14) was received by the Clerk and was placed on file:

Misc. Com. No. 14, from Mr. Merwyn S. Jones, Government Relations and Resource Development Officer, Honolulu

Community Action Program, Inc., transmitting copies of the FY 1998-1999 HCAP Annual Report.

INTRODUCTION

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

Representative Arakaki introduced students from Hawai'i Baptist Academy and their teachers, Ms. Tracy Shibuya; Mr. Ross Mukai; Ms. Valerie Stacko and Mr. George Honzaki. Also introduced was student "shadow" Mr. Chester Santino.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B.
No. Re-referred to:

2476 Committee on Consumer Protection and Commerce, then to the Committee on Labor and Public Employment

The following Senate Concurrent Resolutions were re-referred to committee by the Speaker, as follows:

S.C.R.
Nos. Re-referred to:

18 Jointly to the Committee on Economic Development and Business Concerns and the Committee on Labor and Public Employment

89 Committee on Ocean Recreation and Marine Resources

141 Committee on Ocean Recreation and Marine Resources

196 Committee on Health

210 Committee on Health

STANDING COMMITTEE REPORTS

Representatives Ito and Garcia, for the Committees on Education and Public Safety and Military Affairs, presented a joint report (Stand. Com. Rep. No. 1575-00) recommending that S.C.R. No. 157, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," was referred to the Committee on Finance, with Representatives Meyer and Okamura being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1576-00) recommending that S.C.R. No. 60, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 60, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI," was referred to the Committee on Finance, with Representatives Meyer and Okamura being excused.

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1577-00) recommending that S.C.R. No. 77, 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.C.R. No. 77, HD 1, be referred to the Committee on Finance, seconded by Representative Yonamine.

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

Representative Kahikina's remarks are as follows:

"I would like to thank Chairmen Cachola and Takamine for allowing this vehicle to move forward. With the closure of Waimano Training School and Hospital on June 30, 1999, the Department of Health gave permission to several non-profit adult day programs to provide services to persons with mental retardation and developmental disabilities to use specified facilities for a nominal fee. These individuals aid in the upkeep and maintaining of the buildings that house these programs, such as Kokua Mau Work Center, Manawa Lea Health Services, Special Education Center of Hawai'i and the Research Center of Hawai'i, to name a few.

"Programs for services to persons with mental retardation and developmental disabilities are very few. These programs are the few. This resolution would ask the Department of Land and Natural Resources to consider waiving fees or discounting the rent to these service providers for providing the needed services for persons with mental retardation and developmental disabilities. Thank you, Mr. Speaker."

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

"There's been a lot of talk about the rates going up at the Waimano School. I understand the reasons for trying to raise the rental rates but I think this resolution addresses the core problem and gets us a possibility of a solution that will be beneficial for all. It is understood that the parties will sit down and talk about what may be a fair rate. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 77, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was referred to the Committee on Finance, with Representatives Meyer and Okamura being excused.

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Meyer and Okamura were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved to reconsider action previously taken on April 7, 2000 in disagreeing to the amendments made by the Senate, and to give notice of the intention to agree to the amendments in H.B. No. 2066, HD 1, SD 1, seconded by Representative Marumoto and carried. (Representatives Meyer and Okamura were excused.)

HOUSE COMMUNICATION

A communication, dated April 20, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the following changes to the conferees were made to the following House Bills:

H.B. No. 2473, HD 1, SD 1:

Discharged Representatives Souki, Yoshinaga and Meyer as members.

H.B. No. 2476, HD 1, SD 2:

Added Representative Yoshinaga as second Co-Chair. Added Representatives Souki and Meyer as members.

H.B. No. 2906, HD 1, SD 1:

Discharged Representative Rath as a member. Added Representative Auwae as a member.

ANNOUNCEMENTS

Representative Saiki: "I would like to request that all members of the Judiciary and Hawai'ian Affairs Committee please report to Conference Room 325 immediately after session for decision making."

Representative Takamine: "I would like to request a waiver of the 48-hour notice requirement for the purpose of decision making only on S.C.R. Nos. 26, SD 1; 47; 116, SD 1; 122, SD 1 and 204, HD 1, these concurrent resolutions will be added to the Finance Committee hearing schedule for this afternoon at 4:00 o'clock p.m. in Room 308. Thank you very much, Mr. Speaker."

At 11:51 o'clock a.m., Representative Hamakawa asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

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, seconded by Representative Pendleton and carried. (Representatives Meyer and Okamura were excused.)

Speaker Say: "Members, at this time the advance notice requirement for decision making only hearings, is hereby waived for Senate Concurrent Resolutions provided that they have had at least one public hearing in a House Committee. The said accommodation this afternoon, is being made to meet the Second Crossover deadline for all concurrent resolutions scheduled for Monday, April 24th.

"The Chair has also made an observation. Today being the 54th day of session, leadership and I are a little concerned about the conferences that are starting off a little late. As of last night we evaluated and counted close to 20 percent of the total number of the House and Senate Bills that are in conference that have not been scheduled for conference meetings.

"I wish all of you would consider utilizing Friday, Saturday and Sunday in conducting your conference hearings, in order to get the conference drafts ready by next week Wednesday and for allowing for decision making and the recordation of the voting sheets which are now a part of the open conferences policy."

At 11:54 o'clock a.m., the House of Representatives stood in recess for the purpose of receiving Standing Committee Reports.

STANDING COMMITTEE REPORTS

In accordance with the motion made earlier, the following Standing Committee Reports (Stand. Com. Rep. Nos. 1578-00 through 1611-00) were received in the Clerk's Office up to 12:00 o'clock midnight this legislative day and the following actions taken:

Stand. Com. Rep. No. 1578-00 (WLU) was adopted and S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1579-00 (PSM) was adopted and S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNTIED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1580-00 (TRN) was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1581-00 (OMR) was adopted and S.C.R. No. 89, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1582-00 (OMR) was adopted and S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1583-00 (EDB/LAB) was adopted and S.C.R. No. 18, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1584-00 (JHA) was adopted and S.C.R. No. 123, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF

PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1585-00 (JHA) was adopted and S.C.R. No. 166, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1586-00 (FIN) was adopted and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION ADOPTING KEY COMMUNITY OUTCOMES OF WELL-BEING FOR THE PEOPLE OF THE STATE OF HAWAII," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1587-00 (FIN) was adopted and S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1588-00 (FIN) was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1589-00 (FIN) was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1590-00 (FIN) was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1591-00 (FIN) was adopted and S.C.R. No. 60, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1592-00 (FIN) was adopted and S.C.R. No. 73, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1593-00 (FIN) was adopted and S.C.R. No. 77, HD 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1594-00 (FIN) was adopted and S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1595-00 (FIN) was adopted and S.C.R. No. 122, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1596-00 (FIN) was adopted and S.C.R. No. 129, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1597-00 (FIN) was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1598-00 (FIN) was adopted and S.C.R. No. 143, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1599-00 (FIN) was adopted and S.C.R. No. 173, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1600-00 (FIN) was adopted and S.C.R. No. 176, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1601-00 (FIN) was adopted and S.C.R. No. 179, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1602-00 (FIN) was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1603-00 (FIN) was adopted and S.C.R. No. 204, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1604-00 (FIN) was adopted and S.C.R. No. 74, SD 1, as amended in HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1605-00 (HLT) was adopted and S.C.R. No. 196, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1606-00 (HLT) was adopted and S.C.R. No. 210, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1607-00 (HED) was adopted and H.R. No. 32, as amended in HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE GOVERNING BODIES OF PRIVATE COLLEGES AND UNIVERSITIES IN HAWAII TO STUDY THE DIRECT SOLICITATION ON CAMPUS OF STUDENTS FOR CREDIT CARD ACCOUNTS AND TO OFFER CONSUMER CREDIT SEMINARS AS PART OF FRESHMAN ORIENTATION," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1608-00 (FIN) was adopted and H.R. No. 96, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII SPACE GRANT COLLEGE IN CONJUNCTION WITH THE UNIVERSITY OF HAWAII AT HILO, AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EXPAND THE SPACE CAMP PROGRAM ON THE BIG ISLAND," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1609-00 (FIN) was adopted and H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A CITIZENS' ADVISORY COMMISSION TO REVIEW THE STATE'S ALA WAI GOLF COURSE REVITALIZATION PLAN," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1610-00 (FIN) was adopted and H.R. No. 137, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF HEALTH TO

DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was placed on the calendar for Adoption on Monday, April 24, 2000.

Stand. Com. Rep. No. 1611-00 (FIN) was adopted and H.R. No. 166, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT PLANS BE DEVELOPED TO IDENTIFY POSSIBLE LOCATIONS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was placed on the calendar for Adoption on Monday, April 24, 2000.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, April 24, 2000.

FIFTY-FIFTH DAY

Monday, April 24, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:36 o'clock a.m., with the Speaker presiding.

The invocation was delivered in song by Representative Michael Puamamo Kahikina, after which the Roll was called showing all members present with the exception of Representatives Cachola, Catalani, Chang, Goodenow, Menor, Morihara, Okamura, Oshiro and Stegmaier, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 186) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 186, informing the House that on April 19, 2000, he signed the following bills into law:

Senate Bill No. 2465, SD 1, as Act 21, entitled: "RELATING TO PORNOGRAPHY";

Senate Bill No. 2527, SD 2, as Act 22, entitled: "RELATING TO CONDOMINIUMS";

Senate Bill No. 2635, as Act 23, entitled: "RELATING TO HIGHWAYS";

Senate Bill No. 2814, SD 1, as Act 24, entitled: "RELATING TO INSURANCE"; and

Senate Bill No. 2877, SD 1, as Act 25, entitled: "RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 677 through 681) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 677, returning H.C.R. No. 37, HD 1, 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," which was adopted by the Senate on April 20, 2000.

Sen. Com. No. 678, returning H.C.R. No. 38, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW AND EVALUATE THE LICENSING REQUIREMENTS FOR PSYCHOLOGISTS," which was adopted by the Senate on April 20, 2000.

Sen. Com. No. 679, returning H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION URGING LIBERTY NEWSPAPERS TO CONTINUE PUBLICATION OF THE HONOLULU STAR-BULLETIN AND TO ACTIVELY SEEK A BUYER TO PRESERVE TWO INDEPENDENT DAILY NEWSPAPERS IN THE COMMUNITY," which was adopted by the Senate on April 20, 2000.

Sen. Com. No. 680, returning H.C.R. 94, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," which was adopted by the Senate on April 20, 2000.

Sen. Com. No. 681, returning H.C.R. No. 41, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL RECOGNITION OF A NATIVE HAWAIIAN NATION," which was adopted by the Senate on April 20, 2000, in an amended form.

At 11:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

COMMITTEE REASSIGNMENT

The following Senate Concurrent Resolution was re-referred to committee by the Speaker, as follows:

S.C.R.
No. Re-referred to:

16 Committee on Labor and Public Employment

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Cachola, for the Committee on Water and Land Use, presented a report (Stand. Com. Rep. No. 1578-00) recommending that S.C.R. No. 14, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 14, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Garcia, for the Committee on Public Safety and Military Affairs, presented a report (Stand. Com. Rep. No. 1579-00) recommending that S.C.R. No. 102, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Hiraki, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1580-00) recommending that S.C.R. No. 125, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1581-00) recommending that S.C.R. No. 89, SD 2, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 89, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takumi, for the Committee on Ocean Recreation and Marine Resources, presented a report (Stand. Com. Rep. No. 1582-00) recommending that S.C.R. No. 141, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AND ADVANCED TETHERED VEHICLE," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representatives Herkes and Yoshinaga, for the Committees on Economic Development and Business Concerns and Labor and Public Employment, presented a joint report (Stand. Com. Rep. No. 1583-00) recommending that S.C.R. No. 18, SD 1, be adopted.

Representative Case moved that the joint report of the Committees be adopted and S.C.R. No. 18, SD 1, be adopted.

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

"I realize that this has to do with urging the military and federal agencies to honor the definition of a state resident for contracts here in Hawai'i. The committee report does point out that corporations, limited liability companies, partnerships and other businesses would not be considered residents. They say that should be ignored. My personal feeling is if that's what we want to do, then we should have amended the Resolution and not pass it in its present form. Thank you."

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

"In the Resolution it says that not only should you file state income tax, but your taxes must be paid up to date. I would like to know since when is paying your taxes a prerequisite for citizenship. It just doesn't have the rational nexus it should and for that reason I vote against it. Thank you."

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

"I'm glad to see the language in the committee report and also that the Committee has asked that a copy of this committee report be transmitted with a certified copy of this concurrent resolution to the appropriate federal and military personnel. I think that's well and good. Again, the idea of the Resolution is

to provide jobs for residents of Hawai'i. My point in the hearings was that sometimes we don't have the companies here. Sometimes we don't have the technology or expertise yet to run the company here, but there are companies from the mainland which do come here and hire local workers and have done that for some time. I wish to see that continued. Thank you, Mr. Speaker."

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

"We have been struggling with this definition for a number of years. Let me point out again that this is just a resolution. It doesn't have the force and affect of law. It certainly doesn't have the force and affect on any federal agency. Federal agencies have asked us, for years, for some form of a definition so that they can comply with some of the requirements in federal law that asks local residents to be those that receive contracts. The bills that we have looked at in the last two years were very stringent. Your Committee has been very reluctant to put those into statute because we felt that it was too rigorous. When we finally agreed on this definition we didn't think it was going to have a negative impact. We hoped it would have a positive impact. We've been in discussions with our congressional delegation on this issue, and that's really where this decision needs to be settled. But they needed some statement from this Legislature. If we had amended this Resolution, it would have died. Rather than dealing with the definition in statute, we felt it was much better to do it in resolution form which does not have the force and affect of law. Thank you."

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

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 18, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," was adopted, with Representative Rath voting no and Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1584-00) recommending that S.C.R. No. 123, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 123, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1585-00) recommending that S.C.R. No. 166, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 166, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was adopted,

with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1586-00) recommending that S.C.R. No. 12, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION ADOPTING KEY COMMUNITY OUTCOMES OF WELL-BEING FOR THE PEOPLE OF THE STATE OF HAWAII," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1587-00) recommending that S.C.R. No. 26, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 26, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1588-00) recommending that S.C.R. No. 47, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1589-00) recommending that S.C.R. No. 57, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1590-00) recommending that S.C.R. No. 59, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1591-00) recommending that S.C.R. No. 60, SD 1, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 60, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1592-00) recommending that S.C.R. No. 73, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 73, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1593-00) recommending that S.C.R. No. 77, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 77, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1594-00) recommending that S.C.R. No. 116, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 116, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1595-00) recommending that S.C.R. No. 122, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 122, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1596-00) recommending that S.C.R. No. 129, SD 1, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 129, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1597-00) recommending that S.C.R. No. 131, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1598-00) recommending that S.C.R. No. 143, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 143, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1599-00) recommending that S.C.R. No. 173, SD 1, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 173, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1600-00) recommending that S.C.R. No. 176, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 176, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1601-00) recommending that S.C.R. No. 179, SD 1, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 179, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1602-00) recommending that S.C.R. No. 183, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1603-00) recommending that S.C.R. No. 204, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 204, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1604-00) recommending that S.C.R. No. 74, SD 1, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 74, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1605-00) recommending that S.C.R. No. 196, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 196, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Santiago, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1606-00) recommending that S.C.R. No. 210, SD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 210, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Morihara, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1607-00) recommending that H.R. No. 32, as amended in HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 32, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII AND THE GOVERNING BODIES OF PRIVATE COLLEGES AND UNIVERSITIES IN HAWAII TO STUDY THE DIRECT SOLICITATION ON CAMPUS OF STUDENTS FOR CREDIT CARD ACCOUNTS AND TO OFFER CONSUMER CREDIT SEMINARS AS PART OF FRESHMAN ORIENTATION," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1608-00) recommending that H.R. No. 96, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 96, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII SPACE GRANT COLLEGE IN CONJUNCTION WITH THE UNIVERSITY OF HAWAII AT HILO, AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO EXPAND THE SPACE CAMP PROGRAM ON THE BIG ISLAND," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1609-00) recommending that H.R. No. 130, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO APPOINT A CITIZENS' ADVISORY COMMISSION TO REVIEW THE STATE'S ALA WAI GOLF COURSE REVITALIZATION PLAN," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1610-00) recommending that H.R. No. 137, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 137, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF HEALTH TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS," was adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1611-00) recommending that H.R. No. 166, HD 1, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.R. No. 166, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT PLANS BE DEVELOPED TO IDENTIFY POSSIBLE LOCATIONS FOR THE JOHN A. BURNS SCHOOL OF MEDICINE," was

adopted, with Representatives Chang, Okamura, Oshiro, Santiago and Whalen being excused.

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Chang, Okamura, Oshiro and Whalen were excused.)

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:27 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House, in disagreeing to the amendments proposed by the Senate to the following House Bills, reconsider its action taken on:

March 29, 2000 - on H.B. No. 1893, HD 1 (SD 1); and April 13, 2000 - on H.B. Nos. 1939, HD 1 (SD 1); 1946, HD 2 (SD 1); 2060, HD 2 (SD 1); 2501, HD 2 (SD 1); 2649, HD 1 (SD 1); and 3021, HD 1 (SD 1), seconded by Representative Marumoto and carried. (Representatives Chang, Okamura, Oshiro and Whalen were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 1893, HD 1 (SD 1); 1939, HD 1 (SD 1); 1946, HD 2 (SD 1); 2060, HD 2 (SD 1); 2501, HD 2 (SD 1); 2649, HD 1 (SD 1); and 3021, HD 1 (SD 1).

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering a bill on Final Reading on the basis of a modified consent calendar. (Representatives Chang, Okamura, Oshiro and Whalen were excused.)

FINAL READING

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

Representative Case moved to agree to the amendments made by the Senate to H.B. No. 2066, HD 1, SD 1, seconded by Representative Marumoto and carried. (Representatives Chang, Okamura, Oshiro and Whalen were excused.)

Speaker Say: "Madame Clerk, are you in receipt of the record of vote form for the above-referenced House Bill?"

Madame Clerk: "Yes, Mr. Speaker, I am in receipt of the record of vote form for the above-referenced House Bill."

Speaker Say: "Representative Case, please proceed."

H.B. No. 2066, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2066, HD 1, and H.B. No. 2066, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND," passed Final Reading by a vote of 47 ayes, with Representatives Chang, Okamura, Oshiro and Whalen being excused.

The Chair directed the Clerk to note that H.B. No. 2066, had passed Final Reading at 12:31 o'clock p.m.

CONFERENCE COMMITTEE REPORTS

Representatives Takai and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2062, HD 2, SD 1, presented a joint report (Conf. Com. Rep. No. 1) recommending that H.B. No. 2062, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 1 and H.B. No. 2062, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred for a period of 48 hours.

Representatives Arakaki and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2514, SD 2, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 2514, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 2 and H.B. No. 2514, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred for a period of 48 hours.

HOUSE COMMUNICATION

A communication, dated April 24, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives, informing the Senate that the following changes to the conferees were made to the following House Bills:

H.B. No. 1172, HD 2, SD 1:

Discharged Representative Takamine as second Co-Chair.
Discharged Representatives Kanoho, Kawakami and Moses as members.
Added Representative Kanoho as second Co-Chair.
Added Representatives Schatz and Meyer as members.

H.B. 2901, HD 2, SD 2:

Added Representatives Luke and Marumoto as members.

ADJOURNMENT

At 12:32 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 25, 2000. (Representatives Chang, Okamura, Oshiro and Whalen were excused.)

FIFTY-SIXTH DAY

Tuesday, April 25, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:36 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative David Morihara, after which the Roll was called showing all members present with the exception of Representatives Cachola, Menor, Meyer, Okamura, Takamine, Whalen and Yoshinaga, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 682 through 715) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 682 returning H.C.R. No. 18, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF LEGISLATION FOR THE REGULATION OF THE PROFESSION OF CERTIFIED PUBLIC ACCOUNTANCY THAT IS CONSISTENT WITH THE STANDARDS OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS AND THE UNIFORM ACCOUNTANCY ACT AS RECOMMENDED BY THE NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 683 returning H.C.R. No. 81, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE SECOND TUESDAY OF SEPTEMBER AS LEGISLATORS BACK-TO-SCHOOL DAY IN HAWAII," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 684 returning H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 685 returning H.C.R. No. 101, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASCERTAIN THE FEASIBILITY OF AMENDING THE HAWAIIAN HOMES COMMISSION ACT TO ALLOW FOR DIRECT ELECTION OF MEMBERS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 686 returning H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII TO EXPLORE HOME OWNERSHIP OPTIONS AT THE STATE-OWNED AND OPERATED PALOLO HOMES I AND II AND OTHER STATE-OWNED AND OPERATED HOUSING PROJECTS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 687 returning H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION INTO THE ACQUISITION OF NO. 1 CAPITOL DISTRICT BY THE STATE," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 688 returning H.C.R. No. 62, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU

TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 689 returning H.C.R. No. 93, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO ROOSEVELT HIGH SCHOOL COMPLEX," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 690 returning H.C.R. No. 111, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 691 informing the House that the President, on April 24, 2000, has added Senator D. Ige as an additional member on the part of the Senate at the Conference on H.B. No. 2024, HD 1, SD 2.

Sen. Com. No. 692 returning H.C.R. No. 24, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 693 returning H.C.R. No. 66, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 694 returning H.C.R. No. 103, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON COMMERCIAL FISHING IN WATERS OFF THE WAIANAE COAST OF OAHU," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 695 returning H.C.R. No. 123, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 696 returning H.C.R. No. 163, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 697 returning H.C.R. No. 165, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION

INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 698 returning H.C.R. No. 196, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," which was adopted by the Senate on April 24, 2000, in an amended form.

Sen. Com. No. 699 returning H.C.R. No. 7, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATE COMMISSION ON THE STATUS OF WOMEN," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 700 returning H.C.R. No. 44, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 701 returning H.C.R. No. 52, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FACILITATE AND ASSIST EFFORTS TO STRENGTHEN AND EVALUATE EXISTING STUDENT LEADERSHIP PROGRAMS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 702 returning H.C.R. No. 65, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE NEED FOR REGULATING THE ALARM INDUSTRY," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 703 returning H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 704 returning H.C.R. No. 120, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO CREATE A MASTER PLAN FOR FLOOD MITIGATION FOR WAIMANALO," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 705 returning H.C.R. No. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF COURSE INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION THE GOLF CAPITAL OF OAHU," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 706 returning H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 707 returning H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE WHETHER MOTOR VEHICLE REFORM UNDER ACT 251, SESSION LAWS OF HAWAII 1997, HAS IMPACTED

CONSUMER ACCESS TO MEDICALLY REASONABLE, NECESSARY, AND APPROPRIATE REFERRAL TO MASSAGE THERAPY AND PHYSICAL THERAPY, AND IF THIS HAS CONTRIBUTED TO CONSUMER COST SAVINGS UNDER THE ACT," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 708 returning H.C.R. No. 149, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO WORK WITH AREA RESIDENTS TO DEVELOP USE OPTIONS FOR THE STADIUM BOWL-O-DROME PROPERTY," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 709 returning H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A COMPREHENSIVE MASTER PLAN FOR KOKEE AND WAIMEA CANYON STATE PARKS," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 710 returning H.C.R. No. 156, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO COMMISSION A STUDY TO DETERMINE THE SECURITY OF THE 5(F) TRUST ASSETS IN LIGHT OF THE RICE V. CAYETANO U.S. SUPREME COURT RULING," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 711 returning H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES INITIATE A COLLABORATIVE PARTNERSHIP TO IMPROVE SERVICES FOR ADULTS AND EXPAND OPPORTUNITIES FOR HIGH SCHOOL STUDENTS THAT WILL RESULT IN SUBSTANTIVE OUTCOMES FOR THE TWO ENTITIES," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 712 returning H.C.R. No. 164, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO ESTABLISH A TRANSITION PLAN TO TRANSFER THE FUNCTIONS AND RESPONSIBILITIES OF THE CONVENTION CENTER AUTHORITY TO THE HAWAII TOURISM AUTHORITY," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 713 returning H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON THE BENEFITS AND FEASIBILITY OF COLLABORATIVE HEALTH CARE PURCHASING ARRANGEMENTS BETWEEN HAWAII QUEST AND THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 714 returning H.C.R. No. 188, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A RESEARCH INSTITUTE AND A MASTER OF ARTS PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA CENTER FOR HAWAIIAN STUDIES," which was adopted by the Senate on April 24, 2000.

Sen. Com. No. 715 informing the House that the President has, on April 25, 2000, appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 2418, SD 1:

Senators Chumbley, Matsunaga and Levin, Co-Chairs; and Anderson.

H.B. No. 2648, HD 2, SD 2:

Senators Chumbley, Matsunaga and Levin, Co-Chairs; and Anderson.

H.B. No. 2653, HD 2, SD 1:

Senators Chumbley, Matsunaga and Levin, Co-Chairs; and Anderson.

INTRODUCTIONS

Representative Chang introduced businessmen visiting from Korea: Mr. Hee Jae Moon, Chairman of Dae Jung Oil Company; Mr. Moon Ki Lee, Chairman of the Korea Horticulturist Association; Mr. Hee Jang Kim, Banker; Mr. Seung Ho Choe, Attorney and Interpreter, and Mr. Chang Duk Kim, Travel Coordinator. They were accompanied and hosted by Representative Chang's good friend, Mr. Dick Kim.

Representative Espero introduced students from Ewa Elementary School and their teachers Ms. Sharilyn Williams, Ms. Charlene Okano, Ms. Bridgette Agor and Mr. Thomas Simon.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Yoshinaga, for the Committee on Labor and Public Employment, presented a report (Stand. Com. Rep. No. 1612-00) recommending that S.C.R. No. 16, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was adopted, with Representatives Cachola, Kaho'ohalahala, Menor, Okamura, Whalen and Yoshinaga being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Garcia and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1955, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 1955, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 3 and H.B. No. 1955, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," was deferred for a period of 48 hours.

Representatives Cachola and Kanoho, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2513, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 2513, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 51 and S.B. No. 2513, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended

for the purpose of reconsidering action previously taken. (Representatives Cachola, Menor, Okamura, Whalen and Yoshinaga were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House, in disagreeing to the amendments proposed by the Senate to the following House Bills, reconsider its action taken on:

April 6, 2000: H.B. No. 2485, HD 1 (SD 1);

April 7, 2000: H.B. No. 2432, HD 1 (SD 1);

April 13, 2000: H.B. Nos. 1491, HD 1 (SD 1); 2129, HD 1 (SD 1); 2218, HD 1, (SD 1); 2423, (SD 1); 2468, HD 1 (SD 1); 2471, HD 1 (SD 1); 2513, HD 1 (SD 1); and 2559, HD 1 (SD 2), seconded by Representative Marumoto and carried. (Representatives Menor, Okamura, Whalen and Yoshinaga were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 1491, HD 1 (SD 1); 2129, HD 1 (SD 1); 2218, HD 1 (SD 1); 2423 (SD 1); 2432, HD 1 (SD 1); 2468, HD 1 (SD 1); 2471, HD 1 (SD 1); 2485, HD 1 (SD 1); 2513, HD 1 (SD 1); and 2559, HD 1 (SD 2).

At 11:47 o'clock a.m., Representative Takamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:49 o'clock a.m.

APPOINTMENT OF CONFEREES

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to the following Senate Concurrent Resolutions and the request for a conference on the respective subject matter thereof, the Speaker appointed the following conferees on the part of the House for each conference:

S.C.R. No. 129, SD 1, HD 1:

Representatives Morita and Schatz, Co-Chairs; and Fox.

S.C.R. No. 204, HD 1:

Representatives Morita and Schatz, Co-Chairs; and Fox.

ANNOUNCEMENTS

The Chair made the following announcement: "At this time, I would like to call upon Representative Morita to make the announcement for the waiver of the 48-hour hearing notice requirement to hear S.C.R. Nos. 129 and 204."

Representative Morita: "Thank you, Speaker. I would like to request a waiver of the 48-hour hearing notice requirement for the purpose of hearing the above referenced bills, tomorrow morning at 11:00 o'clock a.m. in Room 016," and the Chair "so ordered."

At 11:50 o'clock a.m., Representative Garcia asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

Speaker Say: "The Chair stands corrected. I believe the previous mentioned waiver should have been requested for 24-hours rather than 48-hours.

Representative Thielen: "I am very pleased to be able to announce that Hawai'i's industrial hemp project will be featured on national television. It is on "Upfront" tonight, which is on CNBC. It will air in New York at 7:30 p.m., which will be at 1:30 p.m. here in Hawai'i. If you tune in at that time, you should see it. I believe it is Channel 16. Don't get it mixed-up with MSNBC, this is CNBC. Thank you."

Representative Meyer: "I just want to alert everyone in this chamber. We are in for a real treat tomorrow. You are all invited to the rotunda after session. The Kahuku High School award winning "Vocal Motion" group will entertain us. There will be sandwiches, chips and drinks. So, I hope that you will all come. Thank you very much."

Representative Lee: "I just wanted to alert the members of the House that Representative Thielen's letter to the editor appears in U.S. News and World Report's current issue and you might not want to miss that."

Representative Kaho'ohalahala: "I would like to remind the members of the House that we have an informational session this evening in the State Capitol Auditorium. This is in regards to the formation of the Native Hawai'ian Bank and Financial Education Program, which is being sponsored by Napule Kokua and the Hawai'ian Community Assets, Inc. One of the speakers that will be there is Mr. Paul Holman who is the leading expert in the management of Indian Trust Funds and is a bank consultant. He was also a Special Trustee for the American Indians from 1995-1998. So I would like to remind you to join us in the Auditorium tonight at 6:00 p.m. Thank you."

Representative Marumoto: "I understand that there is a birthday today. This person is celebrating his birthday every other year in an effort to age a little slower and a little more gracefully. May we wish Speaker Emeritus Joseph Souki a happy birthday."

Representative Luke: "Yesterday we missed someone else's birthday. He wasn't here, I don't know if it was on purpose or not, but it was Vice Speaker Marcus Oshiro's birthday. He turned 41 years young."

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Representative Yonamine, seconded by Representative Pendleton and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, April 26, 2000. (Representatives Menor, Okamura, Santiago, Whalen and Yoshinaga were excused.)

FIFTY-SEVENTH DAY

Wednesday, April 26, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 11:43 o'clock a.m., with the Vice Speaker presiding.

The invocation was delivered in song by Representatives Lei Ahu Isa, Michael Puamamo Kahikina, Ezra Kanoho, Bertha C. Kawakami and Alexander Santiago, after which the Roll was called showing all members present with the exception of Representatives Garcia, Menor, Morita, Moses, Okamura, Pendleton and Say, who were excused.

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

INTRODUCTIONS

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

Representative Espero introduced students from Friendship Christian School and their teachers Mrs. Galizo and Ms. Norden.

Representative Meyer introduced the award winning choral group from Kahuku High School, "Vocal Motion", and their choir director, Ms. Beth Kammerer.

Representative Abinsay introduced students from Kalihi Waena Elementary School, and their teacher, Ms. Joy Waikaloa; parent-teacher coordinator, Ms. Sally Oyama; and parent chaperones, Ms. Yolanda Yau, Ms. Lillian Tabuyu, Mr. Milton Macogan, and Mr. and Mrs. Alex Tabiros.

Representative Arakaki introduced his good friend and pastor of his church, Mr. Owen Tanoue.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 187 through 189) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 187, informing the House that on April 24, 2000, the following Senate Bill was filed with the Office of the Lieutenant Governor:

S.B. No. 2941, entitled: "PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS."

Gov. Msg. No. 188, informing the House that on April 20, 2000, he signed the following bills into law:

S.B. No. 2088, as Act 26, entitled: "RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS";

S.B. No. 2289, SD 2, as Act 27, entitled: "RELATING TO REPAID TELEPHONE CALLING SERVICE";

S.B. No. 2542, SD 1, as Act 28, entitled: "RELATING TO TATE BONDS";

S.B. No. 2563, SD 1, as Act 29, entitled: "RELATING TO INSURANCE";

S.B. No. 2742, as Act 30, entitled: "RELATING TO PORK";

S.B. No. 2830, as Act 31, entitled: "RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS";

S.B. No. 2858, SD 1, as Act 32, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM";

S.B. No. 2942, as Act 33, entitled: "RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES";

S.B. No. 2947, as Act 34, entitled: "RELATING TO DISCLOSURE OF TAX INFORMATION";

S.B. No. 3117, as Act 35, entitled: "RELATING TO MOTOR VEHICLES,"; and

S.B. No. 3192, SD 1, as Act 36, entitled: "RELATING TO CAPTIVE INSURANCE".

Gov. Msg. No. 189, informing the House that on April 24, 2000, he signed the following bill into law:

H.B. No. 2537, SD 1, as Act 37, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION".

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 716 through 718) were received and announced by the Clerk and placed on file:

Sen. Com. No. 716, informing the House that the Senate has reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate bills and have moved to agree to the amendments. The Senate further informs the House that said bills have passed Final Reading on April 25, 2000:

S.B. No. 862, SD 2, HD 1, entitled: "RELATING TO MEDICAL USE OF MARIJUANA"; and

S.B. No. 1095, HD 2, entitled: "RELATING TO HUNTING".

Sen. Com. No. 717, informing the House that the Senate has disagreed to the amendments proposed by the House in the following Senate Concurrent Resolutions on April 25, 2000:

S.C.R. No. 60, SD 1, HD 1, entitled: "REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI";

S.C.R. No. 74, SD 1, HD 1, entitled: "REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE";

S.C.R. No. 77, HD 1, entitled: "REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE

INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS";

S.C.R. No. 123, HD 1, entitled: "URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN";

S.C.R. No. 143, HD 1, entitled: "RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM";

S.C.R. No. 173, SD 1, HD 1, entitled: "REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS"; and

S.C.R. No. 179, SD 1, HD 1, entitled: "REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES".

Sen. Com. No. 718, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Concurrent Resolutions on April 25, 2000:

S.C.R. No. 129, SD 1, HD 1:
Senators Kanno/Taniguchi, Co-Chairs; and Slom.

S.C.R. No. 204, HD 1:
Senators Kanno/Taniguchi, Co-Chairs, and Slom.

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

Upon reconvening at 1:05 o'clock p.m., the Speaker assumed the rostrum.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Yonamine, seconded by Representative Thielen and carried, the rules were suspended for the purpose of considering certain House Bills on Final Reading on the basis of a modified consent calendar. (Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 and H.B. No. 2062, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 2 and H.B. No. 2514, SD 2, CD 1:

By unanimous consent, action was deferred one day.

STANDING COMMITTEE REPORTS

Representative Hamakawa, for the Committee on Judiciary and Hawai'ian Affairs, presented a report (Stand. Com. Rep. No. 1613-00) recommending that S.B. No. 2927, SD 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 S.B. No. 2927, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga 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. 1614-00) recommending that S.C.R. No. 21, be adopted.

On motion by Representative Case, seconded by Representative Yonamine and carried, the joint report of the Committees was adopted and S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES MILITARY TO USE HAWAII-GROWN COFFEE ON ALL MILITARY VESSELS," was adopted, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Takumi and Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1947, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 1947, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 4 and H.B. No. 1947, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2530, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 2530, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 5 and H.B. No. 2530, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," was deferred for a period of 48 hours.

Representatives Abinsay and Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2406, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 2406, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 6 and H.B. No. 2406, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Abinsay and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the House in S.B. No. 2411, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 2411, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 52 and

S.B. No. 2411, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," was deferred for a period of 48 hours.

Representatives Abinsay and Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2530, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 2530, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 53 and S.B. No. 2530, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 185, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 185, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 54 and S.B. No. 185, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Ito, Yoshinaga and Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2837, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 2837, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 55 and S.B. No. 2837, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representative Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 286, HD 2 (SD 2); 755, HD 2 (SD 2); 1457, (SD 1); 1905, HD 2 (SD 1); 2309, HD 1 (SD 1); 2573, HD 1 (SD 1); 2576, HD 1 (SD 1); 2624, HD 1 (SD 1); and 2820, HD (SD 1), seconded by Representative Marumoto and carried. (Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 286, HD 2 (SD 2); 755, HD 2 (SD 2); 1457, (SD 1); 1905, HD 2 (SD 1); 2309, HD 1 (SD 1); 2573, HD 1 (SD 1); 2576, HD 1 (SD 1); 2624, HD 1 (SD 1); and 2820, HD (SD 1).

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Case moved to agree to the amendments made by the Senate to H.B. Nos. 1491, HD 1 (SD 1); 2129, HD 1 (SD 1); 2471, HD 1 (SD 1); 2485, HD 1, (SD 1); and 2649, HD 1 (SD 1), seconded by Representative Marumoto and carried. (Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga were excused.)

Speaker Say: "Madame Clerk, are you in receipt of the record of vote forms for the above-referenced House bills?"

Madame Clerk: "Yes, Mr. Speaker, I am in receipt of the record of vote forms for the above-referenced House bills."

Speaker Say: "Representative Case, please proceed."

H.B. No. 1491, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1491, HD 1, and H.B. No. 1491, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS," passed Final Reading by a vote of 36 ayes, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

H.B. No. 2129, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2129, HD 1, and H.B. No. 2129, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWN BROKERS AND SECONDHAND DEALERS," passed Final Reading by a vote of 36 ayes, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

H.B. No. 2471, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2471, HD 1, and H.B. No. 2471, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION," passed Final Reading by a vote of 36 ayes, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

H.B. No. 2485, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2485, HD 1, and H.B. No. 2485, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE," passed Final Reading by a vote of 36 ayes, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

H.B. No. 2649, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2649, HD 1,

and H.B. No. 2649, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed Final Reading by a vote of 36 ayes, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki, Whalen and Yoshinaga being excused.

At 1:12 o'clock p.m., Representative Yonamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:13 o'clock p.m.

The Chair directed the Clerk to note that H.B. Nos. 1491, 2129, 2471, 2485 and 2649 had passed Final Reading at 1:14 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

H.C.R. No. 27, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 27, and H.C.R. No. 27, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION INVITING THE PRESIDENT AND CONGRESS TO GATHER WITH NATIVE HAWAIIANS IN OBSERVANCE OF THE CENTENNIAL OF THE ORGANIC ACT," was Finally adopted, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki and Whalen being excused.

H.C.R. No. 41, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 41, and H.C.R. No. 41, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL RECOGNITION OF A NATIVE HAWAIIAN NATION," was Finally adopted, with Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki and Whalen being excused.

ADJOURNMENT

At 1:17 o'clock p.m., on motion by Representative Yonamine, seconded by Representative Thielen and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 27, 2000. (Representatives Arakaki, Auwae, Chang, Garcia, Goodenow, Herkes, McDermott, Menor, Morihara, Okamura, Pendleton, Rath, Souki and Whalen were excused.)

FIFTY-EIGHTH DAY

Thursday, April 27, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 6:44 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Jim Rath, after which the Roll was called showing all members present with the exception of Representatives Cachola, Hiraki, Kanoho, Lee, Menor, Okamura, Schatz, Stegmaier, Suzuki and Yoshinaga, who were excused.

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, reading of the Journal was dispensed with and the Journal of the Forty-Eighth Day was subsequently approved. (Representatives Cachola, Hiraki, Kanoho, Lee, Menor, Okamura, Schatz, Stegmaier, Suzuki and Yoshinaga were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 190 and 191) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 190 returning House Bill No. 2021, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 20, 2000

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2021

Honorable Members
Twentieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 2021, entitled, 'A Bill for an Act Relating to Act 316, Session Laws of Hawai'i 1993, as Amended by Act 157, Session Laws of Hawai'i 1995; and to Act 278, Session Laws of Hawai'i 1999.'

The purpose of this bill is to amend Act 316, Session Laws of Hawai'i 1993, and Act 278, Session Laws of Hawai'i 1999, to add reenactment provisions to restore the prior language of the Hawai'i Revised Statutes sections amended by those act when those acts are repealed on July 1, 2001. Act 316 amended sections 706-621 and 706-623, Hawai'i Revised Statutes, to make amendments relating to an expedited sentencing program. Act 278 amended section 351-62.5(d), Hawai'i Revised Statutes, the statute governing the use of the Crime Victim Compensation Special Fund, to temporarily delete the percentage limitation on the use of the fund's moneys for operating expenses. These acts are two separate, distinct, and unrelated session laws.

Section 14 of article III of the State Constitution requires that "[e]ach law shall embrace but one subject, which shall be expressed in its title." This provision "is mandatory and a violation thereof would render an enactment nugatory." *Schwab v. Ariyoshi*, 58 Haw. 25, 31 (1977). This bill embraces two subjects, Act 316, Session Laws of Hawai'i 1993, and Act 278, Session Laws of Hawai'i 1999, both of which are expressed in the bill's title. Consequently, this bill violates the single-subject requirement of section 14 of article III of the State Constitution.

For the foregoing reason, I am returning House Bill No. 2021 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawai'i

Gov. Msg. No. 191 informing the House that on April 26, 2000, he signed the following bills into law:

House Bill No. 1691, HD 1 as Act 38, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 2333, SD 2 as Act 39, entitled: "RELATING TO CONDOMINIUMS PROPERTY REGIMES".

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 719) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 719, informing the House that the Senate has reconsidered its action of April 13, 2000, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments. The Senate further informed the House that said bills have passed Final Reading on April 26, 2000:

S.B. No. 2849, HD 1, entitled: "RELATING TO REVIEW HEARINGS"; and

S.B. No. 2930, SD 2, HD 1, entitled: "RELATING TO CONTROLLED SUBSTANCES".

INTRODUCTION

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

Representative Pendleton introduced his legislative aide, Mr. Clifton Gadsden, and his family visiting from Mitchelville, Maryland, father, Mr. Ronald Gadsden, and brother, Mr. Chris Gadsden.

At 6:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 7:21 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

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

H.B.
No. **Re-referred to:**

2098 Committee on Education, then to the Committee on Judiciary and Hawai'ian Affairs, then to the Committee on Finance

UNFINISHED BUSINESS

Conf. Com. Rep. No. 1 and H.B. No. 2062, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, Conf. Com. Rep. No. 1 and H.B. No. 2062, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were recommitted to the Committee on Conference, with Representatives Hiraki, Lee, Menor, Okamura, Oshiro, Takamine, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 2 and H.B. No. 2514, SD 2, CD 1:

By unanimous consent, action was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 3 and H.B. No. 1955, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred until Tuesday, May 2, 2000.

Conf. Com. Rep. No. 51 and S.B. No. 2513, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred until Tuesday, May 2, 2000.

CONFERENCE COMMITTEE REPORTS

Representatives Cachola and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1902, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 1902, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 7 and H.B. No. 1902, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1773, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 1773, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 8 and H.B. No. 1773, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," was deferred for a period of 48 hours.

Representatives Santiago, Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2521, SD 1, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 2521, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 9 and H.B. No. 2521, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2469, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 10)

recommending that H.B. No. 2469, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 10 and H.B. No. 2469, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred for a period of 48 hours.

Representatives Morita, Abinsay and Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2183, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 2183, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 11 and H.B. No. 2183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred for a period of 48 hours.

Representatives Morita, Ito, Menor and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2701, HD 3, SD 1, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 2701, HD 3, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 12 and H.B. No. 2701, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1984, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 1984, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 13 and H.B. No. 1984, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2480, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 2480, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 14 and H.B. No. 2480, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2484, SD 1, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 2484, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 15 and H.B. No. 2484, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," was deferred for a period of 48 hours.

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

by the Senate in H.B. No. 2797, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 2797, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 16 and H.B. No. 2797, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 284, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 284, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 17 and H.B. No. 284, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2092, SD 1, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 2092, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 18 and H.B. No. 2092, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Ito and Garcia, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2095, SD 1, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 2095, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 19 and H.B. No. 2095, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representative Ito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2490, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 2490, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 20 and H.B. No. 2490, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2491, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 2491, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 21 and H.B. No. 2491, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2480, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 2480, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 56 and S.B. No. 2480, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," was deferred for a period of 48 hours.

Representatives Hiraki and Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3073, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 3073, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 57 and S.B. No. 3073, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," was deferred for a period of 48 hours.

Representatives Ito and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3038, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 3038, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 58 and S.B. No. 3038, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

THIRD READING

S.B. No. 2927, SD 1:

By unanimous consent, action on was deferred until Tuesday, May 2, 2000.

SUSPENSION OF RULES

On motion by Representative Yonamine, seconded by Representative Pendleton and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Hiraki, Menor, Okamura, Oshiro, Takamine, Whalen and Yoshinaga were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 750, HD 1 (SD 1); 2213 (SD 1); 2481, HD 1 (SD 1); 2483, HD 1 (SD 1); and 3018 (SD 1), seconded by Representative Marumoto and carried. (Representatives Hiraki, Menor, Okamura, Oshiro, Takamine, Whalen and Yoshinaga were excused.)

Representative Yonamine then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 750, HD 1 (SD 1); 2213 (SD 1); 2481, HD 1 (SD 1); 2483, HD 1 (SD 1); and 3018 (SD 1).

HOUSE COMMUNICATION

A communication, dated April 27, 2000, to the Honorable President and members of the Senate of the State of Hawai'i from Patricia Mau-Shimizu, Chief Clerk, House of Representatives informing the Senate that the Speaker has made the following change to conferees on the following House Bill:

H.B. No. 2098, HD 2, SD 1:

Added Representative Luke as Third Co-Chair.

ANNOUNCEMENTS

Representative Takumi: "Mr. Speaker, I have an unusual request, but it's for an unusual person. I'd like to ask you to lead us in a moment of silence for Mr. Milton Carter, the head of the Musicians Union who passed away two days ago.

"I think, for those of us who knew Milton and worked with him over the years, we all know that Milton had a very gentle manner about him. He had accomplished a lot for his members. Milton always used to tell me the problem with being in the Musicians Union is that we say we play music and people think it's not work. So both for the members and the public at large, they think musicians don't really need to have living wages and benefits. Milton, until his last day, felt that was not the case. That his members should deserve the kind of wages and benefits for the kind of the work that they do. Thank you."

At this time, the Chair led the House of Representatives in a moment of silence for Mr. Milton Carter.

Representative Marumoto introduced several young men from the Knights of Columbus, accompanied by their leader, Mr. Shawn Wilson, his parents and daughter.

Representative Yonamine moved to keep the Journal open until midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Pendleton and carried. (Representatives Hiraki, Menor, Okamura, Oshiro, Takamine, Whalen and Yoshinaga were excused.)

At 7:27 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 22 through 38 and 59 through 82) were received in the Clerk's Office and the following action taken:

Conf. Com. Rep. No. 22 and H.B. No. 2574, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 23 and H.B. No. 2405, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 24 and H.B. No. 1763, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 25 and H.B. No. 1881, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICANTS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 26 and H.B. No. 2572, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 27 and H.B. No. 749, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 28 and H.B. No. 2160, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 29 and H.B. No. 1983, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 30 and H.B. No. 1938, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9-SECURED TRANSACTIONS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 31 and H.B. No. 2472, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 32 and H.B. No. 2585, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 33 and H.B. No. 1874, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 34 and H.B. No. 1925, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 35 and H.B. No. 1912, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 36 and H.B. No. 2017, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 37 and H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 38 and H.B. No. 2774, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 59 and S.B. No. 2779, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 60 and S.B. No. 3199, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," were

placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 61 and S.B. No. 2121, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 62 and S.B. No. 2982, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 63 and S.B. No. 680, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 64 and S.B. No. 2062, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 65 and S.B. No. 2254, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 66 and S.B. No. 2655, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 67 and S.B. No. 2850, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 68 and S.B. No. 2863, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 69 and S.B. No. 2154, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 70 and S.B. No. 2711, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 71 and S.B. No. 2151, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 72 and S.B. No. 3133, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 73 and S.B. No. 2722, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 74 and S.B. No. 2741, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 75 and S.B. No. 2843, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were placed on the Calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 76 and S.B. No. 2186, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 77 and S.B. No. 2283, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 78 and S.B. No. 2729, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 79 and S.B. No. 2819, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 80 and S.B. No. 3043, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 81 and S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 82 and S.B. No. 2467, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, April 28, 2000.

FIFTY-NINTH DAY

Friday, April 28, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 6:43 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative David Pendleton, after which the Roll was called showing all members present with the exception of Representatives Hiraki, Kaho'ohalahala, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 192 through 196) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 192, informing the House that on April 26, 2000, he signed the following bills into law:

House Bill No. 1761 as Act 40, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1762, as Act 41, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 1836, as Act 42, entitled: "RELATING TO SECTION 327E(G), HAWAII REVISED STATUTES";

House Bill NO. 1982, as Act 43, entitled: "RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT";

House Bill No. 2479, HD 1, as Act 44, entitled: "RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW)";

House Bill No. 2511, HD 1, as Act 45, entitled: "RELATING TO LONG-TERM CARE";

House Bill No. 2554, HD 1, as Act 46, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 2570 HD 1, as Act 47, entitled: "RELATING TO THE BOATING SPECIAL FUND";

House Bill No. 2646, HD 1, as Act 48, entitled: "RELATING TO TRUSTS AND ESTATES";

House Bill No. 2846, HD 1, as Act 49, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

House Bill No. 2895 HD 1, as Act 50, entitled: "RELATING TO ENVIRONMENTAL IMPACT STATEMENTS";

House Bill No. 2996, HD 2, as Act 51, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 2997, as Act 52, entitled: "RELATING TO AQUACULTURE LOANS";

Senate Bill No. 887, as Act 53, entitled: "RELATING TO JUDGES FOR THE CIRCUIT COURT";

Senate Bill No. 914, as Act 54, entitled: "RELATING TO VOTE COUNT";

Senate Bill No. 2005, as Act 55, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 2205, SD 1, as Act 56, entitled: "RELATING TO NONPROFIT CORPORATIONS";

Senate Bill No. 2426, SD 1, as Act 57, entitled: "RELATING TO CRIME VICTIM COMPENSATION";

Senate Bill No. 2470, SD 1, as Act 58, entitled: "RELATING TO EDUCATION"; and

Senate Bill No. 2477, SD 1, as Act 59, entitled: "RELATING TO TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS".

Gov. Msg. No. 193, informing the House that on April 27, 2000, he signed the following bills into law:

House Bill No. 536, HD 2, as Act 60, entitled: "RELATING TO HUMAN SERVICES";

House Bill No. 1387, HD 2, as Act 61, entitled: "RELATING TO NURSES";

House Bill No. 1757, HD 1, as Act 62, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 2005, as Act 63, entitled: "RELATING TO REVERSE MORTGAGES";

House Bill No. 2148, as Act 64, entitled: "RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE";

House Bill No. 2158, HD 1, as Act 65, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 2216, as Act 66, entitled: "RELATING TO UNINSURED MOTOR VEHICLES";

House Bill No. 2219, HD 1, as Act 67, entitled: "RELATING TO INSURANCE";

House Bill No. 2220, as Act 68, entitled: "RELATING TO CAPTIVE INSURANCE";

House Bill No. 2289, as Act 69, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 2349, HD 1, as Act 70, entitled: "RELATING TO INSURANCE";

House Bill No. 2403, as Act 71, entitled: "RELATING TO AQUACULTURE";

House Bill No. 2443, HD 2, as Act 72, entitled: "RELATING TO HIGH TECHNOLOGY DEVELOPMENT VENTURES IN THE STATE";

House Bill No. 2474, HD 1, as Act 73, entitled: "RELATING TO INSURANCE";

House Bill No. 2475, HD 1, as Act 74, entitled: "RELATING TO INSURANCE";

House Bill No. 2482, HD 1, as Act 75, entitled: "RELATING TO CONTROL SHARE ACQUISITIONS";

House Bill No. 2487, HD 1, as Act 76, entitled: "RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND";

House Bill No. 2505, as Act 77, entitled: "RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS";

House Bill No. 2507, as Act 78, entitled: "RELATING TO THE PERMANENT PLAN HEARING";

House Bill No. 2510, as Act 79, entitled: "RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS";

House Bill No. 2512, as Act 80, entitled: "RELATING TO FINANCIAL ASSISTANCE PAYMENTS";

House Bill No. 2519, HD 1, as Act 81, entitled: "RELATING TO FLEXIBLE SPENDING ACCOUNTS";

House Bill No. 2524, as Act 82, entitled: "RELATING TO PROPHYLACTICS";

House Bill No. 2525, HD 2, as Act 83, entitled: "RELATING TO PRESCRIPTION DRUGS";

House Bill No. 2528, HD 2, as Act 84, entitled: "RELATING TO SAFE DRINKING WATER";

House Bill No. 2584, as Act 85, entitled: "RELATING TO FUEL TAX"; and

House Bill No. 2615, as Act 86, entitled: "RELATING TO HAZARDOUS MATERIALS".

Gov. Msg. No. 194 returning House Bill No. 2504, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 28, 2000

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2504

Honorable Members
Twentieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 2504, entitled, 'A Bill for an Act Relating to the Hawai'ian Homes Commission Act, 1920, as Amended.'

The purpose of this bill is to authorize the Chairman of the Hawai'ian Homes Commission to extend the employment of non-civil-service contract individuals beyond the six-year maximum period specified in the Hawai'ian Homes Commission Act, 1920, as amended.

The existing law provides for two-year contracts with a maximum period of six years, but also provides an exception from the six-year maximum period of employment if the Department of Hawai'ian Home Lands, with the approval of the Governor, determines that such contract individuals of the Governor, determines that such contract individuals are needed to provide critical services for the efficient functioning of the department. This bill will remove the requirement of the Governor's approval and will authorize the Chairman to solely make the exception determination. However, I believe that an individual should be hired by contract only for short-term purposes. If an individual is needed to provide critical services for longer than six years, that individual should be employed on a permanent basis and not by contract every two years for an indefinite period. Therefore, the use of the exception should not be made easier.

For the foregoing reason, I am returning House Bill No. 2504 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawai'i"

Gov. Msg. No. 195 returning House Bill No. 2983, without his approval and with his statement of objections relating to the measure, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 2000

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2983

Honorable Members
Twentieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 2983, entitled, 'A Bill for an Act Relating to Captive Insurance.'

The purposes of House Bill No. 2983 are to establish a new category of captive insurance company to provide reinsurance or excess insurance; to expand certain definitions in article 19 of the Insurance Code, chapter 431, Hawai'i Revised Statutes; to allow class 5 captive insurance companies insuring or reinsuring risks outside the United States in certain circumstances and with the approval of the Insurance Commissioner to follow foreign laws governing reserves and investments; to allow the Insurance Commissioner to establish minimum capital and surplus requirements for the new captive insurance company class; to clarify certain financial reporting requirements and to authorize certain specialists to prepare actuarial opinions; and to delineate the articles of the Insurance Code that apply to the new captive insurance company class.

This bill is substantially similar to Senate Bill No. 3192, which also was passed by the Legislature this year. However, this bill uses the phrase 'non-United States risks' (page 1, line 13; page 1, line 19 to page 2, line 1) where Senate Bill No. 3192 uses the phrase 'risks located outside the United States' (page 1, line 12; page 1 lines 18-19). I believe that the latter phrase is less ambiguous and less subject to challenge. In addition, the amended definition of 'pure captive insurance company' for Senate Bill No. 3192 allows such a company to insure 'or' reinsure risks, but this bill allows the company to insure 'and/or' reinsure risks, although 'and/or' is an ambiguous term that should be avoided in statutes. Because Senate Bill No. 3192 contains preferable wording and I intend to approve that bill, there is no need to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 2983 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawai'i"

Gov. Msg. No. 196 transmitting Senate Bill Nos. 2001 and 2438, without his approval and with his statement of objections relating to the measures, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 2000

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2001

Honorable Members
Twentieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 2001, entitled, 'A Bill for an Act Relating to County Tort Liability.'

The purpose of this bill is to amend the State Tort Liability Act, chapter 662, Hawai'i Revised Statutes, to require the State to defend and indemnify a county against damages arising from the operation by a county of certain beach parks.

This bill is objectionable because it will impose liability upon the State of Hawai'i for personal injury or death occurring at county-operated beach parks, even though the State of Hawai'i is not in control of the beach parks and cannot avoid the injury or death. Liability should not be imposed upon the State of Hawai'i in the absence of its ability to avoid the injury or death in the first place. To say otherwise would be to abandon the historical foundation for liability against the sovereign, i.e., fault. Liability against the sovereign without its fault is against public policy.

While I am sympathetic with the desire of the counties to provide lifeguard services at county beach parks, and while I understand the hesitancy of a county to do so when confronted with the threat of large potential judgments against it arising out of the provision of lifeguard services, liability without fault is not the answer. The State is not the insurer of the counties, nor should it be so viewed by the Legislature. Rather, the answer is to provide immunity to the counties for the provision of lifeguard services to county beach parks. This would have the dual advantage of improving public safety while at the same time reasonably protecting public funds for public purposes. We should not lose lives at our public beach parks in order that some may recover monetarily. That is why immunity is appropriate.

In addition, there is a constitutional violation presented by this bill. Section 14 of Article III of the Constitution of the State of Hawai'i provides that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The title of the bill indicates that the bill is one 'Relating to County Tort Liability.' However, this bill amends the State Tort Liability Act and the subject matter of the bill relates to extending the State's tort liability. The title of the bill, therefore, renders the bill unconstitutional in that the subject of the bill is not expressed in its title.

For the foregoing reasons, I am returning Senate Bill No. 2001 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawai'i

"EXECUTIVE CHAMBERS
HONOLULU

April 26, 2000

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2438

Honorable Members
Twentieth Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 2438, entitled, 'A Bill for an Act Relating to Judgments.'

The purpose of this bill, as expressed by the Legislature, is to 'clarify' that the post-judgment interest rate shall be ten percent per year on the total judgment amount.

This bill is objectionable because it would allow interest on that portion of a judgment that comprises prejudgment interest. In other words, it would allow interest on interest. This would change the current law on the matter, which does not allow interest on interest to be awarded on a judgment. The wisdom of this bill is questionable, in view of the fact that, as our Supreme Court has noted, to allow interest upon interest appears 'more punitive than compensatory.' Larsen v. Pacesetter Systems, Inc., 74 Haw, 1, 47-48 (1992). I believe that the change made by this bill is neither appropriate nor fair.

For the foregoing reasons, I am returning Senate Bill No. 2438 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano

BENJAMIN J. CAYETANO
Governor of Hawai'i

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 720) was received and announced by the Clerk and was placed on file:

Sen. Com. No. 720, informing the House that the President had, on April 29, 2000, discharged Senator Iwase as an Co-Chair on the part of the Senate at the Conference on Senate Bills Nos. 2218, SD 1, HD 2; 2475, SD 1, HD 3; and 2961, SD 2, HD 1.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 15, dated April 28, 2000, from Representative Dwight Takamine and Senator Carol Fukunaga, Co-Chairs of the Committee on Conference for H.B. No. 1900, HD 1, SD 1, CD 1, entitled: "RELATING TO THE STATE BUDGET," requesting that the President and the Speaker waive Guideline 9.a pursuant to Guideline 13.

ORDER OF THE DAY

UNFINISHED BUSINESS

Conf. Com. Rep. No. 4 and H.B. No. 1947, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred till May 2, 2000.

Conf. Com. Rep. No. 5 and H.B. No. 2530, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

Conf. Com. Rep. No. 6 and H.B. No. 2406, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

Conf. Com. Rep. No. 52 and S.B. No. 2411, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

Conf. Com. Rep. No. 53 and S.B. No. 2530, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

Conf. Com. Rep. No. 54 and S.B. No. 185, SD 2, HD 1, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

Conf. Com. Rep. No. 55 and S.B. No. 2837, SD 1, HD 2, CD 1:

By unanimous consent, action was deferred until May 2, 2000.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1615-00) recommending that S.B. No. 2112, SD 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 S.B. No. 2112, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Cachola, Hiraki, Kahikina, Kaho'ohalahala, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi being excused.

Representative Takamine, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1616-00) recommending that S.B. No. 2939, SD 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 S.B. No. 2939, SD 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 Cachola, Hiraki, Kahikina, Kaho'ohalahala, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi being excused.

Stand. Com. Rep. No. 1617-00 and S.B. No. 2499, SD 1:

By unanimous consent action was deferred until Tuesday, May 2, 2000.

CONFERENCE COMMITTEE REPORTS

Representatives Cachola and Kanoho, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2574, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 22)

recommending that H.B. No. 2574, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 22 and H.B. No. 2574, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred for a period of 48 hours.

Representatives Abinsay, Morita and Espero, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2405, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 2405, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 23 and H.B. No. 2405, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred for a period of 48 hours.

Representatives Hiraki and Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1763 HD 2, SD 2, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1763, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 24 and H.B. No. 1763, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," was deferred for a period of 48 hours.

Representatives Hiraki and Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1881, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1881, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 25 and H.B. No. 1881, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," was deferred for a period of 48 hours.

Representatives Takumi and Schatz, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2572, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 2572, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 26 and H.B. No. 2572, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," was deferred for a period of 48 hours.

Representatives Santiago, Menor and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 749, HD 3, SD 2, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 749, HD 3, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 27 and H.B. No. 749, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," was deferred for a period of 48 hours.

Representatives Santiago and Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2160, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 2160, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 28 and H.B. No. 2160, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1983, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 1983, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 29 and H.B. No. 1983, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," was deferred for a period of 48 hours.

Representatives Menor and Saiki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1938, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 30) recommending that H.B. No. 1938, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 30 and H.B. No. 1938, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2472, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 31) recommending that H.B. No. 2472, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 31 and H.B. No. 2472, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2585, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 32) recommending that H.B. No. 2585, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 32 and H.B. No. 2585, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," was deferred for a period of 48 hours.

Representatives Ito and Takamine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1874, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 33) recommending that H.B. No. 1874, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 33 and H.B. No. 1874, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN

ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1925, SD 1, presented a report (Conf. Com. Rep. No. 34) recommending that H.B. No. 1925, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 34 and H.B. No. 1925, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1912, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 1912, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 35 and H.B. No. 1912, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2017, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 2017, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 36 and H.B. No. 2017, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," was deferred for a period of 48 hours.

Representatives Menor and Yoshinaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2476, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 2476, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 37 and H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Yoshinaga and Hamakawa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2774, SD 1, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 2774, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 38 and H.B. No. 2774, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," was deferred for a period of 48 hours.

Representatives Saiki and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2418, SD 1, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 2418, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 39 and H.B. No. 2418, SD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO CERTIFICATES OF IDENTIFICATION," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2653, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 2653, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 40 and H.B. No. 2653, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Representatives Arakaki and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2429, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 2429, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 41 and H.B. No. 2429, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," was deferred for a period of 48 hours.

Representatives Saiki and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2410, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 2410, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 42 and H.B. No. 2410, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Representatives Arakaki and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 540, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 540, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 43 and H.B. No. 540, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred for a period of 48 hours.

Representatives Arakaki and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2273, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 44) recommending that H.B. No. 2273, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 44 and H.B. No. 2273, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2648, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 45)

recommending that H.B. No. 2648, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 45 and H.B. No. 2648, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," was deferred for a period of 48 hours.

Representatives Garcia and Kahikina, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2354 HD 2, SD 2, presented a report (Conf. Com. Rep. No. 46) recommending that H.B. No. 2354, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 46 and H.B. No. 2354, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," was deferred for a period of 48 hours.

Representatives Arakaki and Saiki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2506, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 2506, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 47 and H.B. No. 2506, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," was deferred for a period of 48 hours.

Representatives Ito, Saiki and Luke, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2098, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 2098, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 48 and H.B. No. 2098, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2492, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 2492, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 49 and H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Herkes and Luke, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2779, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 2779, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 59 and S.B. No. 2779, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," was deferred for a period of 48 hours.

Representatives Abinsay and Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3199, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 3199, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 60 and S.B. No. 3199, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred for a period of 48 hours.

Representative Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2121, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 2121, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 61 and S.B. No. 2121, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2982, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 2982, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 62 and S.B. No. 2982, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 680, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 680, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 63 and S.B. No. 680, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred for a period of 48 hours.

Representatives Arakaki, Menor, Kanoho and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2062, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 2062, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 64 and S.B. No. 2062, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred for a period of 48 hours.

Representatives Santiago, Menor and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2254, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 2254, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 65 and S.B. No. 2254, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN

ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," was deferred for a period of 48 hours.

Representatives Santiago, Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2655, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 2655, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 66 and S.B. No. 2655, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representatives Arakaki, Saiki and Kahikina, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2850, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 2850, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 67 and S.B. No. 2850, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," was deferred for a period of 48 hours.

Representatives Saiki and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2863, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 2863, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 68 and S.B. No. 2863, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2154, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 2154, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 69 and S.B. No. 2154, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," was deferred for a period of 48 hours.

Representatives Herkes and Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2711, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 2711, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 70 and S.B. No. 2711, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2151, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 71) recommending that S.B. No. 2151, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 71 and S.B. No. 2151, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred for a period of 48 hours.

Representative Hamakawa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3133, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 72) recommending that S.B. No. 3133, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 72 and S.B. No. 3133, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Representatives Ito and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2722, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 2722, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 73 and S.B. No. 2722, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," was deferred for a period of 48 hours.

Representatives Abinsay, Cachola and Espero, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2741, HD 2, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 2741, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 74 and S.B. No. 2741, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred for a period of 48 hours.

Representatives Saiki and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2843, HD 2, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 2843, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 75 and S.B. No. 2843, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2186, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 2186, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 76 and S.B. No. 2186, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2283, SD 1, HD 1, presented a report

(Conf. Com. Rep. No. 77) recommending that S.B. No. 2283, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 77 and S.B. No. 2283, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2729, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 2729, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 78 and S.B. No. 2729, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2819, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 2819, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 79 and S.B. No. 2819, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Menor and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3043, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 3043, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 80 and S.B. No. 3043, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," was deferred for a period of 48 hours.

Representative Menor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3190, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 3190, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 81 and S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," was deferred for a period of 48 hours.

Representative Menor and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2467, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 2467, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 82 and S.B. No. 2467, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," was deferred for a period of 48 hours.

Representatives Garcia, Saiki and Kanoho, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2152,

SD 1, HD 1, presented a report (Conf. Com. Rep. No. 83) recommending that S.B. No. 2152, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 83 and S.B. No. 2152, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," was deferred for a period of 48 hours.

Representatives Saiki and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2115, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 84) recommending that S.B. No. 2115, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 84 and S.B. No. 2115, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," was deferred for a period of 48 hours.

Representatives Hamakawa and Nakasone, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2427, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 85) recommending that S.B. No. 2427, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 85 and S.B. No. 2427, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," was deferred for a period of 48 hours.

Representatives Morita and Schatz, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2879, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 86) recommending that S.B. No. 2879, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 86 and S.B. No. 2879, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," was deferred for a period of 48 hours.

Representatives Kanoho and Takamine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2354, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 87) recommending that S.B. No. 2354, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 87 and S.B. No. 2354, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," was deferred for a period of 48 hours.

Representatives Kanoho and Saiki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3045, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 88) recommending that S.B. No. 3045, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 88 and S.B. No. 3045, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," was deferred for a period of 48 hours.

Representatives Arakaki and Kahikina, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2021, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 89) recommending that S.B. No. 2021, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawai'i, action on Conf. Com. Rep. No. 89 and S.B. No. 2021, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Cachola, Hiraki, Kahikina, Kaho'ohalahala, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Case moved that the House reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 101, HD 1, (SD 1); 2446, (SD 1); and 2906, HD 1 (SD 1), seconded by Representative Marumoto and carried. (Representatives Cachola, Hiraki, Kahikina, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi were excused.)

Representative Case then gave notice of intent to agree to the amendments proposed by the Senate to H.B. Nos. 101, HD 1, (SD 1); 2446, (SD 1); and 2906, HD 1 (SD 1).

ANNOUNCEMENTS

Representative Ito: "Your Committee on Education will reconvene on S.B. No. 247, SD 1, HD 3, CD 1 this evening at 9:00 in Room 309. Thank you."

At 6:50 o'clock p.m., Representative Case asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:51 o'clock p.m.

Representative Kahikina: "I want to announce that this House has passed out a concurrent resolution to observe the 100th Centennial Anniversary of the Organic Act. This Sunday at 12:00 noon we will be gathered in front of our beloved Queen Liliu'okalani Statue. I would like to ask all of you, if you have the time, to please come down. It's a time that saddened many Hawai'ians. Thank you."

Representative Yamane: "Members we have the only member who asked for a waiver this evening, who is now a little older as well. Our dear Education Chair Ken Ito is celebrating a birthday today."

The Chair then made the following announcement: "All Conference Committees this evening may not convene until they have received an extension approval from the Speaker of the House and the Senate President. Also, all Conference Committees will convene in Room 309. I would like to wish all of you the very best this evening as you finalize your Conference negotiations. I wish all of you a very nice weekend as we start next week Monday with our Caucus sessions and Sine Die on Tuesday."

Representative Yonamine moved to keep the Journal open until 12:00 o'clock midnight this legislative day for the purpose of receiving Conference Committee Reports, seconded by Representative Pendleton and carried, with Representatives Cachola, Kanoho, McDermott, Okamura, Rath, Stegmaier and Takumi being excused.

At 6:54 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made earlier, the following Conference Committee Reports (Conf. Com. Rep. Nos. 50, 90 through 127 and 133 through 161) were received by the Clerk's Office and the following actions taken:

Conf. Com. Rep. No. 50 and H.B. No. 37, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT ELATING TO FILM PRODUCTION FUNDING," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 90 and S.B. No. 2056, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 91 and S.B. No. 2074, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 92 and S.B. No. 2533, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 93 and S.B. No. 2692, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 94 and S.B. No. 2988, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS AND PROCUREMENT," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 95 and S.B. No. 1276, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 96 and S.B. No. 2961, SD 2, HD 1, CD 1, 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 Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 97 and S.B. No. 2448, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 98 and S.B. No. 2486, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 99 and S.B. No. 2490, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 100 and S.B. No. 2872, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 101 and S.B. No. 2108, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 102 and S.B. No. 2987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 103 and S.B. No. 2579, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 104 and S.B. No. 2873, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HEALTH SYSTEMS CORPORATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 105 and S.B. No. 3123, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 106 and S.B. No. 2576, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 107 and S.B. No. 3160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 108 and S.B. No. 3179, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 109 and S.B. No. 2716, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 110 and S.B. No. 2946, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 111 and S.B. No. 2706, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 112 and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 113 and S.B. No. 2420, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 114 and S.B. No. 2838, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 115 and S.B. No. 2859, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 116 and S.B. No. 2221, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 117 and S.B. No. 2781, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 118 and S.B. No. 2521, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 119 and S.B. No. 2409, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 120 and S.B. No. 3026, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 121 and S.B. No. 2303, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 122 and S.B. No. 2312, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATOR CERTIFICATION REVOLVING FUND," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 123 and S.B. No. 2218, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 124 and S.B. No. 2475, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 125 and S.B. No. 2134, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 126 and S.B. No. 2433, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 127 and S.C.R. No. 204, HD 1, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 133 and H.B. No. 2650, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

JUDICIARY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 134 and H.B. No. 1900, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 135 and H.B. No. 2024, HD 1, SD 2, CD 1, entitled: "MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 136 and H.B. No. 2407, HD 1, SD 2, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 137 and H.B. No. 3014, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 138 and H.B. No. 2314, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 139 and H.B. No. 2222, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 140 and H.B. No. 2556, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 141 and H.B. No. 2277, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 142 and H.B. No. 139, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 143 and H.B. No. 2392, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 144 and H.B. No. 1873, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 145 and H.B. No. 2280, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 146 and H.B. No. 2458, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 147 and H.B. No. 1994, HD 2, SD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 148 and H.B. No. 2801, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 149 and H.B. No. 2802, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 150 and H.B. No. 2151, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 151 and H.B. No. 1759, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 152 and H.B. No. 2835, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 153 and H.B. No. 2062, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 154 and H.B. No. 3016, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 155 and H.B. No. 645, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 156 and H.B. No. 2023, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 157 and H.B. No. 2793, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 158 and H.B. No. 1956, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 159 and H.B. No. 1969, HD 2, SD 1, CD 1, entitled: "MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 160 and H.B. No. 1632, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

Conf. Com. Rep. No. 161 and H.B. No. 2901, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," were placed on the calendar for Final Reading on Tuesday, May 2, 2000.

APPOINTMENT AND DISCHARGE OF CONFEREES

S.B. No. 2134, SD 1, HD 2:

Discharged Representative Halford as a member.
Added Representative Marumoto as a member.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m. on Tuesday, May 2, 2000.

SIXTIETH DAY

Tuesday, May 2, 2000

The House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, convened at 10:17 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Vice Speaker Marcus R. Oshiro, after which the Roll was called showing all members present with the exception of Representatives Arakaki, Cachola, Okamura, Souki, Stegmaier and Yoshinaga, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 197 and 198) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 197 informing the House that on April 28, 2000, he signed the following bill into law:

House Bill No. 1884, HD 2, as Act 87, entitled: "RELATING TO ENERGY".

Gov. Msg. No. 198, advising the House "that on April 19, 2000, the arbitration panel appointed pursuant to Section 89-11, Hawai'i Revised Statutes, issued its arbitrated agreement for the following bargaining units represented exclusively by the Hawai'i Government Employees Association, AFSCME, AFL-CIO, Local 152, (HGEA): Bargaining Units 02, Blue-collar supervisory employees; Unit 03, White-collar non-supervisory employees; Unit 04, White-collar supervisory employees; Unit 06, Educational officers; Unit 08, Administrative, Professional, and Technical employees other than faculty; Unit 09, Registered Professional Nurses; and, Unit 13, Professional and Scientific Employees. A copy of the award is attached herein.

The arbitration panel awarded the HGEA a four-year contract, effective July 1, 1999 to June 30, 2003. The panel did not award any wage increase for any of the above HGEA bargaining units for FY 2000 and 2001. As a result, the Administration makes no request for appropriations.

The only cost item pending before the current Legislature is the employers' contribution to the Hawai'i public employees health fund. It is not, however, part of the arbitration award. Instead, prior to the arbitration decision the parties had agreed on the employers' contribution to the health fund costs that will remain as a 60 percent contribution by the employer. Because the health fund costs will increase during FY 2001, the dollar amount associated with the employers' 60 percent contribution will increase as well. The increase in health fund contribution was previously incorporated within the administration's budget submittal.

The cost of the award is as follows:

Executive Branch

Bargaining units 2, 3, 4, 6, 8, 9 and 13 officers and employees included in collective bargaining:

	FY 99-00	FY 00-01	FY 01-02	FY 02-03
GENERAL	0	0	\$35,738,442	\$65,533,736
SPECIAL	0	0	\$ 8,851,388	\$16,260,094
FEDERAL	0	0	\$ 7,013,552	\$11,893,857
OTHER	0	0	\$ 1,762,524	\$ 3,281,949

Bargaining units 2, 3, 4, 6, 8, 9 and 13 officers and employees excluded from collective bargaining:

	FY 99-00	FY 00-01	FY 01-02	FY 02-03
GENERAL	0	0	\$6,552,480	\$10,812,957
SPECIAL	0	0	\$1,681,073	\$ 2,730,280
FEDERAL	0	0	\$ 607,195	\$ 950,093
OTHER	0	0	\$ 233,167	\$ 496,833

Judiciary

Bargaining units 2, 3, 4, 9 and 13 officers and employees included in collective bargaining:

	FY 99-00	FY 00-01	FY 01-02	FY 02-03
GENERAL	0	0	\$5,127,986	\$8,691,734
SPECIAL	0	0	\$ 94,050	\$ 168,317

Bargaining units 2, 3, 4, 9 and 13 officers and employees excluded from collective bargaining:

	FY 99-00	FY 00-01	FY 01-02	FY 02-03
GENERAL	0	0	\$ 780,912	\$1,295,074"

INTRODUCTIONS

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

Representative Case, on behalf of the members of the House, the Minority Leader and himself, introduced "the most important people in the building, our loyal, hardworking and dedicated staff...thank you, we appreciate you and we wish you Godspeed in your life's journey."

Representative Marumoto then recognized the "unsung heroes of the Legislature", the staff, who were seated in the gallery, and asked the members of the House to give them a standing ovation.

Representative Case then requested that the names of all the legislative staff for the 2000 Legislature be entered into the Journal "so that we may have a permanent record of their assistance," and the Chair "so ordered."

The employees of the House of Representatives are as follows: Mrs. Christine Sabino, Mr. Moses Lum Hoy, Mr. Jacob Manegdeg, Mr. Ted Mina, Ms. Kay Yatomi, Ms. Marietta Smith (Representative Abinsay); Mr. Roderick Isa, Ms. Irene Takizawa, Ms. Roylene Cachuela, Ms. Caroline Kaeo, Mr. Bennet Villanueva (Representative Ahu Isa); Ms. Linda Delaney, Mr. Phillip McInnis, Ms. Alice Nakama, Ms. Alma Marie Elmer, Mr. Lester Manding (Representative Arakaki); Ms. Rachel Olbrich, Mr. Lester Hershiser, Mr. Thomas Talisayan, Mr. Richard Johnson (Representative Auwae); Mrs. Ruth Baker, Mrs. Victoria Carvalho-Yuen, Mr. Prudencio Rex Pilar, Ms. Marisa Pollard (Representative Cachola); Ms. Dawn Yoshimura-Sinclair, Mr. Frank Streed, Mrs. Margaret Lui, Ms. Kimberly McDonald (Representative Case); Mrs. Harriet Kam, Ms. Trisha Nakamura, Ms. Janine Tully, Ms. Aisha Takumi (Representative Catalani); Ms. Sharon Miranda, Ms. Shirley Toth, Ms. Margaret Goodheart, Ms. Shellie Park (Representative Chang); Mr. Thomas Berg, Mr. Daniel Ramos, Mrs. Marlene Uesugi, Ms. Edlynn Taira, Ms. Reyna Chong (Representative Espero); Ms. Jennifer Lim, Ms. Maria Elena Camilon, Mr. David Stallard (Representative Fox); Ms. Claudia Harris, Mr. Edgar Marcus, Mr. Douglas

White, Ms. Jo-Annie Garcia, Mr. Adam Quon (**Representative Garcia**); Ms. Jazelle Hines, Ms. Whitney Kawata, Ms. Barbara Anderson (**Representative Goodenow**); Mr. Daniel Bilderback, Ms. Amanda Ogimachi, Ms. Sharon Gibo, Ms. Shreya Mukerji, Ms. Susie Morgan (**Representative Halford**); Ms. Kimberly Sugawa-Fujikawa, Ms. Koren Ishibashi, Ms. Erin Yokote, Ms. Janelle Kuroda, Ms. O'Keala Tim Sing, Ms. Lori Kaizawa, Mr. James Miura, Ms. Carolyn Nicol (**Representative Hamakawa**); Ms. Diane Dunphy, Mrs. Jo-Anna Herkes, Mr. Eduardo Camacho, Ms. Cathy Johnson (**Representative Herkes**); Ms. Joann Yosemite, Mr. Arthur Mann, Ms. Gayle Hirohara-Goto, Mrs. June Toguchi-Tassill, Ms. Ahn Thu Diep (**Representative Hiraki**); Ms. Lisa Oishi, Mr. George Okuda, Mr. Michael Yoshino, Ms. Cheryl Katekaru, Ms. Tasha Ideguchi (**Representative Ito**); Mrs. Vic-Ann Paresa, Mr. David Maldonado, Mr. Kaho'inani Tupua, Mr. Jarrett Wa'a, Ms. Andrea Matsuno, Ms. Diana Calso, Mr. Mike Simpson, Mr. David Donaldson (**Representative Kahikina**); Ms. Kathy Kaohu, Ms. Jade Danner, Mr. Gabriel Ishida, Mr. Rudy Bilan (**Representative Kaho'ohalahala**); Ms. Carol Kanoho, Mr. Raymond Adams, Ms. Janet Long, Mr. Barry Tai Costa, Mr. Corey Dobashi (**Representative Kanoho**); Mr. Kippen Chu, Ms. Amy Hallett, Ms. Amy Maeda, Ms. Lea Young, Ms. Flo Wakuya (**Representative Kawakami**); Ms. Tracy Kubota, Ms. Samantha Storm, Ms. Valarie Yamamoto, Ms. Sally Little (**Representative Lee**); Ms. Roberta Weatherford, Ms. Jaynel Hirakawa, Mr. Harold Zweber, Ms. Caroline Dang, Ms. Meymo Rego (**Representative Leong**); Mr. Blayne Higa, Ms. Grace Chang, Ms. Colleen Takenouchi, Mr. Roby Bumgarner (**Representative Luke**); Ms. Bryna Akana, Ms. Joan Shinn, Ms. Joan Stebbins, Ms. Maureen Muraoka, Mr. Jeremy Low (**Representative Marumoto**); Mr. Harry Friel, Mr. Roosevelt Freeman, Mr. Sesalio Tevaga, Mr. Christopher Garnier, Mr. Ales Zivonovic, Mr. David Pagan (**Representative McDermott**); Ms. Stephanie Osurman, Ms. Elizabeth Smith, Mr. Robert Kato, Mr. Lloyd Nakahara, Mr. Earl Cachola, Mr. Keith Hayashi, Mr. Tony Koyamatsu, Ms. Christine Kondo (**Representative Menor**); Mr. Chris White, Ms. Rebecca Crockett McHenry, Mr. Wayne Giesbrecht, Ms. Jennifer Kajiyama, Ms. Nicole Kajiyama (**Representative Meyer**); Mrs. Stephanie Kim, Ms. Linda Tavares, Mr. Gerald Morihara, Mr. Chris Cramer, Ms. Aurora Hodgson, Mr. Andy Wang (**Representative Morihara**); Ms. Brandi Lau, Ms. Punua Souza, Ms. Barbara Robeson, Ms. Ramona Alstad, Ms. Lynne Unemori (**Representative Morita**); Mr. Brian Durham, Mr. Jason Jones, Mr. Lyle Yanagawa, Mr. John Atchinson (**Representative Moses**); Ms. Ann Takaki, Mr. Jon Kobayashi, Mr. Bradford Ing, Mr. Scott Tanaka (**Representative Nakasone**); Ms. Judy Gold, Mrs. Rose Yasuhara, Mr. Donald Guzman, Ms. Rose Guzman (**Representative Okamura**); Mr. Rodney Kwock, Ms. Gay Tanaka, Ms. Linda Toki, Ms. Colleen Sakai (**Representative Oshrio**); Ms. Kymberly Pine-Colon, Ms. Jana Edge, Mr. Clifton Gadsden, Ms. Rachelle Richardo, Mr. Morgan Welebir (**Representative Pendleton**); Mr. Michael Marques, Mr. Joe Tully, Ms. Janelle Hines (**Representative Rath**); Ms. Tari Shimabukuro, Mr. Ryan Senaga, Ms. Cynthia Okawa (**Representative Saiki**); Ms. Aileen Steward, Ms. Mavis Nitta, Ms. Marcia Wright, Ms. Ethel Chang (**Representative Santiago**); Mr. Mark Oto, Ms. Gail Kakuda, Ms. Christina Dargitz, Mr. Mark Segami, Mr. Thomas Foley (**Representative Say**); Ms. Karin Gill, Mr. Adam Borrello, Mr. Kiimac McMannen, Ms. Danielle DeLonge (**Representative Schatz**); Ms. Floriene Hamasaki, Mr. Dennis Aloiau, Ms. Peggy Collier, Mr. Leslie Takenaka (**Representative Souki**); Ms. Linda Asato-Kaichi, Mr. Charles Gary, Ms. Caroline Blakeley, Mr. Donald Huff, Ms. Diane Foster, Mr. Brian Yonezaki, Mr. Darren Tateishi, Mr. Kellen Shimabukuro (**Representative Stegmaier**); Ms. Aileen Kitaoka-Yee, Ms. Ellen Ikeda, Mr. Steven Onoue (**Representative Suzuki**); Mr. Stuart Saito, Mr. Kendall Matsuyoshi, Mr. Myoung Oh, Ms. Jennifer Shibata, Ms. Angela Kusatsu, Ms. Carrie Azama, Mr. Chris Taketa, Ms. Cheryl Derby (**Representative Takai**); Ms. Yemiko Lum, Mr. Kevin Kuroda, Mr. Brian Hallett, Mr. Nandana Kalupahana, Mr. Brian Takeshita, Mr. Eric Nouchi, Mr. Jodi Hamasaki

(**Representative Takamine**); Mr. Lono Lee, Ms. Christina Low, Ms. Jennifer La'a (**Finance Committee Researchers**); Mr. Lance Suzuki, Mr. Brent Yoshikami, Mr. Devin Choy, Mr. Gregg Hirohata-Goto, Ms. Sandi Kawahara, Ms. Martha Towensen, Mr. Andy Bonota, Ms. Jan Taylor (**Finance Committee Budget Analysts**); Ms. Kathleen Lindsey, Ms. Veronica Carreira, Ms. Rachel Lee, Ms. Ai Yamane, Ms. Sheila Orio (**Finance Committee Secretary and Clerical**); Ms. Nancy Leung, Ms. Kimberly Click, Ms. Kathie Grace Estorgio, Ms. Mary Grace Busto, Ms. Eme Alegado (**Representative Takumi**); Ms. Desiree Poteet, Ms. Ginger Bogue, Mr. Jay Duffy, Ms. Ti-Jen Wang, Ms. Laura Ellis (**Representative Thielien**); Ms. Bridget Urbanski, Ms. Heidi Ho, Mr. Isaiiah Delsi (**Representative Whalen**); Mrs. Myrtle Yamane, Ms. Sallye Barona, Mr. Arthur Mori, Ms. Brandi Brash (**Representative Yamane**); Mr. George Mead, Ms. Mon Lam, Mr. Edward Wake, Ms. Jeannette Nakano-Kuwahara, Ms. Marie Hee, Mr. Donald Aguilar (**Representative Yonamine**); Mr. Philmund Lee, Mr. Brian Fuchigami, Ms. Karen Kaeo, Ms. Eunice Lum, Mr. David Sanden, Mr. Ike Liu, Ms. Valarie Mallet, Mr. Marvin Anderson, Ms. Dee Liem (**Representative Yoshinaga**); Ms. Patricia Mau-Shimizu, Ms. CJ Leong, Ms. Adele Kuraoka, Mr. Janine Kurosawa, Ms. Tammy Tengan, Mr. Michael Kibanoff, Ms. Lyndall Kawakami, Ms. Gail Iseri, Mr. Craig Nakahara, Ms. Kelly Overstreet, Ms. Josette Akamine, Mr. David Kam, Ms. Denise Liu, Mrs. Elsie Matsuo, Ms. Carmela Ho, Mr. Neal Shigemura, Mr. Roger Tyau, Jr., Mrs. Yvonne Rezentes, Mrs. Loretta Apa, Ms. Juli Seitz, Ms. Minerva Remegio, Ms. Jill Takamatsu, Mrs. Dianna Valdez, Ms. Kimberly Oshiro, Ms. Karelyn DeKaye, Mrs. Gloria Laimana, Mrs. Gail Nakasone, Ms. Brooke Wilson, Ms. Angela James, Ms. Michele Yonezaki, Mr. Brent Miyagi (**House Chief Clerk's Office**); Ms. Dorothy Horie, Mr. Virgil Jhoo, Ms. Jean Kuroshita, Mrs. Yoshi Kiyabu, Mr. Douglas Kuahulu, Ms. Sandra Kuewa, Ms. Rochelle Ladao, Mr. Kenji Odo, Mr. Har Ping Pang, Mr. Joseph Rapoza, Ms. Eleanor Rinney, Ms. Samantha Roxburgh, Mr. Norman Tajiri, Ms. Cheryl Yoshimura, Ms. Janice Eldredge, Mrs. Amy Say, Ms. Kay DeMello, Mr. Lorrin Kaalehaki, Jr., Mr. Robert Laimana, Ms. Amanda Porter, Ms. Shirley May Sing, Ms. Peggy Spencer, Ms. Saralee Sugioka, Ms. Pemerina Tau, Ms. Bernadette Panonchial (**House Print Shop**); Mrs. Linda Oamilda, Mr. John Moriyama, Mr. James Funaki, Mr. Michael Chambrella, Ms. Lisa-Ann Fujimoto, Ms. Donna Ikegami, Ms. Carolyn Plett, Mr. Nathan Chee, Mr. Aaron Dunn, Mrs. Alison Kim, Mr. Wesley Lum, Mrs. Sharilyn Ho, Ms. Joyce Nakagawa, Ms. Doreen Belen, Ms. Iris Brown, Mrs. Lehua Saturnio, Ms. Pamela McCreadie, Ms. Jolene Nakamatsu, Mr. Levon Suga, Mr. Anthony Gerber, Mr. Richard Dvonch, Mr. John Choi, Mr. Marc Garren, Mr. Roy Nihei (**House Majority Staff Office**); Ms. Jill Frierson, Mr. Michael Ong, Mr. Douglas Chun, Mr. James Hall, Ms. Candace Crouch-Kelsey, Mr. Boyd Akase, Mr. Michael Boateng, Mr. Tracy Tanaka, Ms. Loretta Arizumi, Ms. Janet Harmon, Mr. Aaron Mattis, Mr. Dennis Ruzicka (**House Minority Staff Office**); Mr. Kevin Ebata, Mr. Frank Arakaki, Mrs. Barbara Leong, Mrs. Rowena Low, Mrs. Dannelte Yoshimura, Mrs. Isabelle Teixeira, Mr. Vernon Souki, Mr. Glenn Okamura, Mrs. Paulett Abe, Mr. Franklin Anno, Mr. Douglas Arakaki, Mr. James Ikeda, Ms. Patricia Lau, Mr. Bronson Low, Mr. Richard Nagamine, Mr. Toshimi Ogawa, Mr. Mitchell Osurman, Mrs. Nellie Piena, Mr. Wade Robinson, Mr. Thomas Shimabukuro, Mr. Jack Suwa, Mr. Richard Tamashiro, Mr. Noboru Yonamine, Mr. Thomas Young, Mr. Shane Suehiro, Mr. Roy Takamura, Mr. Ryan Palikiko, Mrs. Elizabeth Puha, Mrs. Gertrude Cantere, Mr. Ernest Ching, Mrs. Betty Lopes, Mrs. Eliza Miguel, Mrs. Lieselotte Waipa (**House Sergeant-at-Arms**).

Representative Kanoho, on behalf of Representatives Kawakami, Morita and himself, introduced "a very special lady from Kauai", Ms. Karen Taketa, Executive Director of the Contractors Association of Kauai.

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

The House of Representatives reconvened at 10:26 o'clock a.m.

ORDER OF THE DAY

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Conf. Com. Rep. No. 134 and H.B. No. 1900, HD 1, SD 1, CD 1:

Representative Takamine moved that the report of the Committee be adopted and H.B. No. 1900, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Kawakami.

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

"Thank you, Mr. Speaker. I will be brief, Mr. Speaker, but I cannot emphasize enough the fact that this is budget is a result of a sincere collaborative effort between the House and Senate. We responded to the additional pressures imposed by new conference procedures and under a shortened deadline. I would like to offer my personal gratitude and commendation to the House members and Senators involved in this process.

"First, though, Mr. Speaker, I would like to express my appreciation to you. The fact that we have Conference Draft No. 1 and the fact that it was agreed to in a timely and workmanlike fashion is greatly attributable to your efforts. And so it is appreciated very much.

"Equally important to the final product we are voting on today are the members of the Finance staff. Their selfless dedication and skill enabled us to incorporate the many amendments and adjustments smoothly and efficiently. The knowledge that their competence and expertise would carry us through the difficult technical aspects of this job made a big difference.

"Mr. Speaker, the measure now before us strengthens the biennial budget we passed a year ago and reaffirms the State's priorities. It underscores the need to remain steadfast in controlling government spending and still addresses our mandated and moral obligations.

"House Bill 1900 general funds totaled \$3.1 billion for fiscal year 2001, which is a marginal increase of \$80 million or 2.6 percent. The priorities of this budget are the public schools, the State university system, rural health care and meeting our court ordered obligations to provide essential services in mental health, developmental disabilities and mental retardation.

"Mr. Speaker, throughout the process, we were well aware of the encouraging reports regarding Hawai'i's economic recovery and the likelihood of further upward adjustments by the Council on Revenues. However, the conferees ultimately agreed that we should remain fiscally disciplined and not spend what we do not yet have.

"Moreover, we strongly express, through this budget, that discipline in spending limited to essential government services is a wise practice at all times. If we have learned anything from our long economic malaise, it is that we are profoundly affected by the economies of the mainland and in Asia. Areas over

which we have very little control. It is, therefore, incumbent that we exercise strong control over the State finances.

"Mr. Speaker and fellow members, at this time, I would like to draw your attention to the areas in the bill where our taxpayer dollars are heavily placed.

"In education, our public school system and the University of Hawai'i, we are devoting nearly 50 percent of the general fund budget. This amounts to just over \$1.5 billion for the fiscal year. Mr. Speaker, I am a third generation 'sansei'. I know that if it hadn't been for my grandparents -- who toiled in the plantation fields earning very little each day for their hard work -- and if not for their sacrifices, I would have never had the kinds of educational opportunities that I've had, including the opportunity to attend law school. I know that for our colleagues, each of our colleagues appreciates the fact that but for their own educational opportunities that it probably played a key role in leading to the privilege that we all share of being able to sit on the floor of the State House of Representatives. That is why it's a united effort, Mr. Speaker, and a joint responsibility to provide for the best educational opportunities for all of our children.

"For the Department of Education, Mr. Speaker, \$1.1 billion has been budgeted to provide sufficient resources to improve the delivery of education to our students.

"This has been done by doing a number of things. First, by hiring more teachers at the kindergarten level through second grade, reducing the student to teacher ratios and allowing greater 'one on one' instruction at this very important stage in a student's development. Hiring 275 regular and special education teachers to further reduce class size and satisfy our court ordered obligation to our challenged students."

At this time, Representative Hamakawa yielded his time to Representative Takamine.

Representative Takamine continued, stating:

"Funding the Hawai'i Content and Performance Standards to upgrade total system performance. And providing \$45 million in the coming fiscal year for school repair and maintenance. This appropriation, a combination of cash and bonds, is the first part of a three year, \$135 million commitment to repair and maintain school facilities statewide. Providing \$3.4 million to replace unsafe playground equipment for elementary schools statewide as we know the difference it makes in terms of the socialization skills gained by students at that age. Providing an additional \$3 million for a total of \$30 million for school priority funds so that basic needs, such as textbooks and computers and other schools supplies will also be met.

"Mr. Speaker, at the University of Hawai'i, we are committing 12 percent of the general fund budget totalling \$388 million in fiscal year 2001. The House and the Senate agree that the following key investments are necessary and hold important implications for Hawai'i, both now and in the future. One million dollars to the School of Medicine where 'cutting edge' bio-medical research is already underway. One million dollars to the College of Engineering to help it lead Hawai'i in knowledge and skills development for the new millennium. One million dollars to the College of Business which will greatly enhance the State's ability to capitalize on the explosive activity occurring in e-commerce. One million dollars to the community college system's Pacific Center for Advance Technology Training. And \$20 million, Mr. Speaker, in combined funding for the repair and maintenance of facilities statewide.

"Mr. Speaker, at this point, I would like to answer a question even before it's asked. The answer is yes. Yes, the budget does reflect an overall increase in positions. These positions are almost exclusively in higher and lower education, 27.5 for higher education and 505 for lower education to provide

teachers, clerical and other positions to support our teachers. Many of the other new positions are the direct result of our court ordered mandate to provide child and adolescent mental health services. The Felix Consent Decree, Mr. Speaker, and in this we do not have the option of non-compliance.

"To the critics, who will say that we have done nothing to reduce the size of government, I say that if it means cutting education and rejecting our lawful duty to obey the court, my answer is no. We cannot and must not put the State at risk in this regard.

"Mr. Speaker, as a Democrat, I also believe strongly in our Party's fundamental principles of tolerance, opportunity, fairness and compassion. Our sub-par economy of the last 10 years has forced us to make many painful cuts in State programs and services. It has compromised our ability to show compassion for those in need. It has been a difficult time, Mr. Speaker, believing as I do that government has a moral duty to provide for citizens who cannot do so for themselves. I am not alone in this. In some cases, our forced regret caused the Judicial system to intervene and order us to meet our obligations.

"Mr. Speaker, I am both pleased and proud to inform you that House Bill 1900 provides funds to meet all court ordered obligations and restores funding to several health and human services programs without endangering the State's financial position.

"The appropriations include: \$2 million in general funds to meet the Felix v. Cayetano Consent Decree for child and adolescent mental health services; \$23.5 million to expand services for adult mental health under a settlement agreement reached with the Department of Justice; \$13 million in general funds for the Hawai'i Health Systems Corporation, the non-profit entity which oversees the State's hospital system; over \$4 million for services..."

At this time, Representative Nakasone yielded his time to Representative Takamine.

Representative Takamine continued, stating:

"...over \$4 million for services in developmental disabilities; and \$2.5 million in general funds as subsidies for our most rural health services providers. I'm speaking of places like Hana, Waianae, Molokai and Kahuku.

"Mr. Speaker, as I stand here and offer this bill for approval, I cannot help but recall the many times in this chamber when we have had to cut, restrict and otherwise deny funds to popular programs and much needed physical improvements. But our constitutional duty is clear, Mr. Speaker, we must construct a balanced budget based on the projections by the Council on Revenues. We have done that.

"Even within those parameters, the Legislature retains the prerogative of setting forth State policy through the budget process. What we are expressing through this supplemental budget is clear: continued fiscal responsibility and restraint, investing in our human capital for now and for our future, a belief in our legal and moral obligation to provide basic, essential services, improvement of government operations through modernization, and protection and preservation of Hawai'i's natural resources.

"House Bill 1900, Conference Draft 1, in conjunction with a number of separate funding bills underscores the House Majority's goals and preferences in shaping a government to serve the people effectively and efficiently in the 'new age'. It is prudent and conservative in its accounting of revenues and expenditures. It is responsive to the stated needs and priorities of our people. It seeks to deliver appropriate government services efficiently. It upholds the principle of protecting

Hawai'i's precious natural environment. It's a basic role of government.

"But perhaps most importantly, Mr. Speaker, this budget expresses a forward vision of a prosperous Hawai'i in full participation with the new global information and technology economy. I urge approval of this measure. Thank you very much."

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

"Mr. Speaker, I rise to speak in strong support of H.B. No. 1900, HD 1, SD 1, CD 1, Relating to the State Budget.

"Mr. Speaker, I wish to begin by expressing my sincere gratitude and appreciation to Chairman Takamine in his second session as head of the Finance Committee. His leadership abilities and efficiency has allowed this House to put its best foot forward, and I commend him, the Committee members, the dedicated Finance staff (researchers, analysts, and senior staffers) for a job well done! And also to my staff who are sitting on the right. I would also like to extend a big Mahalo to you, Mr. Speaker, for your levelheadedness and to the entire leadership team for their warm and kind support.

"First of all, let me begin by stating that the budget process reflects certain priorities. And these priorities are a direct result of the focus and goals that we, as a body, have collectively decided upon. Of course, every major undertaking must have a foundation on which to build, and our budget's foundation is education.

"For the community as a whole, education is at the heart of our ability to grow, prosper, and thrive. We, as elected officials, give back to our constituents the concept of empowerment through the educational system. As Dr. Abraham Maslow, the American psychologist who created the hierarchy of needs, once said, 'If the only tool you have is a hammer, you tend to see every problem as a nail.' Education is not the answer to every problem, but it does provide the tools needed to solve them. The idea of learning to better one's self goes hand in hand with self-sufficiency and independence. And we can all see how this relates to every other sector of the budget: economic development, welfare reform, and government operations.

"In building this foundation, we must plan accordingly by setting standards and ensuring accountability. And by following these guidelines in budgeting for education, we improve the entire appropriation process for all departments. We need to strengthen our foundation, and this bill, along with several other important education bills, are responsible steps in the right direction.

"As I stated at the First Crossover when we sent the budget over to the Senate, the goal of H.B. No. 1900 was to balance basic services, mandated obligations, and new initiatives. It is a comprehensive approach because we want it to benefit everyone. Setting priorities and maintaining a clear focus does just that. Although some may disagree with that assessment, I want to emphasize that a strong foundation today will permit a skyscraper tomorrow.

"Mr. Speaker, and colleagues, there is a Chinese proverb that says, 'If you want one year of prosperity, grow grain. If you want ten years of prosperity, grow trees. If you want one hundred years of prosperity, grow people.' Well, we are looking to the future by investing in our people today. This budget, H.B. No. 1900, reflects that investment because that is our main focus. Mahalo to all! Thank you very much, Mr. Speaker."

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

"To begin, let me first acknowledge that the staff that worked very hard at putting this budget together did a good job, as they do every year. We all know that they do a better job than our counterparts on the other side of the building. So thank you very much.

"Mr. Speaker, the Executive Budget, our operating budget, is the single most important and comprehensive bill passed by the Legislature. It is the premier bill not just because it affects all aspects of government activity, nor just because it directs virtually all of our public money. It is also the mechanism that we have to implement our government's hopes, dreams, philosophy, direction and any vision that we might have.

"This budget is composed of all the public money we take in, in various ways, and spends it to implement our goals. After all the rhetoric, public or private, regarding our intentions, this document is our action plan. This document is where the 'rubber meets the road.'

"Mr. Speaker, some hope that the economy might be the centerpiece of discussion. And perhaps the Governor hoped that civil service reform might be the centerpiece. Headlines from both dailies have identified medical use of marijuana and employee raises as the possible centerpiece. I submit that, as a practical matter, the budget is always the centerpiece as it is the expression of how we take the people's money and how we spend their money to increase or diminish all aspects of our society.

"Mr. Speaker, let's look at the funding side of this budget. Hawai'i takes in more public money per capita than any other state in the nation. While the State's each have various mixes of taxation between their states and local governments, we can compare apples to apples if we add state and local taxes together. Combined, Hawai'i takes in more public money per capita than any other state. Additionally, Hawai'i takes in the highest percentage of personal income in the nation, state and local taxes combined.

"This relationship to personal income is particularly disturbing as Hawai'i went from sixth in 1995 to first in 1998 and 1999. If you recall, Mr. Speaker, we raised taxes in 1995. That year we removed around \$80 million in tax credits to offset the regressivity of the general excise tax along with maintaining a 6 percent tax on nursing home beds and raising fees of all kinds. The tax credits removed since 1995 currently supplement our budget by about \$90 million a year, about one-fourth of the incredible spending increase proposed in this Supplemental Executive Budget.

"The general excise tax is our largest single source of income. The social weakness of this tax is that it is regressive and also taxes food and medical services. In 1995, we returned 8 percent of the general excise tax to offset these problems. Today, we return less than 1 percent.

"This growing budget, Mr. Speaker, is supported disproportionately on the backs of the most fragile members of our community and it is squeezing the lifeblood out of our economy. As an aside, this morning's Honolulu Advertiser had an incredible front page story. For background, one of the first acts of our Governor, in 1995, was to approve the removal of the low-income tax credit and the food tax credit. This morning's Advertiser quotes the Executive as saying, 'If we're going to take care of rich people, maybe we should take care of the people who are not so rich.' While his comments were directed at a key legislator, it is something akin to the 'pot calling the kettle black.'

"In 1998, we prospectively passed income tax reductions that have yet to be materialized. While this government publicly wrings its hands over a cumulative, prospective and protracted \$2 billion loss in revenue, no mention is made of the retroactive tax increases that have allowed us to pass increased budgets..."

At this time, Representative Whalen yielded his time to Representative Halford.

Representative Halford then continued, stating:

"...no mention is made of the retroactive tax increases that have allowed us to pass increased budgets and tax increases that have made us number one in taking money from our people.

"Mr. Speaker, regarding the spending side of this budget, is anyone surprised that this State spends more money per capita than any other state in the nation, state and local spending combined. Last year, we passed the biennium budget that was increased by 4 percent. It is questionable whether that budget is balanced since it committed to underfund our obligations to the Employee Retirement System.

"The budget before us today is an additional 6 percent increase in the biennium budget. The growth in our State budget is outpacing inflation, personal income, gross state product, or any other significant economic measure that might be proposed.

"Mr. Speaker, we do not measure the value of our spending. I can easily claim that overall we do not get 50 cents of value on each dollar of excessive spending. This is indisputable because we lack measures. Any private business will fail if it doesn't measure. We require our private non-profits to measure, Maui County measures, but we don't measure. Our budget process does not ask for measures, which is a major reason that we do not get acceptable value for our dollar spent.

"Mr. Speaker, this budget is simply a continuation of our State's long standing commitment to hurtful taxation and lack of spending controls. This budget has no courage and no uplifting vision. This budget not only damages our economy, it damages our people and their spirit. This budget should be rewritten with the goal of putting our people and communities first.

"Mr. Speaker, these are some of the reasons I'm voting no on the budget. Thank you."

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

"Thank you, Mr. Speaker.

"Mr. Speaker, first of all, I would like to thank Chairman Takamine and Vice Chair Kawakami and the Finance members for putting together this fiscally responsible budget that places education as it's highest priority. And I also want to thank the staff of the Finance Committee for all their hard work on this budget.

"Mr. Speaker, under your leadership, the House of Representatives has made education of our children the highest priority of this session and I think we have proven this with this measure.

"Mr. Speaker, this budget will make a direct impact where help is needed most - in the classrooms. Overcrowded classrooms have always been a problem and to counter this problem, this measure appropriates funds to reduce class size and the teacher-student ratio for kindergarten to second grade to twenty students per teacher. This takes an important step to ensure that our children have a solid foundation of basic skills from which to work on.

"Furthermore, Mr. Speaker, this measure also provides funding for 275 additional regular and special education teachers for all grade levels, statewide, with the same goal of providing more personal attention to our students.

"Mr. Speaker, as well as improving the learning environment in the classrooms, this measure also takes aim at improving our

school facilities by appropriating \$2.8 million for equipping and staffing new schools and facilities. This is in addition to the \$30 million that has been allocated to the Department of Education for the general repair and maintenance of our schools. It should also be noted that \$3 million has also been appropriated to repair old and damaged playground equipment. For this I want to again thank the Finance Committee for understanding that a safe and sound environment not only provides safety but it also promotes learning.

"Mr. Speaker, in conclusion, this measure takes a direct and effective approach to improve education in Hawai'i. As stated in the conference draft committee report, almost \$18 million was approved in the operating budget for education, a full \$6.7 million more than the Governor requested. This resulted in a net total of 491 additional positions for education.

"Mr. Speaker, I speak in strong support of this budget and I urge the other members to also support this measure that puts education at the top of its list. Thank you, Mr. Speaker."

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

"Mr. Speaker, for the last two years, I've personally been complaining about we're not spending enough on repair and maintenance and playground equipment. I'd just like to amplify the remarks of the previous speaker.

"We are now addressing, beginning to address the critical, I really believe it's critical, to have repair and maintenance. It's very important. Playground equipment, as he said, where children develop motor and social skills is also very important. It's painful that we, and I take responsibility for it, have let the playgrounds deteriorate to nothing but sand.

"The classroom, as he mentioned, is awfully important. My son just went from a class, public school class, of 30 to a private school of 17. His grades went from straight 'F's to 'B's and 'C's. Equipment, staffing for new schools, education is the most important thing that this State government does. That's the most important thing we do, Mr. Speaker. That's our number one priority.

"We're making a commitment. Now money won't solve everything, Mr. Speaker. I'll be brief, but the infrastructure issues that we have are mortar, bricks and steel and concrete and you have to spend money to fix those things. Thank you, Mr. Speaker."

Representative Fox then rose to speak in support of the measure with reservations, and asked that the remarks of Representative Halford be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Fox continued, stating:

"Mr. Speaker, we have made real progress as the Finance Committee under our current Chair. I think we're in a very efficient process of putting out a budget. We hit our targets strongly. We hit them early. A great deal of the credit goes to the Chair who properly also paid a lot of credit and well deserved credit to the Vice Chair and staff. It's a team that functions very well. I'm sure that you're very proud of what's followed in your path as head of the Finance Committee, Mr. Speaker.

"At the same time, I would like to sadly say that I feel that as a State we have failed to address the major problem that's before us and that's the need to revive our economy.

"Our government is too big and it's getting bigger. Our budget, as the Representative from Kihei pointed out, is up 6.3 percent, that's the operating budget. I think what we should be doing are three things.

"First, I think we should be looking at the rest of the world. We should be looking at other states. We should be looking at our national government, which is now down to the size as it was under President Kennedy. We should also be looking to Asia where governments have made significant reductions in size to deal with the problems that they are facing. The lesson that we receive from the outside world is the importance of making government smaller.

"Second, I think we should treat those outside the world of government with more humanity than we do. The high taxes that we have in Hawai'i are hurting the elderly and the working poor the most. As the Representative from Kihei pointed out, we took away \$90 million worth of tax credits in 1995 when this place was really suffering. In the years since, we have failed to put those credits back. In consideration of the working poor and elderly, that's something that should be our highest priority.

"Third, Mr. Speaker, we should be cutting unnecessary expenditures. We should have performance measures. We should be rewarding departments that perform according to their measurements and cutting expenses where those expenses are wasteful. To me, it is especially distressing that on page 86 of the budget, I open it up and find out that we are appropriating money to buy the Hemmeter Center. Mr. Speaker, I consider this an extreme embarrassment. This is a building that should never have been occupied by government civil servants. It should be stripped of every government servant working in that building. It has swimming pool. It has an exercise facility. It has grand halls that are designed for the emperor that Chris Hemmeter thought he was. It's a true embarrassment that we are acquiring that building.

"Mr. Speaker, Japan is going through a 10 year slump; 10 years of no real gain in economic productivity. The people aren't really suffering in Japan. It's a successful country, but they aren't moving forward. People in Japan are trying to figure out what's wrong with that country. The word they use is 'kochoku,' which means rigidity. They can't make changes. They're stuck doing things the way they've been doing them in the past when things used to work well. It's very difficult to make changes. Mr. Speaker, we have to end 'kochoku' in Hawai'i. We have to do changes to make this economy work. We could do it through the budget process. Thank you, Mr. Speaker."

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

"With a measure of the complexity of the state budget and the related debates, one can sit here and listen to six floor speeches ranging from support, to strong support, to opposition and reservations and find something to agree with each one of those.

"I want to take this from a bigger perspective and talk about the big picture. I agree with the Representative from Kihei. While our deliberations in this, as in any Legislature, have ranged over the entire spectrum of current issues, clearly our most important responsibility, because it does affect virtually everything else, from business to education, public safety, our environment, and on, is in fact the sound financial management of our State. When we get up above the jungle and look down on the thousands of bills that we considered this year, and the tens of thousands of decisions that we made in the last two legislative sessions, I believe we deserve to be judged kindly on how we discharged this most basic duty to manage our State's financial resources.

"In roots of our current fiscal policy trace back to our 1998 Legislative Session, when we did in fact enact the largest tax cut in our history. We will all recall that this was a time when government expenses were rising and there was no legitimate reason to expect government revenues to increase of their own accord. We will also recall the heated arguments from some

segments of our community in favor of outright tax increases or new revenue sources, and from other segments in favor of drastic tax cuts. We chose then in 1998 a moderate middle course, which was designed to preserve funding of core government services like education and public safety, while cutting non-core expenses and putting more money in individual taxpayer pockets with which to revitalize our economy.

"We knew full well then, that if these tax cuts did not bear fruit in economic revitalization, our only realistic option was in fact to deeper expense cuts. At the beginning of this two year Legislature, in January 1999, we saw much the same picture: anemic revenue projections and increasing pressure on expenses. We were then asked on the one hand to abandon the individual tax cuts, to suspend them, and again to raise taxes and institute other revenue sources. On the other, we were urged to drastically reduce corporate and other business taxes. We again rejected the tax revenue generation option and elected instead to phase in substantial business tax relief through de-pyramiding, which with our individual tax cuts aggregated almost \$2 billion in total tax cuts over a seven year period.

"At the beginning of this legislative session, we were again presented with the same basic choices but we elected to stay the course first set in 1998, to fully absorb the tax cuts of 1998 and 1999, and to balance our books on the expense side. Today, at the end of this session, there is no doubt that our economic picture has improved. And while no one in his right mind will say that the path we chose, beginning in 1998, and have followed now through three separate legislative sessions, was the exclusive cause of this recovery--certainly the continuing economic vitality on the U.S. mainland and the stabilization in Asia are playing a major role as well--we are in fact entitled collectively to stand here today and say to our constituents that in managing our state fiscal picture, we have made the right choices and they have produced results.

"Yet in honesty there is much that remains to be done in this area. While we were carrying over a healthy balance to the next fiscal biennium, the projected carryover balances during and coming out of that next biennium are unacceptably low and that is before we even consider brand new spending requests like government employee pay raises. The impending fiscal crisis in our public employee health fund, where responsible reform initiated by the House and Governor and was rejected by the Senate, looms large over our future budgets. Civil service reform Round Two is inevitable because it offers the last best hope for government efficiency and expense controls short of outright layoffs.

"The bottom line is this: we have made responsible choices over the past three years in the discharge of our most basic duty. But our toughest choices still lie ahead. To all those who will participate in those choices, from those in this Legislature, to the Executive Branch, to the private sector, and beyond, I say this: If you cannot make those choices, please get out of the way because you're just making it harder on the rest of us. Thank you."

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

"I add my thanks to the Finance Committee Chair, Vice Chair, members and staff and applaud the efforts of the Finance Committee for hearing the recommendations of the committees and the priorities of the people.

"To quote from your speech last year, Mr. Speaker, 'It is said that the moral test of government is how government treats those who are at the dawn of life, our children; those who are at the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the disabled.' The preamble to our State Constitution reads, 'We reaffirm our belief in a government of the people, by the people and for the people,...[with a] compassionate heart toward all the peoples of

the earth...' But it is one of our founding fathers, Thomas Jefferson, who said it so succinctly, 'The care of human life and happiness is the first and only legitimate object of good government.'

"Thus we are provided with the moral standards that we must use as a measuring stick for government and for our budget. We've been through some very difficult times over the past nine years. The start of the Gulf War in 1991 was a significant benchmark, marking the decline of the State's economy where budget restrictions and reductions were necessitated by dwindling revenues. While we were able to avoid cuts in lower education, we were unable to make advances in higher education. Human services were able to maintain minimal levels of support, though inadequate for the poor, the disabled and the elderly. The real losers during the decline were the general funded programs in health, many of which were focused on prevention and early intervention.

"While it seemed like the economic slide would never end, Mr. Speaker, we have finally begun to see the light at the end of the tunnel. Thank God, colleagues, it is not the headlight of an oncoming train. No it represents the light of hope that the people of Hawai'i, especially our young people, so desperately long for.

"Mr. Speaker, thanks to you and your open leadership and to our Finance Committee, we are making it clear to the public that increases in revenues will go towards investing in our future through our young people to assure that we will have a healthy and well-educated work force in the 21st century. While making these investments, this budget also makes important statements about the vulnerable in our population. We must continue to provide supportive health and social services to our growing population of our frail elderly. Increases in the budget for chore services, Nursing Home without Walls, PACE (Program of All-inclusive Care for the Elderly) and RACC (Residential Alternative Community Care) will allow more of the vulnerable elderly to remain at home in the care of their families.

"There's an additional \$4.2 million to reduce the waitlist for home- and community-based waiver services for persons with developmental disabilities. The budget provides an additional \$2.7 million for out-of-home child placement costs, including foster care and adoption. Probably the most significant initiative in this budget for me, Mr. Speaker and colleagues, is the \$1 million allocated for adult dental services.

"This budget item represents one of the top priorities for your Health and Human Services committees. It is especially critical to those who live in rural areas and on the Neighbor Islands where the only dental service available are tooth extractions for emergencies.

"Mr. Speaker, I started my legislative career knowing the halcyon days of past with million to billion dollar surpluses. Those of us who were here during those days must sadly admit that there was little vision or policy direction to spending, only a collective mad dash to the trough.

"Those of us who have experienced the decline now know that it is important to spend any increase in revenues by investing wisely with an eye towards the future. We must choose to plan and hold ourselves and others accountable rather than to react to crisis or be forced to expend funds.

"For anyone who cannot see the value of these investments in our children, I quote this saying, 'A hundred years from now it will not matter what my bank account was, the sort of house I lived in or the kind of car I drove, but the world may be different because I was important in the life of a child.' Now that the economy is starting to take off, as we soar skyward, let us look at the horizon instead of the ground below. And as we stand at the dawn of a new century and new millennium, it is important to note that we will be judged not on the

accomplishments of this Session, but the impact that we will have on the next generation long after we have left these hallowed chambers. Thank you, Mr. Speaker, and to our Finance Chair and Vice Chair for your vision."

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

"I'd like to say thank you to the Finance Committee and to my colleagues because this really is a step in a new direction for this State. It's a direction that recognizes that it is not just creating opportunities for our children. It is our children that will create the opportunities for Hawai'i.

"Not only have we increased funding for education, we have also increased the portion of the pie of which education makes up. That commitment is as strong as we've seen in many years. In fact, the University of Hawai'i has said that this probably is one of the best budgets that they've enjoyed in years. Eight million dollars to new programs, over \$20 million to repair and maintenance and many more dollars for construction of new facilities. This recognition of the fact that the University and our lower education system is going to be the key to our future in Hawai'i. That developing an educated work force and a commitment to the education of the next generation of children in Hawai'i will be part of creating what is going to be the new economy for Hawai'i.

"We are part of a global economy. No more have we realized this than in the last few years where we've been wafted on the ebb and tide of economic growth and fall in both Asia and the West Coast. But with this budget, with this new commitment, we can be a starting ground for a lot of new things in Hawai'i. I thank, again, the commitment of this Legislature to do that."

Representative Hiraki then rose to speak in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Hiraki continued, stating:

"On behalf of the Transportation Committee, I just wanted to thank the Finance Committee and their staff and you, Mr. Speaker, for really a terrific job. Thank you."

Representative Hiraki's remarks are as follows:

"I am very supportive of House Bill 1900, CD 1, the State Budget, especially as it reflects funding for State Transportation, the Committee which I chair. I am pleased that my colleagues recognize that no state is more dependent on effective, efficient, and economic air and water transportation for the transport of people, cargo, and mail, than is the State of Hawai'i. Not only does our State have three International Airports, Honolulu, Hilo, and Kona, but also ten local airports to administer and maintain, as well as approvals for 5 semi-private heliports. Responsibilities for water transportation for the major islands include 10 harbors for incoming and outgoing inter-island, or national, and international transport. The State's increased interest and support of improved terminal facilities for cruise ships is reflected in this session's legislation.

"Hawai'i joins other states in its need for adequate land transportation to link residential, work, medical, shopping, trucking, and recreational sites. Included in its inventory of responsibilities for budgeting land transportation needs are more than 4,000 miles of streets and highways, 734 bridges, 8 tunnels, and 88 miles of freeways. I feel that the Legislature has reflected its support of adequate transportation well."

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

"I want to thank the Chair and the Vice Chair and the Finance Staff and all the members of the Committee. It was a

lot of work. I want to point out that there are no new taxes or raised taxes in this budget. They're more revenue based, partly I believe, on the decreased taxes that we've seen in the past and the economic impact that that has had throughout the economy. We need more of these decreased taxes. I think it will help Hawai'i a great deal.

"In this budget, we're fixing school playgrounds and decreasing class size along with many other important items, health and human services and such. I think government size should be reduced, but so far we're doing what we can with what we have. Thank you, Mr. Speaker."

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

"For the sake of brevity, I'd like to incorporate the words of the Representative from Kihei and in addition to that add the words of the speaker from Waikiki with the exception of the part where he says he's in support with reservations. It was a pretty good speech.

"I'd like to use an analogy, if I could, to describe how I see the budget. It's a kind of a story. There's this fellow Clem that started a business. Clem worked very, very hard for over a month. He was complaining to his friend Bob that he wasn't making any money. He said, 'I'm working and working and working and not making any money.' Bob said, 'Well, what are you doing?' He said, 'Well, you know I'm buying pineapples for a buck a piece and driving them to the other side of the island. I'm selling them for \$1 a piece and selling every one of them and I'm still not making any money.' Bob said, 'I know what your problem is.' He says, 'Well, what's that?' Bob says, 'You need a bigger truck.' And that's what this budget is, Mr. Speaker. It's the bigger truck.

"Whenever we have a problem, instead of us looking at the systemic portions, what's causing the problem, what's the root cause of the problem, and correcting it, instead of that we just throw more money at it, and more money and more money.

"That's how we've gotten this lousy economy and that's how we've gotten to be the highest taxed people. Then when we do talk about the budget and fiscal responsibility, we don't take a look at where this increase is coming from. We talk about increased income from taxation. If you invested in the stock market, as many people have in the mainland, which is booming and you took the profit where you saw it go down. There's a lot of profit taking, of course a lot of people did that to pay their taxes, but nonetheless that's where a lot of that income came from. Also from the 'fire sales' of different properties and the like, we've seen increases in the GE.

"Yes, there's been a slight increase in tourism. But keep in mind there's such an enormous boom in the mainland. We are, as the Representative from Honokaa and Hamakua Coast said, been in a decade of malaise. We really haven't looked or addressed the systemic problems and as the day goes on, and I hope it's not a real long day, Mr. Speaker, but look at some of the other poignant failures of our ability to address those systemic problems.

"I can't vote just to get a bigger truck, Mr. Speaker, because it doesn't solve the problem. Thank you very much."

Representative Thielen then rose to speak in support of the measure, "with a focus on the environment," stating:

"You'll note in the budget highlights, the environment is not included in that section and probably appropriately. So it once again is not addressed as substantially as I would like to see.

"The environment as we all know is one of the major engines that run our economy. People come to Hawai'i because of our environment. Companies relocate to Hawai'i because of our environment. Those people and companies pay taxes and those

taxes end up in the general fund. We then are able to fund the school programs, school repairs and human service programs.

"There is a slight improvement this year and for that I certainly thank the Finance Committee for the slight improvement. But when you look at the total general funds again, Mr. Speaker, if you use a magnifying glass you'll see that little tiny white sliver that is the amount of money that we're putting into the environment. I would like to see us pay more attention to the engine that drives our economy next year. Thank you, Mr. Speaker."

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

"Approximately 120 days ago, I was a member of the general public on the outside looking in. Fortunately enough, I was privileged to be asked to join this body. In that time, I found that there are some very compassionate, intelligent people working for the State of Hawai'i. I am proud to say that I was able to participate on the Finance Committee and do my small part to put the State Budget together.

"One thing I also found out is that you can't please everybody. Even members of our distinguished body here, everybody does not get what they want. But when you look at this budget, it has turned out to be a very responsible, fair and a people friendly budget. It stimulates the economy. It creates jobs. It does protect our environment. It implements new and creative ideas. It benefits families. It benefits children. It benefits education and schools. The daily newspaper hit it right on the head yesterday when it says that the lawmakers scored with education.

"Our public school system, and the U.H. system have benefited tremendously. It's unfortunate that those who are opposed to this budget just don't have the creativity, the compassion, the hope and the vision like the majority of us. Thank you very much."

Representative Santiago then rose to speak in support of the measure, and asked that the remarks of Representative Arakaki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Santiago continued, stating:

"He always tends to sum it up quite well for me also.

"Mr. Speaker, I've had to watch over the last decade, as painful as it has been and for all of us, to see the cuts that were made in the health and human services areas. You've heard me express my displeasure with that many times, which resulted once in my actually voting against the budget, which I remember all too well as I sat over there, as painful as it was. But today I rise in support, very much so. I have a tremendous amount of respect and faith in the new Chair of the Finance Committee as he endeavors to try to do things in a responsible way.

"I hope that all the words that I've been hearing, both from upstairs -- coming from the Executive level and his concerns for the human services areas and the need to fund those areas -- as well as those I'm hearing from all my colleagues on the floor will ring true. Though I may not be here to participate in it from this level, rest assured, all of you, I will participate at some level as I watch and see the restoration of many of the health and human services areas that were cut over the last decade.

"So on behalf of the members of the Health Committee, on behalf of some, if not all, of the members of the health and human services advocates and community outside, I want to thank the Chair, members of the Committee, members of the Legislature, you, Mr. Speaker, for a budget that I believe does

show some light at the end of the tunnel. Thank you, Mr. Speaker."

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

"Yes, the Education Committee, the educational aspect came up very well, but as you know, that has been our goal always to improve education in Hawai'i. Even though they did come ahead, I still believe that they could have been given more, but we want to thank the Finance Committee for supporting us so much.

"Also, I want to have the words of our Chair of the Education Committee, from Kaneohe, be entered into the Journal as my own and he did a very good job in this whole session. Thank you, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

"Just as a short note, I just wanted to say that in the last hectic days of the budget, budget session, that we deleted the provisos of two things. A \$2.5 million CIP for the youth sex offender facility in Waimano Homes, which we did. I commend both the House and Senate for doing that and for supporting the community. At the same time, we had also put in a proviso which would have prohibited any construction of a new or renovated facility within 5,500 feet of any schools. In the last days, through some miscommunication, the proviso was deleted.

"But I just wanted you to know for the public record, Mr. Speaker and members of the House, that there was strong support for that provision in both the House and Senate. This is also an indication of your support of the vast and strong majority of the people in Pearl City. I also wanted to say that I would like to just talk about the people and the human dynamics behind the work of this Finance Committee. Mr. Speaker, I would like to just say thank you for the Finance Chair Takamine, Vice Chair Kawakami and members of the Finance Committee who did matching the revenues with the needs and did it so commendably.

"I commend the Finance Committee because this is a delicate balance. It's always subject to criticism. We don't do enough. We don't go far enough. People's needs are forever. The budget is not a perfect document. It is an incremental financing of all segments of the population as has been expressed this morning, including mandatory requirements and with many vested interests that we need to look at, special interests groups and grass roots organizations, both in the public and private sector. That includes businesses, the poor and the vulnerable.

"But the best of this House, Mr. Speaker, is a procedure and the process by which the end result of the balanced budget is achieved. It takes strength for those who are involved in the decision making and in the dynamics, strength and toughness, always facing up to pressures, decisiveness, making a decision, changing only with the alternative solutions with Senate, but which are sound and broad based, giving and taking while standing firm on our views and willing to listen to all. Mr. Speaker, I commend the Finance Committee and the House for their commitment to this working through a delicate and dynamic human relations, making sure that the democratic system is at work and works. And that our work and their work is never done. So I want to thank you all for your good work."

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

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

"First of all, I want to thank the Finance Chair and Vice Chair.

"Mr. Chairman and members of the Committee and Mr. Speaker, I think we have great budget. A budget like we haven't had in years. It's a well-balanced budget. Well done. I watched the Chair in action. I always had the highest regard for him. He runs a well coordinated committee. My best alohas to him.

"The caveats I have are for the future, not for now. We have a balanced budget. Our schools have improved. Higher and lower education have improved. There's some money in there for health and human services, some for the environment and the basic needs we have throughout the State.

"The concern I have, Mr. Speaker and members, is that somehow we still have some difficulty in looking at the core problems that we have and that is looking at the budget for the future. As the Majority Leader said, the next biennium, especially the second half of the next biennium, our carryover balance is going to be relatively small. Yet we have tremendous needs. We have the government workers. There's always arbitration to contend with and we have the teachers' salaries to contend with.

"Our educational system has improved this year, but we have a very long way to go, as we all know. We lowered the ratio from K-2, which we had before and had to change because of lack of dollars. We have until the 12th grade. All of that ratio should be lowered. Twenty-one down to 20 is not a great ratio. We could go down to 15 or lower. Nobody, including the community-at-large, wants to make the sacrifice that is needed to provide the quality education and the quality services that this community deserves. They all ask for an education system that is second to none, but nobody is willing to do anything to make it happen, including the community-at-large, and all of us here.

"So I think we have to look within our inner selves especially as we look towards the next election, towards this election and the next two years. God willing most of you will be back. That we'll be able to make those tough choices looking at core programs and what is needed or what is not needed. Look at the revenue picture, look at the programs we have, look at the commitments we have toward society in doing the right thing and making those tough choices.

"Mr. Speaker, you have led us down the path that's a good direction that we're going to, but we must continue to look at it and make some strong choices that we're going to pass. Thank you very much."

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

"First, I want to express my aloha for the Finance Chair, who is definitely the most efficient Chair I have ever served under, and the gracious Vice Chair, who is always present hour after hour and always looks perfect and is so polite and makes everyone feel so comfortable in the committee room. It is really a gift that she has.

"I share some of the concerns that my colleague from Waikiki has, that our budget continues to grow. The total operation budget has gone up by 12 percent. That's considerable, and I realize that is because of the large increase in CIP and also the GO Bond appropriations. This is a large jump in growth.

"As a member of the Finance Committee, we spend hours and hours. The signing of the budget was very orderly this year, it was done early, so early that I missed it and I was not there. That evening when I spoke with the staff, I asked specifically about the Hemmeter Building. Was it in the

budget? I was told that they did not think so. So it's such a surprise when you get the budget and find that it's in there.

"I feel that as a member of the Committee, we should be apprised of everything that is going on. It was disturbing to look at the Advertiser and find out that the State had just found out that they'd overpaid on the retirement system and there was going to be roughly \$52 million that was not going to be owed. For anybody in a business, that would be a marvelous thing to find out, \$52 million more that we had to help balance the budget. As a member of the Finance Committee, I was not made aware of that. I feel that we have to have a more open communication. We are all working together here, spending countless hours and at the very least we should be made abreast of something that is such a big issue when we are just at the point of trying to come to an agreement with the Senate on a conference draft.

"I am pleased that some things that were very important to me as a Representative of the Windward side were in the budget. I know that my constituents are very pleased about that. I just think that we are still moving in a direction where we think that we can continue to grow. As long as we are the highest taxed people in the country and we spend the most per capita, we have to do a lot more to encourage economic growth here. It was said by one of my colleagues that this budget creates jobs. It does not create jobs in the private sector. There are many jobs in this budget that are created in government, but that's not where we need the growth. We need growth in the private sector. Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in support of the measure with reservations, and asked that the remarks of Representatives Halford, McDermott, Fox, Moses, Rath, Thielen, Pendleton and Meyer be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto continued, stating:

"I think they all made very good points, therefore I don't have to speak very long. But we had new conference committee procedures this year and when we voted on the budget I assumed that the budget conference committee was closing down and there would be no further negotiations. I too was surprised by the insertion of the Hemmeter Building acquisition. Whether that is a good acquisition remains to be seen, but that is not the point.

"I also question the bond bill in that the figure to be inserted in the bill was not available to members. So while we are voting on the measure, I think that the negotiations should be complete and the total amounts should be given to the members. For those reasons, I regret, while I'm very happy to have worked with the Chairman and Vice Chair this past year and enjoyed working with the staff, that I'll have to vote with reservations. 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. 1900, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 45 ayes to 3 noes, with Representatives Halford, Rath and Whalen voting no and Representatives Cachola, Okamura and Souki being excused.

The Chair directed the Clerk to note that H.B. No. 1900, had passed Final Reading at 11:36 o'clock a.m.

At 11:36 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:44 o'clock a.m., the Chair asked the Clerk if there were any announcements.

The Clerk responded, stating:

"Yes, Mr. Speaker, I have been informed by a representative of the President of the Senate that the Conference Committee Report for House Bill No. 1900, HD 1, SD 1, CD 1 was adopted. And said House Bill No. 1900, HD 1, SD 1, CD 1, Relating to the State Budget passed Final Reading in the Senate at 11:20 o'clock a.m. on this day. In addition, I have been informed by the Assistant Clerk of the House that at 11:39 o'clock a.m., on this day, House Bill No. 1900, HD 1, SD 1, CD 1 has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9 of the Hawai'i State Constitution."

Conf. Com. Rep. No. 133 and H.B. No. 2650, HD 1, SD 2, CD 1:

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2650, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 39 ayes, with Representatives Ahu Isa, Arakaki, Chang, Fox, Kahikina, Kaho'ohalahala, Okamura, Oshiro, Rath, Souki, Takumi and Whalen being excused.

The Chair directed the Clerk to note that H.B. No. 2650, had passed Final Reading at 11:47 o'clock a.m.

Conf. Com. Rep. No. 2 and H.B. No. 2514, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2514, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 3 and H.B. No. 1955, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1955, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 4 and H.B. No. 1947, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1947, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"HB 1947 deals with shark finning. It is a misguided package, which takes a supposed problem and fashions a series of assumptions into a bill that fails to address the issue's more complicated points.

"Shark depopulation, the issue at the core of HB 1947, is not dealt with at all in the provisions of the measure. If HB 1947 was about the problem it purports, shark depopulation in the Pacific, it would propose methods to control just how many sharks can be taken--not deal as it does with the specifics of how they are used and sold. The reasons for the lapse in any connection with the problem and the answer, is the inability of any Hawai'i legislation to effectively deal with:

- 1) The transactions of an international industry that will occur whether Hawai'i is on the map or not; and
- 2) The lack of any data that shows that the pelagic shark species caught by longliners are in a depopulation cycle.

"Hawai'i can not control international trade and it cannot manage the population of a species on which it has no data, although HB 1947 claims to be attempting to do both.

"As has occurred all too often during the past 59 days worth of legislative sessions, this bill makes an appearance of action by paying 'lip service' to a problem instead of basing a meaningful response on research, intelligent debate, and a consideration of all factors involved. The unconsidered factors in this case are the fishing fleets, fishermen and the actual value of the shark fin fishery.

"Mr. Speaker, our colleagues from the urban areas of the State, where most of the fleet is based and the majority of the fishermen live, would do well to look at these figures. They would see that this industry puts much more money into their constituent's pockets than what is incorrectly characterized as beer money. That simply is not true. The Shark finning fishery produces about 11 percent of those fishermen's income. Thank you, Mr. Speaker."

Representative Auwae then rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be entered into the Journal as her own, and asked that her comments be inserted into the Journal, and the Chair "so ordered." (By reference only.)

Representative Auwae's remarks are as follows:

"Mr. Speaker, I rise to speak in support with reservations to SB 1947, HD 2, SD 2, CD 1. There are several aspects of the bill that concern me. First, the bill specifically states that 'shark fins contribute little if anything to the economy of this State.' This is a misleading statement. While shark fins themselves may not contribute to our economy, a large number of Japanese longliners re-provision in Honolulu. Though they do not fish in territorial waters of the State, these boats definitely make a local economic contribution. According to this bill, those boats that have shark fins on board will now be required to land the shark whole or face penalties. This could have an adverse economic effect.

"Secondly, if boats did bring in whole sharks, they would probably fin and discard at the dock, since for most shark species, the fin is the only marketable part at present. The bill does not specifically ban shark finning at the docks, they just can't do it at sea. This is just a matter of geography, it does not alleviate the shark finning issue. In fact this bill may actually have an adverse affect as it will likely drive this lucrative trade underground. This would cause fisheries managers to lose what little information they have on the practice of finning.

"Finally, this bill unfairly selects one group of fisherman for restriction while there are several other fishery management issues that have not been addressed. Shark finning has been highly visible in the media recently, with many of the reports being critical of the practice. We need to make management decisions based on information about fisheries, not based on emotions. Thank you, Mr. Speaker."

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

"Mr. Speaker, shark finning has been banned in 17 of 19 coastal states. The U.S. House of Representatives has passed a unanimous resolution in opposition to shark finning. We are now known internationally as 'fin central.'

"First of all, I want to thank the Chair of the Ocean Recreation and Marine Resources for his mentorship of me and his leadership on this issue and the Chair and Vice Chair of the Judiciary Committee for their hard work on this bill.

"I would like to point out that this bill allows the possession of shark fins for soup. I'd like to thank the former Senator,

Tony Chang, for helping us to clarify that the intent of the legislation was to prevent finning at sea and not punish people who simply possess fins for consumption.

"Briefly, let me describe what happens in the Pacific and elsewhere. Longline vessels go fishing for marlin and ahi in deep water. More often than not, they come up with sharks, which they have no use for except for their fins. Eighty-six percent of these sharks are alive when they are brought to the boat. Generally, the longliners then kill the shark with a bullet or a spike and cut off its fins and leave the carcass in the ocean. They collect these fins and transship them through Honolulu Harbor to Asia. This has happened in other oceans and the result has been consistent.

"Here's how it works. Longliners find a place to sell their fins, a new market. So finning then increases exponentially. Scientists, as a result, and others warn that this will likely cause a collapse of the resource, while the longline interest point to an increasing catch rate as an indication of the health of the resource. The data is sketchy because, after all, these creatures are under water. So opponents to management use that fact to deflect the issue. Then finally and consistently, the resource collapses. This has happened off the Coast of Mexico and the Atlantic seaboard.

"Let me tell you this, all of the opposition that I've heard from this bill, and I've heard it for two years, comes indirectly or directly from individuals and organization associated with the Western Pacific Fisheries Management Council, a trade organization that represents the short-term interest of the longline fishing industry. I now know some of them personally at WESPAC and I find them hard working and cordial and I mean that sincerely. But I do not believe that they have the long-term health of the resource in mind.

"For the education of the members, let me explain the hierarchy of organizations, this alphabet soup in fisheries management. In National Oceanic and Atmospheric Administration is probably the Department of Commerce. Below them you have the National Marine Fishery Service, under NOAA. NMFS is a scientific agency that is supposed to provide the scientific information for WESPAC to make their decisions. WESPAC is supposed to listen to their parent scientific agency..."

At this time, Representative Oshiro yielded his time to Representative Schatz.

Representative Schatz continued, stating:

"Thank you...but they don't. That is why they get sued consistently. They fail to manage the resource properly so others have to step in.

"Let me address some of the faulty arguments put forth by WESPAC, one by one. I know that I won't cover them all. And I'm sure a few new ones have popped up this morning because if there's one thing I've learned through this experience besides persistence is that there is no shortage of excuses to prevent change. I also do understand people's hesitance about this bill because, frankly, WESPAC is very good at confusing the issues.

"Some will say that this is a 'touchy-feely' issue for animal lovers. No, this is an economic issue and resource preservation issue for my children and grandchildren. Yes, the process of finning seems extraordinarily cruel, but I don't have any illusions about the origin of my mahi mahi sandwich last week. The issue is not cruelty. It's about the biological health of the resources.

"Some will state that we must create a market before we manage the resource. First of all, if we wait for a market to service, the fishery will likely crash. Others will say that the fishery is fine. This argument has been used by other people

who oppose proper management in similar situations, but all of the scientific agencies that observe fisheries and utilize science in a serious way, oppose shark finning.

"Some will say there are jurisdictional and preemption questions. No, the Federal Magnuson Act specifically says that states may regulate vessels who list Hawai'i as a home port and who are registered in the State. The language in this bill tracks the federal act precisely, in order to avoid any confusion. The only time that a state landing law may be preempted by a federal agency is if a fishery's management plan is in place. The National Marine Fisheries Service would have to approve a plan of WESPAC's and they will not do that.

"Finally, some people say that these fishermen are likely to land a 10 foot long, several hundred pound shark, endure the stench, utilize the space they could have put an ahi or marlin in, and then dump the shark carcass near the dock so that they can sell the fins. This demonstrates a lack of understanding of longline fishing. Longliners value the space on their boat and would not waste it in this manner.

"Mr. Speaker, this is an open and shut case. It shouldn't and is not the policy of our State to allow our resources to be plundered. This bill puts a stop to the waste of a valuable resource. Thank you, Mr. Speaker."

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

"Contrary to the last speaker, I have no connection with WESPAC and in fact, I voted for the bill throughout. My problem arises with the conference draft, which calls for the confiscation of all equipment and the boat of the longliner who violates the law.

"Mr. Speaker, again, I feel the penalty is too severe for what we're talking about. Certainly, like I said, I supported the protection of these fisheries and the shark population. I supported it throughout, straight up with yes votes, but there comes a point when our penalties are too severe for what we're trying to protect against. If there was statistical evidence that was going to prove that a particular shark population was almost extinct to protect the species et cetera, that might be a justification. But to throw this in there at the last minute, the seizure of their vessel, their livelihood, the people who work on the boat all the equipment is too severe for what we're trying to protect against. For that reason, I have to change my vote to no."

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

"Mr. Speaker, I apologize to my colleagues. I never thought we'd take this much time on the floor to talk about sharks, but here we are. I can assure my colleagues this is not a 'warm and fuzzy' issue. We're not talking about the pandas or the monk seals. We're talking about sharks. Not too many of us want to hug one.

"In reference to my friend from the Big Island, the penalties in the bill were in there from day one. We made no changes to the fines and the penalties that are in the bill. Secondly, Mr. Speaker, I'd like to expand on some of the comments made by my Vice Chair, who really deserves the credit for advocating this issue from the day he got elected to office.

"Mr. Speaker, shark finning is banned in federal waters of the Atlantic Ocean and the Gulf of Mexico. California requires that the whole shark be brought ashore. As was pointed out, the National Marine Fisheries Service (NMFS) believes that shark

finning is wasteful and should be stopped. Many marine biologists, and organizations such as the Audubon Society, the American Fisheries Society, and the Sierra Club agree.

"Furthermore, Mr. Speaker, I believe that it is important to honor Native Hawai'ian culture by protecting this natural and cultural resource. In her testimony, OHA Trustee Collette Machado said, 'Many Hawai'ian families consider the shark as the physical manifestation (kinolau) of their family guardian (aumakua), who was also regarded as a family ancestor. To harvest the shark for mere tidbits of its bulk is, for many families, the equivalent of desecrating one's ancestors and heritage.' The State Department of Land and Natural Resources agrees with this perspective, calling the finning of sharks 'as waste of an important natural resource which we have a sacred duty to protect.'

"Last fall, as was pointed out by my Vice Chair, the U.S. House of Representatives unanimously passed a resolution condemning finning and calling on the Western Pacific Regional Fisheries Management Council (WESPAC) to promptly and permanently end shark finning in all waters under its jurisdiction. As the federal agency responsible for the management of fisheries, it should heed the will of the Congress and NMFS. To this day WESPAC refuses to do so.

"We believe that the State should take action in light of this failure by WESPAC, Mr. Speaker. As a result, your Ocean Recreation and Marine Resources Committee took the lead in calling for an end to this wasteful practice. While we cannot stop finning worldwide, since most of it occurs in waters outside of state jurisdiction, we nevertheless can prohibit the commercial harvest of fins unless the shark is landed whole in the State. The bill does not ban the importation of processed fins that arrive as bonded cargo, so there will be no adverse effect on those fins used for soup.

"Finally, Mr. Speaker, this issue has been hotly debated in our chambers for two years, and the longer we delay action, the greater the likelihood that this resource will become irrevocably depleted. We owe it to our host culture and to future generations to ensure that all of our ocean resources, including the shark, are protected from irresponsible behavior and a lack of stewardship. Thank you."

Representative Whalen then rose to speak in rebuttal, stating:

"I misread my notes in this book. The Chair of OMR is correct. That provision was in the bill throughout, I just had not picked it out until this last reading and I apologize for not being more prepared earlier otherwise I would have made my objections known much earlier in the process. But I still don't believe it negates my reasoning at this point to be constantly educatable to the issues that are around us. Thank you."

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

"The penalties are too severe. They don't match. They don't even come close to the nature of the offense. Thank you."

Representative Kahikina then rose to speak in support of the measure, and asked that the remarks of Representatives Schatz and Takumi be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kahikina continued, stating:

"I really appreciate the vote of the leadership and OMR to take a special interest in the Hawai'ian culture. They are very much correct. Mr. Speaker, I think about the artifacts in Bishop Museum that was made by our kupuna's bones, our ancestors, they're on display. For those reasons, these are in a similar category. To talk about penalties, I think the penalties are appropriate to bring people to the table to discuss this very spiritual and very important issue. I thank you very much."

Representative Meyer then rose to speak in rebuttal, stating:

"First, validation of the need for a reduction in shark mortality would be shown by official scientific data, not by emotion-stimulating arguments. The position that shark finning is 'cruel and wasteful' attempts to redirect the focus of the issue away from the real purpose of the legislation, which is immediate shark mortality reduction. This is because there is no data that shows the Hawai'i longline fleet is posing a threat to the survival of pelagic Pacific blue shark species.

"A management plan should be based on research, not emotion. The federal regulatory body in charge of the matter, the Western Pacific Regional Fishery Council, has come under attack for failing to act decisively. In fact, they are acting on data collected last year showing the Pacific shark species that composes virtually the entire catch of the Hawai'i based longline fleet, the blue shark. We keep hearing about the 'aumakua,' the shoreline sharks. That's really not what we're talking about. We're talking about sharks that are caught 200 miles from Hawai'i. This blue shark, which is a prolific and fast breeding species, shows no inclination toward depopulation.

"In March, the Council recommended a shark management plan that would limit the fleetwide quota on all species and limit non-blue shark harvesting to one per trip. The Council's recommendation relies on fisheries management science that has its foundation in current recorded data. We keep hearing that there's no data. There is data.

"HB 1947's proposal for shark management is not based on responsible decision-making and shows a poor understanding of the shark population. The only fishermen that are going to be hurt by this bill are the local Hawai'i fishing boats. All other boats will continue finning in the Pacific. It may be interesting to you to see how the numbers stack up.

"Hawai'i's longline fishing boats are 115 operating out of Hawai'i. Compare that to 1,674 Taiwanese longliners that will still be harvesting shark and shark fins, 1,573 Japanese longliners, 148 Korean longliners, 110 Chinese longliners and 10 longlines boats from the U.S. West Coast.

"Currently, Hawai'i's longline operators face not only the potential loss of revenues from shark fins, but also many more millions of dollars in lost revenue from targeted species due to area and seasonal closures. We've all read about a very large area in the Pacific that has been closed to Hawai'i boats only so they can no longer fish for swordfish there. The Governor has plans for the administration for a fishing village in Honolulu Harbor. If we continue down the path we're on now, we will have no fishing boats here in Hawai'i. There are people in this chamber who would be happy for that. We must look at a balanced approach for the environment and for economic growth.

"We at one time had a fishery that was number 10 in the nation. We are certainly dropping down. If we're wanting to protect species, stopping these 115 boats is not the way to go. The fishery has to be managed and right now..."

The Chair then informed Representative Meyer that her three minutes had expired.

Representative Meyer continued, stating:

"Thank you, Mr. Speaker."

Representative Schatz then rose to speak in rebuttal, stating:

"Mr. Speaker, I apologize. A very brief rebuttal to the good Representative..."

Representative Pendleton then rose on a point of order, stating:

"I believe the gentleman has no time remaining."

The Chair responded: "No, this is his second time. So he has three minutes for his second point on rebuttal."

Representative Schatz continued, stating:

"Thank you, Mr. Speaker. The data that the good Representative from Laie is referring to is from Japan. If we relied on Japanese data, we would still be whaling."

"Just to quote from Dr. Robert Hueter, he's the Director of the Center for Shark Research at the Mote Marine Laboratory in Florida. Sharks do not spawn thousands or millions of eggs like their bony fish cousins. Sharks reproduce more like ourselves than other fishes. When sharks are over fished, its stocks can remain in a depleted state for decades after fishing has ceased. Thank you, Mr. Speaker."

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

"I rise in opposition not because having shark finning is good, I don't. I'd like to see the shark returned here, used as fishcake, cat food, fertilizer anything, use the whole shark. But I have to point out, I've been a deep sea fisherman for many years. When you bring a shark up from the depths that shark is dead. He may appear alive. He may even bite your foot off on the deck, but he's going to die. That's call decompression, he cannot live. So these sharks are already dead. So it's not cruel and unusual to shoot them right now or to put them back in the ocean where other fish can feed on them."

"I would say that regardless of all of those aspects of the bill, I'm not opposed to those aspects at all. I am opposed to the punishment. It would be kinder to fin the fisherman and throw them in the ocean than to take away their vessel. Thank you, Mr. Speaker."

Representative Rath then rose to speak in rebuttal, stating:

"Mr. Speaker, I think I figured out why we'd want to confiscate these large longliners and that's so we have a place to store the contractors' tools and fireworks. Thank you."

The motion was put to vote by the Chair and carried, the report of the Committee was adopted and H.B. No. 1947, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHERIES," passed Final Reading by a vote of 43 ayes to 7 noes, with Representatives Halford, Leong, Marumoto, Meyer, Moses, Rath and Whalen voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 5 and H.B. No. 2530, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 6 and H.B. No. 2406, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2406, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 7 and H.B. No. 1902, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 8 and H.B. No. 1773, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 9 and H.B. No. 2521, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2521, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH REQUIREMENTS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 10 and H.B. No. 2469, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2469, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 11 and H.B. No. 2183, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2183, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 12 and H.B. No. 2701, HD 3, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2701, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 13 and H.B. No. 1984, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 14 and H.B. No. 2480, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2480, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"House Bill 2480 is one of a number of bills passing very quietly out of this Legislature which are very important to our goal of economic revitalization. Their collective mission is to facilitate doing business in Hawai'i. As we all recognize at this point, that is what provides for our overall quality of life, through both jobs and income as well as government revenues with which to pay for core government services and government employment.

"This bill facilitates further the formation of limited liability partnerships, a modern form of business operation in Hawai'i on which we first commenced action some years ago. Similar bills, all in the same vein, include: H.B. 2484, which updates our Model Business Corporation Act; H.B. 1938, which updates Article 9 of our Uniform Commercial Code on which virtually all lending in this State is based; H.B. 2585, which adopts the Uniform Electronic Transactions Act, which facilitates e-commerce; and S.B. Nos. 3043 and 3190, advancing our captive insurance industry.

"Now what all of these bills do collectively is not to target any one industry, but to facilitate the doing of business in Hawai'i through a number of means. The first thing that they strive to do is to introduce flexibility into the process, which is something that business craves. It needs to be able to provide for a business operation that meets its own particular needs. The second thing that these bills do, which is particularly important, is that they seek to standardize our laws with laws of other jurisdictions in this country, and in fact at this point, in this world. We all know that we are in a period of globalization. The Representative from Upcountry Maui spoke to it once already today and we will hear more about that. What that commerce craves is predictability, as they go from jurisdiction to jurisdiction. Companies that do business in Hawai'i want to go to the mainland and find the same basic laws, and companies on the mainland or elsewhere want to come to Hawai'i and find the same basic laws in place. That facilitates business operations, and all of these bills are part of that overall effort. I believe we should not allow the fact that we are passing many of these bills to go unnoticed. 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. 2480, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY PARTNERSHIPS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 15 and H.B. No. 2484, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2484, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATIONS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 2514, 1955, 1947, 2530, 2406, 1902, 1773, 2521, 2469, 2183, 2701, 1984, 2480 and 2484 had passed Final Reading at 12:12 o'clock p.m.

Conf. Com. Rep. No. 16 and H.B. No. 2797, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2797, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, this bill would change conformity provisions in Hawai'i Revised Statutes, Section 431:2-201.5, applicable to group and individual health insurance and long-term care insurance by substituting certain references to the health insurance portability and accountability act of 1996, with references to Chapter Title 42, United States Code, Section 300.

"I would like to point out that the bill contains an inadvertent typographical error. The typo is on page 3, line 11 of the bill, which defines 'small group health plans' as plans offered to small employees rather than small employers. The intent of your conferees was that this provision was supposed to apply to small employers and not to employees.

"I offer these comments to alert the Revisor of Statutes about these concerns so the appropriate correction can be made after this bill has passed the Legislature. Thank you for affording me the opportunity to offer these clarifying remarks."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2797, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE CODE," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 17 and H.B. No. 284, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 284, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 18 and H.B. No. 2092, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2092, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I feel that this bill is one of the highlights of all the educational bills that we had this session. I know that most of us will agree that young people need some help making the transition to adulthood. We now have an opportunity to demonstrate to our youth that we can and will help by offering an assistance called the 'Running Start Program.'

"This program supports our students in three ways: 1) it improves their academic achievement and motivation; 2) it helps qualifying public high school students make post-secondary choices which earn college credits; and 3) it creates more career prospects as a result of their choices.

"The Running Start bill provides just what it says - a running start towards earned college credits while receiving high school credit at the same time. For students in Minnesota, Washington and Indiana, it is now possible to graduate from high school with up to 48 earned and transferrable college credits.

"This bill is very different from the choices students currently have to enroll in the University of Hawai'i system while still in high school. The Running Start qualifications for our secondary students will afford many more students the opportunity to enroll in post-secondary courses and earn dual

credit. The amendments in HB 2092 opens up the entry level base for our juniors and seniors in public high schools.

"Mr. Speaker, technology, a more networked and global economy, entrepreneurship -- these are driving changes in our system of educating and preparing our youth for productive careers and rewarding lives. Passage of this bill ensures a strategy that works for students, parents, schools and also impacts workforce development by meeting business and community requirements for a highly skilled 21st century workforce.

"An example of success occurred in Washington. In 1992, the Washington State Legislature created the Running Start Program as a part of the 'Learning by Choice' law which was designed to expand educational options for high school students. The Washington program has grown from 358 students in 1992 to 12,458 students enrolled in all state colleges in the 1998-1999 school year. As Governor Locke stated to me in January, 'Running Start provided the impetus for our state's economic development plans.'

"I strongly believe in our obligation to provide a multitude of options for students to enhance their chances for overwhelming successes in their education and career preparation endeavors. This bill will increase the number of students making earlier and clearer higher educational and career plans while still in high school. I am confident that if given this opportunity, our Hawai'i youth will demonstrate they are equal to that task. Please help me give our students this bill which is a message of hope, promise and possibilities. 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. 2092, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 19 and H.B. No. 2095, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2095, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Pendleton rose to disclose a potential conflict of interest, stating:

"My wife is a member of the Board of Education," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2095, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 20 and H.B. No. 2490, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2490, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Ito's remarks are as follows:

"Mr. Speaker, this measure is in response to the Department's need to retain individuals in teaching positions. For various reasons, the Department is unable to attract, recruit and retain enough trained and qualified teachers.

"Mr. Speaker, this measure will allow the Hawai'i Teacher Standards Board to grant credential extensions to teachers who

due to extenuating circumstances, are unable to complete the requirements in three years. This measure will not grant all teachers extensions, in conference it was agreed that we had to maintain a certain level of competence for our teachers.

"Applicants must prove extenuating circumstances beyond the individuals control. For example, many neighbor islanders are unable to get access to required courses or programs. Applicants must have also passed the basic skills test or show special effort taken to pass it, not just taking the test over and over. Furthermore, applicants must have passed a content area test and have a principal's documentation of strong teaching performance.

"Mr. Speaker, the Department anticipates a severe shortage of teachers over the next five years, this measure will ensure that the Department will not lose outstanding teachers who due to unforeseen circumstances, are not able to finish their requirements in the allotted time.

"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. 2490, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 21 and H.B. No. 2491, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2491, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker. I guess this is my one 'touchy-feely' vote for this term. This increases the price of school lunches. Let's face it, we have a lot of poor people in Hawai'i. And of course, we tax food with the general excise tax and we give them a 'crummy' economy because we're taxing more than hell on everybody. These kids go to school and for a lot of them it's the one good nutritious meal they get in the entire day.

"We subsidize everything else. The budget we just passed is buying this gaudy building next with a swimming pool for civil service and now we're going to increase the cost of the school lunch. This seems extremely disingenuous. I only suspect it's a way of getting our children used to paying continually higher taxes and fees. I just can't vote for it."

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

"Mr. Speaker, the purpose of this act is to set the price of the school lunch to be in proportion to the total cost of operating the School Food Services Program, and to allow the Department of Education to adjust this price to maintain this proportion.

"In 1993, the Legislature adopted this proposal into law, but in 1998, the law was revised so that the price of lunch could be increased but not to exceed one dollar.

"In our Committee on Education's public hearing, the DOE expressed their desire to regain the flexibility of adjusting the lunch prices in proportion to rising costs. The proposed formula, which would be one-third of the cost of preparing the lunch, rounded to the nearest 25 cents is fair. Over the years, the cost of making school lunches has gone up and your Committee has agreed that the DOE should regain the flexibility to change with the rising cost of preparing school lunches instead of being locked in at one dollar.

"Mr. Speaker, this is a bill for the future. In the future, the cost of preparing school lunches is only going to go up. Eventually, the Department is going to come to the Legislature to delete the one dollar cap and will have to keep coming back as costs continue to increase.

"Mr. Speaker, this measure applies a methodology that will automatically raise or lower the price of school lunches in proportion to the cost of making it.

"Mr. Speaker, I also would like to comment on the effective date of July 1, 2001. As I mentioned earlier, no law prevents the Department from raising the price of school lunches from 75 cents to one dollar, right now. They can raise the price to one dollar if they wanted to. Also, this law, if passed, will not automatically raise the price of school lunches on July 1, 2001, as the bill reads, 'The price for the school lunch will be set by the Department of Education to ensure that moneys received from the sale of lunches shall be up to one-third of the cost of preparing the school lunch.' It does not read 'shall be one third.' As I stated earlier, Mr. Speaker, this is a bill for the future.

"Furthermore, this measure will not affect students receiving reduced or free lunches. For these reasons, I support this measure and I urge the other members to do so as well. Thank you, Mr. Speaker."

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

"My concerns are not so much for people with low income or on public assistance because, like the Chair said, they do receive free or reduced price lunches. My concern would be for those who have parents who are working, but have very low incomes. My specific concern is at one dollar, which is probably going to be the targeted price for lunch, they're actually going to be costing more to these students than the hamburger on sale down the street.

"I think it's really important as a policy matter if we want our students to have a nutritious lunch that it be affordable. It's hard enough, as I've spoken to some of the cafeteria managers and nutritionists, to get students or provide incentives for students to have a nutritious lunch -- without having to charge a price that they can use an excuse to go down to the convenience store or to the closest McDonald's and spend just as much rather than have a nutritious hot lunch. Therefore, I think even if we need to provide more subsidies, we should make it as affordable as possible. Thank you, Mr. Speaker."

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

"As a minor point, that the bill as written, it's a brief bill, Mr. Speaker, one page, it provides for the price of school lunches to change every two years. On a larger issue, I'm concerned about the measurement. The price of school lunches can be based on the cost of producing the lunch, but there's no formula or no asking for what specific elements go into the formula.

"For example, we would expect the cost of the food to be in the formula and the cost of the cooks to be in the formula, but would the janitors in the cafeteria be included in the cost? Would the value of the building be part of the cost? Would the benefits be part of the cost. For example, in the past, comparisons have been made in the privatization argument what it would cost to privatize the cleaning of school classrooms. The cost figures presented are labor costs without benefits and without supervision costs or any of the background support of government systems.

"While I am very much in favor of measurement and I encourage it, I think this bill is not clear enough as to where it would go. Thank you."

Representative Ito then rose to speak in rebuttal, stating:

"The proposed formula, which would be one-third the cost of preparing the lunch rounded to the nearest 25 cents, that's the formula they used. Thank you."

Representative Halford then rose to speak in rebuttal, stating:

"Mr. Speaker, briefly, I'm just asking: what would compose the cost before rounding to the nearest 25 cents?"

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

"Although the Chairman of Education said it could be raised, the bill as it was written before said it could not go over one dollar. I share some of the same concerns that the Representative from Maui has and I would just like to register a no vote."

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

"Mr. Speaker, in these scarce times in the economy, I really appreciate the Chair of Education for his leadership. The measures that we voted on previously like the Running Start Program is visionary, holding the standard boards and now to discuss school lunches. Mr. Speaker, I admire the Chairman for taking on a task that an elected Board of Education should be doing. So in that respect, I support the bill. 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. 2491, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL LUNCH," passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Halford, McDermott, Meyer, Rath and Whalen voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 22 and H.B. No. 2574, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2574, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 23 and H.B. No. 2405, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2405, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 24 and H.B. No. 1763, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1763, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Just a few words. I wanted to at least give recognition to my constituents on the Island of Lanai who took the time and the commitment to come here to the State Legislature to lobby and support this bill. It comes from experiences. It comes from their own children being caught in a collision with an

automobile having no helmet. Unfortunately, an adult on Lanai who was killed with a head injury falling off a bicycle with no helmet. So I think a simple bill like this, we have to at least acknowledge is intended to help prevent some of those kinds of serious accidents from occurring. So I want to support this bill and thank the constituents on Lanai for coming forward to support it as well. Thank you, Mr. Speaker."

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

"I won't repeat all the things I've said before, but will incorporate them by reference and will note for one of the changes in the Conference Draft. The waiver was taken out. It was always said that the purpose is not to penalize, but to get people to wear helmets, to encourage them to put them on and take care of their kids, et cetera. Well the ages dropped a little.

"But they took the waiver out, whereas before if you were cited you could go to court with the receipt that bought a bicycle helmet after the incident within 10 days, the judge would not fine you because you've got your helmet. That was one of the laudable things about the bill. That was taken out. So now if a kid is riding around without a helmet, the parent has to pay \$25 for the ticket and buy a helmet. Or if it's 15 year old kid, the same thing, now you've got to dish out for that child twice.

"So if our goal is to get kids to wear helmets, why in the world do we take the waiver out. That doesn't make sense. They're going to go back to the prior standard made."

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 Kaho'ohalahala then rose to speak in rebuttal, stating:

"I'd just like to say that when a child is injured or a child loses their life without the use of a helmet, it is too late to consider a penalty of requiring them to have a helmet after the fact. So I think it's with those kinds of ideas to move forward on this. Make it a requirement to have children be safe all the time."

Representative Whalen then rose to speak in rebuttal, stating:

"Carrying that logic out further, we should just pass a law saying no one is allowed to die in an accident, that way it will not happen anywhere in the State and everyone will be safe. It takes a point where self-responsibility kicks in and that's been my position all along."

Representative Hiraki then rose to speak in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Hiraki continued, stating:

"I just wanted to add that according to Department of Transportation statistics, 126 children under the age of 18 are seriously injured enough in bicycle crashes to require the use of an ambulance and transport to a hospital. So it really is very serious measure and we're just hoping that teaching children proper safety at a young age will hopefully translate to use of helmets, seatbelts and precautionary measures in adulthood. That's the intent in why we're trying to go after the young kids. Just to see if we can reach them early so that we can influence their behavior as adults. Again, those that are opposed to the measure, I can just say, I guess what Representative Fox said: 'kochoku.' Thank you."

Representative Hiraki's additional remarks are as follows:

"Mr. Speaker, your Committee on Transportation is firmly committed to the safety of Hawai'i's children. H.B. 1763, HD 2, SD 2, CD 1, 'Relating to Bicycles' supports this commitment. The well being of young bicycles riders is at the forefront of the intention of this legislation.

"According to the National Highway Traffic Safety Administration (NHTSA), the use of bicycle helmets has proven to be 85 to 88 percent effective in protecting against head and brain injury. Moreover, a bicycle helmet is the single most effect device available to reduce head injuries and fatalities resulting from bicycle crashes.

"This bill requires children under the age of 16 to wear bicycle helmets while bicycling, riding in a restraining seat attached to a bicycle, or while in a trailer towed by a bicycle. It clarifies that the parent or legal guardian of a child violating the bicycle helmet requirement is liable for paying a fine of not more than \$25.

"The requirement of this bill thus promotes the safety of young bicycle riders. Therefore I stand in strong support of 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. 1763, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Halford, Meyer, Rath and Whalen voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 25 and H.B. No. 1881, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1881, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 26 and H.B. No. 2572, HD 1, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2572, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"First of all, I'd like to thank the Chairman of the Ocean Recreation and Marine Resources Committee for hearing this bill again and to be given time to learn about the use of Kaneohe Bay.

"This measure, Mr. Speaker, is a compromise between the advocates, the Kaneohe Bay Regional Council and the Department. Your Conference Committee focused its efforts on the history of the Kaneohe Bay Regional Council. In that effort, we looked at Act 208, Session Laws of Hawai'i, 1990 that stated in part, 'that the Bay is heavily used by the general public, ocean and marine research programs, and commercial ocean recreation operations creating a conflict in use situation. The use of Kaneohe Bay by commercial operators is a privilege and not an exclusive right.'

"Further it states, 'that the Legislature finds that a Master Plan should be developed which shall be used as a recommended guide line in the adoption and implementation of rules with regard to the regulation of all activities in Kaneohe Bay.' Further, in 1993, Act 317, Session Laws of Hawai'i, provided that the Regional Council can only advise and make recommendations to the State and county on those matters. This has been codified in the Hawai'i Revised Statutes, Section 200-39(c)-6.

"Therefore, you Conference Committee looked at this measure and retained the Kaneohe Bay Regional Council as an advisory body only, and further allowed it to be consulted by the Department of Land and Natural Resources when the Department drafts its rules. This measure removes the unlawful delegation of authority by removing the authority for the Council to amend rules promulgated by the Department. That was the discussion of last year.

"This measure also allows the Department of Land and Natural Resources to promulgate rules including the provisions that were previously by the Legislature. Including rules inconsistent with provisions previously adopted for reasons of safety or environmental protection from location of uses in Kaneohe Bay. Including rules to allow vessel substitution to similar vessels of no greater than 10 percent to allow for upgrading of vessels without changing the character of the use of the vessel. Including rules using the Kaneohe Bay Master Plan of 1990 as a guideline, and I stress as a guideline, for the provisions not already adopted by the Legislature.

"With this measure, our community and the Department can move forward with the promulgation of rules for use of Kaneohe Bay so that we can all enjoy the use of the Bay in safety. 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. 2572, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 2797, 284, 2092, 2095, 2490, 2491, 2574, 2405, 1763, 1881 and 2572 had passed Final Reading at 12:35 o'clock p.m.

At 12:36 o'clock p.m., Representative Menor asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:36 o'clock p.m.

Conf. Com. Rep. No. 27 and H.B. No. 749, HD 3, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 749, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIETITIANS," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 28 and H.B. No. 2160, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2160, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 29 and H.B. No. 1983, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 30 and H.B. No. 1938, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1938, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 31 and H.B. No. 2472, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2472, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 32 and H.B. No. 2585, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 33 and H.B. No. 1874, HD 1, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1874, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker.

"Mr. Speaker, this bill is one of three major pieces of legislation, which deals with educational accountability and authority.

"This bill deals with the administrative authority portion of the equation. If an organization is to be responsive to changing needs and conditions, it must assume control over its own administrative affairs. Then, it has the means to change its organization and shape the way that work is done. If the Department is to serve the schools and support their efforts to have children achieve the standards, it must be able to gather its resources and focus them properly. This bill also provides for the establishment of an interagency educational accountability working group to identify and recommend for suspension any statute, agency administrative rule, policy, procedure, or practice that prevents or inhibits the public school system from managing its own affairs, specifically in the areas of financial and human resource allocation and management.

"Mr. Speaker, the problem arose in 1996 when the Legislature recodified the education statutes in the Hawai'i Revised Statutes in order to integrate education policy changes that were aimed at putting students first within a learning environment that promoted school autonomy, flexibility, and community involvement. This resulted not only in the elimination of obsolete and outdated laws, but also in the creation of a more coherent education code.

"However, while the recodification helped to clarify the statutory framework for education reform in Hawai'i, there still remained the important task of changing existing rules, regulations, and accepted practices that had built up over the

years and were not aligned with the updated education code. This web of rules, regulations, and practices has seriously hindered the DOE in its efforts to implement the standards based reform that lay at the heart of its education improvement strategy.

"Mr. Speaker, this bill provides the solution. The working group proposed in this bill will be charged with the critical task of recommending the suspension of obsolete or inefficient laws, rules, and procedures in the educational system so that the new educational accountability reforms will have a clean slate on which to build an educational system the children of Hawai'i deserve. The working group will include representatives from government, the respective unions, the parents, the teachers, and student organizations.

"The working group will recommend to the Board of Education, the Governor, and the Legislature any statutes, policies, practices, and procedures that should be suspended so that the new laws can work as intended.

"Mr. Speaker, I urge my colleagues to support this bill. 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. 1874, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 34 and H.B. No. 1925, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1925, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 49 ayes, with Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 35 and H.B. No. 1912, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1912, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker. The bill started off as a 'rip-off' for consumers. The amended version has ended up as a bill that will penalize the car rental companies if they over charge consumers for any damage to a vehicle. I can certainly support this amended version. Thank you."

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

"Mr. Speaker, where the company would be penalized if they charged more than the reasonable estimate of the actual income lost, the loss of use of the vehicle, they're still going to charge the lessee for an amount that they estimate as lost income when their car is out of commission. That's not the normal thing you get charged for if you're in an accident. It seems to me that CATRALA or any rental car agency should have insurance for that kind of loss and not pass it on to the lessee."

"So while some think this is not so bad, I think it's going well beyond what they should collect. You could be renting a car, just sitting at an intersection and have somebody plow into you. You've done nothing wrong. The car has been involved in an accident and you could get stuck with this, which could be a considerable amount if the company said that there was a convention in town and they should rent every single car they had and so they're missing out on \$28 a day and pass it on to

you. That would not be considered unreasonable. Thank you, Mr. Speaker."

Representative Thielen then rose and stated:

"The prior speaker convinced me to change my vote on this measure because of that provision. So Mr. Speaker, I would like to note to our Minority Floor Leader that I will be casting a no vote on this," 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. 1912, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY," passed Final Reading by a vote of 38 ayes to 11 noes, with Representatives Auwae, Fox, Halford, Leong, Marumoto, McDermott, Meyer, Moses, Pendleton, Rath and Thielen voting no and Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 36 and H.B. No. 2017, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2017, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Thielen's remarks are as follows:

"Mr. Speaker, I rise to speak in opposition to HB 2017, HD 1, SD 1, CD 1.

"Collection agencies sometimes violate federal and state laws. A local presence by an agency makes it more responsive to consumer concerns. This bill eliminates the requirement for collection agencies to be licensed in Hawai'i under certain circumstances. The nationwide trend is to require licensing as states see the need to protect their consumers.

"The Legal Aid Society of Hawai'i, in responding to a request to testify on this bill, stated:

[Legal Aid] clients face serious barriers to meeting their basic needs of housing, clothing, and food. All too often, unscrupulous debt collectors utilize unfair, deceptive and illegal means in order to collect precious resources from Hawai'i's low income debtors.

The current licensing and bonding requirements in HRS § 443B are necessary for the provision of an in-state enforcement mechanism, as well as a potential source of restitution for Hawai'i's debtors who fall victim to unscrupulous mainland debt collectors.

Although HB 2017, SD 1 allows exception to the bonding requirement only where the collection agency's home state requires a bond, there is no guarantee that the bond required by the home state would be accessible to local debtors who have been victimized by the collection agency.

Furthermore, the current licensing requirement provides an enforcement mechanism which may be more efficient, and significantly more accessible to Hawai'i's low income debtors, than a cumbersome court process. Elimination of the licensing requirement effectively ties the hands of Hawai'i's regulators and consumers, as long as the collection agency remains in "good standing" in its home state. Simply because a collection agency is in good standing in their home state, there is no guarantee that they are playing by the rules in Hawai'i.

"For the foregoing reasons, I am voting against 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. 2017, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting no and Representatives Goodenow and Okamura being excused.

Conf. Com. Rep. No. 37 and H.B. No. 2476, HD 1, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2476, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I have several concerns about the bill, but I can understand the need for pages 7 and 8. We need to pass the bill. In my opinion, we have to pass the bill because of those pages. My concern is that part, for members, if you look at the Committee Report on page 2, about the third paragraph from the end, if you replace that with certain language in the bill as far as 'same specialty', I think the bill would be much better. But hopefully it will be fixed at some future date. Thank you, Mr. Speaker."

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

"With respect to the Chairman, I must speak against this bill. I believe that this bill, among others, is beginning to undo the automobile reforms that were made a few years ago. It shifts the advantage to the plaintiff attorneys as is very evident in this measure here. This is just a warning to the members. If you're going to continue to go this route, the automobile insurance will continue to rise and will undo all the good that was done in the past.

"Also, as the prior speaker said, in the Committee Report it mentions in there that this bill can be improved and it should be improved possibly next year. Well if that's the case then this bill should not pass. We should wait until next year and come up with a better bill. Thank you very much, Mr. Speaker."

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

"I wish to register an aye with reservations primarily because the bill requires an independent medical examiner of the same specialty. So we could get a chiropractor providing the treatment, which means that an IME would have to be of the same specialty as opposed to someone that's in the medical profession. So that's just one example. Thank you."

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

Representative Menor's remarks are as follows:

"Mr. Speaker, I would like to offer the following comments in support of this measure.

"First of all, I would like to clarify that this is an administration bill and was not introduced at the request of any special interest group.

"Moreover, this bill was substantially amended in conference committee to address the objections of insurers and doctors.

"For example, conferees removed the \$400 cap on independent medical examination (IME) fees which insurers found so objectionable. Moreover, we removed the provisions that related to the IMEs performed in workers' compensation

cases. Therefore, this bill will apply only in cases where IMEs are performed in connection with the payment of medical personal injury protection (PIP) benefits in automobile insurance cases.

"In this regard, it should be emphasized that this bill is extremely narrow in scope. The IME amendments in this bill are in Hawai'i Revised Statutes section 431:10C-308.5 that applies only to PIP (medical) coverage. This bill will not affect IMEs for workers' compensation, general liability, auto bodily injury liability, uninsured motorist or underinsured motorist claims. Any fears that it will affect other coverages are unfounded. So for example, if someone who is injured in an automobile accident sues another driver seeking to collect damages from the other driver's bodily injury liability insurance coverage, the other driver's insurer would still have the unrestricted right to select any doctor or medical provider to perform an IME if the insurer felt that the claims for damages were frivolous or exaggerated.

"Furthermore, I would like to clarify that the 'same specialty' provision in this bill was added at the request of the doctors.

"Doctors representing the Hawai'i Medical Association who requested this language were concerned about the use of unqualified persons performing IME reviews of their work. I agreed to do so because I felt that the inclusion of this requirement made common sense. For example, it makes sense to require a neurosurgeon IME to review spinal surgery performed by a treating neurosurgeon. Otherwise, the IME doctor could be an internist or even a gynecologist who knows little or nothing about neurosurgery. Moreover, it would not make sense to allow an IME psychiatrist to review the treatment of a broken leg by an orthopedist. In addition, a person performing an IME review of a knee reconstruction by an orthopedic surgeon should have training in orthopedic surgery.

"However, I recognize and am sensitive to the concerns that have been expressed about the wording of the 'same specialty' provision in the bill. To address these concerns, language has been included in the committee report to clarify legislative intent that we are not limiting doctors to narrow categories, but that any doctor in any specialty should be allowed to perform an IME provided that they 'possess adequate knowledge necessary to properly evaluate the treatment rendered by the treating doctor or medical provider.' The Representative from Kalihi will also be offering remarks on this measure to clarify legislative intent and to further address the concerns of doctors.

"Another important point that needs to be made is that this measure will not result in any increased cost in auto insurance. The State Actuary has confirmed that there will be no cost increase. I have received letters from the State Actuary dated April 30, 2000 regarding this measure that I would like to have entered into the House Journal.

"It should also be emphasized that this bill doesn't prevent the use of IMEs which I believe can be an effective and helpful tool in preventing unnecessary and costly medical treatment. There is no shortage of IME doctors in any of the IME specialties most commonly involved in automobile insurance cases.

"For all these reasons, I believe that this bill is a pro-consumer measure and I ask my colleagues to support this bill."

The following letters received by Representative Menor were included with his additional remarks:

"Martin M. Simons ACAS, MAAA, FCA
Public Actuarial Consultant
Columbia, South Carolina

April 30, 2000

TO: Commissioner Wayne Metcalf

FROM: M. M. Simons

SUBJECT: HB 2476, HD1, SD1, CD1
Medical Fee Schedule

The Motor Vehicle Insurance reform that was passed by the Legislature in 1997 (HB 100, CD 1 of 1997) included several revisions to the then current statutes that were designed to produce savings for Hawai'i's motor vehicle insurance purchasers. Included in HB 100 CD 1 of 1997, and an integral part of the savings provided by that reform legislation, was language pertaining to limitations upon medical charges. The basis of the savings was and is derived from the reference to the workers' compensation medical fee schedules 'adopted and as may be amended by the director of labor and industrial relations for workers' compensation cases under chapter 386, establishing fees and frequency of treatment guidelines.' An additional intent of the 1997 legislation was to preclude the need for the Insurance Commissioner to initiate a new rule making procedure each time the workers' compensation medical fee schedules were revised by the director of labor and industrial relations. Following the preceding language, the 1997 law included a reference to various administrative rule sections (sections 12-13-30, 12-13-35, 12-13-38, 12-13-39, 12-13-45, 12-13-85 through 12-13-92, and 12-12-94, Hawai'i administrative rules). At the time of the drafting of the legislation, these sections were included only as a reference for the then current schedules. As the language preceding the specified sections states, the intention, and the savings mandated in the 1997 legislation were based upon the mandated use of the schedules as amended by the director of labor and industrial relations.

HB 2476, HD 1, SD 2, CD 1 (2000) removes the referenced sections commensurate with the original intent of the legislation. These sections were not meant to apply indefinitely, but were included as a reference to the sections that were applicable at the time of the passage of HB 100, CD 1 of 1997.

/s/ Martin M. Simons ACAS, MAAA, FCA"

"Martin M. Simons ACAS, MAAA, FCA
Public Actuarial Consultant
Columbia, South Carolina

April 30, 2000

TO: Commissioner Wayne Metcalf

FROM: M. M. Simons

SUBJECT: HB 2476, HD1, SD1, CD1
Independent Medical Examiners

The captioned Bill provides a mechanism to be utilized in the case of disputes between providers and insurers over charges and procedures under the workers' compensation supplemental medical fee schedule as it relates to motor vehicle insurance claims.

The impact upon insurance premiums of the provisions of this Bill includes the following:

1. There is an anticipated increase in insurer expenses brought about by participation in the dispute process.
2. There is an anticipated decrease in the amount of the claim dollar payments as a result of the implementation of the dispute mechanism.

While there is currently a lack of available information from which to determine the overall effect upon insurance premiums

of HB 2476, HD 1, SD 1, CD 1, it is anticipated that the impact will be minimal.

/s/ Martin M. Simons ACAS, MAAA, FCA"

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

"I'm speaking for the purpose of clarifying some provisions of this bill, pertaining only to the independent medical examiner.

"Section 2 of this bill mandates that 'the independent medical examiner shall be of the same specialty as the provider whose treatment is being reviewed, unless otherwise agreed by the insurer and claimant.'

"This provision, as I understand, is the main objection of the physicians, independent medical examiners and insurance companies.

"Given as an example, is a case wherein a claimant with foot and spinal injuries, whose treatment records are to be reviewed, has undergone treatment by a podiatrist, physical therapist, chiropractor and orthopedic surgeon. In this example, the question to ask is, does the specialty provision in Section 2 mean that you have to require four IMEs with the same specialty to review treatment conducted by the podiatrist, physical therapist, chiropractor and orthopedic surgeon? I believe that if the provision of this bill is narrowly interpreted, then the answer is 'yes.'

"However, if we acknowledge that there are clinical overlaps, and thus a medical specialist or multi-specialist is knowledgeable about a given clinical problem, then the answer is 'no'--there is no requirement for four IMEs.

"It is for the aforementioned reasons that in the committee report, to clarify the specialty provision, that language is included to insure that IME doctors possess adequate knowledge necessary to properly review the treatment rendered by the treating medical provider.

"It is not the intention of your Committee on Conference to require multiple independent examiners in this ordinary case, but rather that an independent medical examiner should be selected that is most appropriate under the circumstances of the treatment rendered.

"Also, provisions of this bill should not be narrowly interpreted to gain any legal and financial advantage for all parties involved in the IME selection process.

"I believe that the goals of the specialty provision of this bill are: 1) to select an IME that is for the best interest of the claimant; and 2) to control the cost of IME fees.

"My suggestion is for all parties involved, such as insurance companies, plaintiffs' attorneys and IMEs to track the performance and effect of this bill, whether its application will: 1) require multiple IMEs; 2) increase litigation; 3) delay resolution of contested cases; and 4) result in a staggering increase in IME cost.

"Lastly, just in case the specialty provision of this bill, as applied, will result in any or all of the previously mentioned effects, that, hopefully, future Legislatures should: 1) amend or clarify this section of this bill; and 2) not cap IME fees giving as a reason the increase of IME fees. I know that this bill is very important and one that we should pass. We should look at the performance and experience this bill when it's applied. It is for these reasons that I rise in support of House Bill 2476, HD 1, SD 2, CD 1. Thank you."

Representative Meyer then rose to speak in opposition to the measure, and asked that the remarks of Representative Souki be

entered into the Journal as her own, and the Chair "so ordered."
(By reference only.)

Representative Meyer continued, stating:

"I'd just like to add a few other remarks. In Conference, language was added to restrict motor vehicle insurance IMEs to the same specialty physician because this concept was never heard in this nor any other bill. There was no testimony on this particular concept.

"The 2000 State Legislature, Joint Senate-House Committees on Conference Procedures, clearly states in item 1a, 'With the exception of the Executive Budget and the Judiciary Budget, a Conference Committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject matter.' This was new subject matter. I really question whether this was proper. As the Speaker Emeritus said, if this bill is flawed and needs so much work, we should do the right thing and simply not pass it this session. Thank you, Mr. Speaker."

Representative Menor then rose to speak in rebuttal, stating:

"Mr. Speaker, in brief response to the Representative from Laie's comments. In response to her procedural concerns, I obtained an opinion from the House Majority Staff Office to determine whether or not the provisions of this bill would be in any conflict with the conference committee procedures. The opinion that was rendered indicated that all of the provisions in this measure are related to the subject matter. And that they, therefore, are not violative of conference committee rules and procedures. In that respect, I believe that the bill is procedurally sound and should be supported by this body. Thank you."

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

"I just wanted to cite one small portion of the bill that I have reservations with. If the bill becomes law, injured persons from motor vehicle accidents may not receive the proper type of care needed to get better or at least stabilized. In addition, if the injuries are prolonged because of this obstacle more medical payments will be made unnecessarily. This might increase the cost of motor vehicle insurance for personal injury protection, bodily injury liability and uninsured motorist coverage. But there are other parts of the bill that I'm in favor of so I'm going to support it with strong reservations. 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. 2476, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 37 ayes to 12 noes, with Representatives Fox, Halford, Leong, Marumoto, Meyer, Morihara, Morita, Moses, Rath, Souki, Stegmaier and Whalen voting no and Representatives Goodenow and Okamura being excused.

The Chair directed the Clerk to note that H.B. Nos. 749, 2160, 1983, 1938, 2472, 2585, 1874, 1925, 1912, 2017 and 2476 had passed Final Reading at 12:55 o'clock p.m.

At 12:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:55 o'clock p.m., the Vice Speaker assumed the rostrum.

Conf. Com. Rep. No. 38 and H.B. No. 2774, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2774, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I'm glad this is occurring after lunch, by the way. The first time I stood here and gave a floor speech about breastfeeding, there was a bit of twittering in the chamber and a few red faces. Since the first floor speeches on breastfeeding given by members of the Women's Caucus two years ago, members have become a lot more knowledgeable about the subject.

"Breastfeeding is not merely a lifestyle choice, but a choice that brings both medical and economic benefits to society. The U.S. Government spends millions of dollars to purchase artificial formula -- if the healthy choice of breastfeeding was made by more women, millions could be saved in health care and food packaging costs.

"Why do we need this legislation? The goal is to clarify that mothers have a right to breastfeed anywhere they have a right to be with their babies. The goal is also to stop the social ostracism that can take place when women breastfeed in public with the hope that rates and duration of breastfeeding will be encouraged and recognized as an important health issue. However, society's views, taboos and prejudices are not easily changed.

"As the legal system continues to recognize and encourage breastfeeding as a right, a strong message is sent to the public that breastfeeding is an important issue that impacts the lives of children and their futures.

"This bill creates a law that states it is illegal to discriminate against a woman who breastfeeds a child in a restaurant, a shopping center or any other place of public accommodation. Mothers may now feed their children without fear of being sent away to their cars or to restrooms, which has been an all too common occurrence.

"This bill reinforces the important message that breastfeeding a child is not only in the mother and child's best interest, but in the best interest of the community. The individual health benefits of mother's milk are too numerous to list, but children who are breastfed are significantly healthier than children who are not. There simply is no other product that comes close to providing the benefits of mother's milk. In Hawai'i, we are proud to call ourselves 'the health state.' This will be one more example of our commitment to improving the health of all of the members of our community.

"Mr. Speaker, babies need to be breastfed on demand and nursing mothers should not be pressured to use bottles. The American Academy of Pediatrics recommends that babies not have supplements or pacifiers until breastfeeding is well established and that early introduction of such devices can put the breastfeeding relationship at risk.

"The La Leche League, an organization which encourages breastfeeding and does much breastfeeding education asks, 'Would we want even one mother or baby to have an increased risk of illness just because someone else doesn't want to see a breast exposed to feed a child? No mother should be told that she should have to use bottles just to go out in public. Breastfeeding is an act of nurturing, not something to be hidden. It is not dirty or shameful and it doesn't need to be done in the restroom. No mother should be put in a situation where she cannot continue to provide this health choice for her baby.'

"Breastfeeding legislation has been enacted in over one-third of the states. In Hawai'i, we are proud of our commitment to protect the civil rights of our citizens. Though I am happy that we are taking an important step with this bill, I am deeply concerned that it provides lesser penalties for discriminating against women who breastfeed than for anyone else protected under this chapter.

"Is discrimination against mothers and their children any less unlawful than discrimination against anyone else? Why would we think that women and their children are in need of less protection?"

"While I am proud that we are finally providing protection for women who breastfeed, I long for and will work toward the day when we no longer ask women and children in this state and in this country, to prove themselves worthy of equal protection under the law.

"We should be very proud that a dedicated group of women here in Hawai'i have been willing to persist in their efforts to encourage and educate the public about breastfeeding. It hasn't been easy. They have waited for hours and hours to present testimony often with babies in their arms. They have endured the uncertainty and unpredictability of the legislative process to achieve what should be an unquestioned right -- so this is a happy day for them -- if you are in the gallery, congratulations -- this is for you. Thank you, Mr. Speaker."

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

"Mr. Speaker, this measure was another compromise between the advocates, the mothers and those who believe that breastfeeding is a civil right. All of us in your Conference Committee did work hard to preserve this right for breastfeeding women or mothers or both.

"This measure is designed to encourage and to allow breastfeeding as a natural activity for mothers. It is designed to deter behavior by businesses who remove breastfeeding mothers from their premises. It is designed to educate women and businesses of this law that makes it a discriminatory practice to deny a breastfeeding woman the full and equal enjoyment of public places. It is also designed to provide a private cause of action in district court to stop this discriminatory practice by penalizing those businesses \$100 if that business is found in violation of this provision.

"This measure, although not what some people wanted, is a compromise by the advocates and is a first step in protecting this natural activity of breastfeeding by mothers and children. 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. 2774, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC PLACES," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 39 and H.B. No. 2418, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2418, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, this bill is a solution in helping us eliminate those long lines, if you all remember, in front of the State ID Office.

"This bill does four things: 1) it reduces the State ID fee to \$10 for persons 65 years or older; 2) allows a person 65 years or older to renew their State ID card issued after November 1, 1998 by mail if there is no change in the name or citizenship; 3) it changes the expiration date on State ID cards to coincide with the person's birthday; and 4) it makes present certificates expire on the last birthday immediately preceding the certificate's stated expiration date.

"Mr. Speaker, Chair Hamakawa, and Vice Chair Saiki, the seniors of my district thank you very much for this bill. 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. 2418, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATES OF IDENTIFICATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 40 and H.B. No. 2653, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2653, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 41 and H.B. No. 2429, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2429, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 42 and H.B. No. 2410, HD 1, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2410, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 43 and H.B. No. 540, HD 2, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 540, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"The congressional enactment of Title XXI of the Social Security Act, the Federal Balanced Budget Act of 1997, provided states with an important opportunity to expand health care coverage to low income children who are uninsured.

"The program called the Children's Health Insurance Program or CHIP is considered the largest expansion of health care coverage since the enactment of Medicare and Medicaid. Mr. Speaker and colleagues, we are one of the last, if not the last state to implement our State's Children's Health Insurance Program or S-CHIP.

"Being last, however, does not necessarily mean being the worst. In fact, the State of Hawai'i, through this bill, will provide one of the most comprehensive approaches to coverage and to access to health care to children in the whole country. The vision, Mr. Speaker, of your Chair of Human Services and Housing, and as co-convenor of the Keiki Caucus, has long been to provide universal access to health care for all Hawai'i's keikis. This bill will bring us closer to achieving this vision.

"We had originally sought to reach universal coverage by increasing eligibility to 300 percent, as allowed by HCFA (Health Care Financing Administration). However, in the course of the hearings on this bill, we found that the greatest number of uninsured children were actually those who are now disqualified because they are immigrants who arrived after the Welfare Reform Act 1996, and those who are now specifically barred by Congress, such as those from the Trust Territories. Unlike any other state, with this bill, we will cover all children regardless of their country of origin and their date of arrival in Hawai'i.

"The plan calls for an expansion of Hawai'i's Medicaid and QUEST programs, phasing in health coverage for children who are uninsured but eligible by family income levels of 200 percent or less of the federal poverty level. As an expansion of the Medicaid and QUEST programs, the S-CHIP benefit package will be the same as that of the Medicaid and QUEST for children. These benefits will include medical, dental and behavioral health services, as well as access to full early periodic screening diagnostic and treatment, or EPSDT, services.

"Health care services will be delivered to CHIP enrollees through the regular Medicaid and QUEST provider networks. An important component to the success of the State's Children's Health Insurance Program will be the outreach and coordination efforts, working with and through existing public as well as private sector health care and social service networks and resources on a statewide basis.

"Let us not forget the business community, service organizations and labor unions, organizations and media campaigns for their advocacy and support. I especially want to acknowledge the extraordinary efforts of the Covering Kids organization and the Hawai'i State Primary Care Association.

"I believe, and I believe all of you will agree, that there are two things we can do as policy makers for the children of Hawai'i. First, we can provide every opportunity to assure quality education. And second, we can provide access to quality health care. We can all agree that a strong mind and a strong body are essential to a future workforce.

"When it comes to health care for children, we cannot tell the child to wait until we have the resources. We need to do it now. Again, maybe for the final time this session, I will close with this quote from Gabriella Mistral, a Nobel Prize winning poet from Chile. 'We are guilty of many errors and many faults, but our worst crime is abandoning the children, neglecting the fountain of life. Many of the things we need can wait, but the child cannot. Right now is his and her time, their bones are being formed, their blood is being made and their senses are being developed. To him and her, we cannot answer tomorrow because their name is today.' Thank you."

Representative Kahikina then rose to speak in support of the measure, and asked that the remarks of Representative Arakaki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kahikina continued, stating:

"Mr. Speaker, I am very honored and pleased to have served under Chair Arakaki and his desire to serve people. This bill truly speaks of the Aloha Spirit. If there's anything that we can go into this next re-election, I think this bill would say it all. In the heart of this man would have been his whole intent to give health services to all people, but in this bill I feel really good that we're serving every child in the State of Hawai'i. This is a truly down to earth, 'keiki o ka aina' bill. 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. 540, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

HUMAN SERVICES," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 44 and H.B. No. 2273, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2273, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CHILDREN'S TRUST FUND," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 45 and H.B. No. 2648, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2648, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 46 and H.B. No. 2354, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2354, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. speaker. Not long after World War II, we had another war and sometimes it goes forgotten. We don't want to forget not only the battle that went on and the long fought, hard won victories, but also the people. In this measure, we're going to provide for a commemoration of the 50th anniversary of the Korean War. I urge my colleagues to support this measure. Thank you."

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

"I support the previous speaker's full-on intent on giving this commemoration. I just ask that he gives the same intent when we discuss Barber's Point Hawai'ian names also. Thank you very much."

Representative Whalen then rose on a point of order, stating:

"I believe that comment was inappropriate and doesn't say anything regarding the bill and was more of a personal jab than a discussion of the merits of the bill."

The Chair responded: "Point of order taken, thank you."

Representative Whalen then rose and stated:

"Mr. Speaker, I believe a word of admonishment is the proper course at this point."

Representative Kahikina then rose and stated:

"Mr. Speaker, may I be permitted. I was merely giving an example of the commitment and my support. I was only making reference to the intent of the support that perhaps when other intentions are being put forward, as we deliberate issues, that it will be given the same respect. That's all I was meaning. If I offended thee, I apologize."

Representative Whalen then rose on a point of order, stating:

"Again, I don't believe the issue was whether or not offense was given. I believe the issue is whether or not that remark was appropriate."

At 2:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:12 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2354, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

Conf. Com. Rep. No. 47 and H.B. No. 2506, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSPECTIVE ADOPTIVE PARENTS," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Stegmaier being excused.

The Chair directed the Clerk to note that H.B. Nos. 2774, 2418, 2653, 2429, 2410, 540, 2273, 2648, 2354 and 2506 had passed Final Reading at 2:13 o'clock p.m.

Conf. Com. Rep. No. 48 and H.B. No. 2098, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2098, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 49 and H.B. No. 2492, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 50 and H.B. No. 37, HD 1, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 37, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, this bill started out being known as the 'Baywatch Bill'. It's evolved into a slightly different form, although, I think its ultimate impact in a year or two would be to go back to being the 'Baywatch Bill'. There is a special fund that is set up by this bill. I suggest, Mr. Speaker, that two of those things can be done without the need for a special fund.

"There'll be a special fund set up in the State treasury and it's going to be called the Hawai'i Television and Film Development Special Fund. First of all, donations and

contributions made by private individuals can go into that Fund. We don't need a bill to do that. That can happen.

"Secondly, any profits or other amounts received from venture capital investments can go into that Special Fund. We don't need a bill. That can happen. But here's the clinker. Appropriations by the Legislature will go into that Special Fund. Yes, there's no money here for Baywatch or any other film bail out, but once we set up that Special Fund, set up the vehicle, from then on the pressure upon this Legislature to fund those kinds of programs is going to be enormous. When I stop and listen and think about all of the needs that we have that we have been addressing today -- the needs of human services, the needs of education, the needs of our children, our students, our public schools -- I don't see that we want to put into place, into being a place that's going to enable these television and film producers to come to the Legislature to say, 'Bail us out. We're portraying Hawai'i and people watch it and that's going to help your State.' That's competition that we don't need for the dollars that should go to education and should help our people that have special needs. They shouldn't be drained off to fund a Baywatch of the future. So I'm voting strongly no. Thank you."

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

"Just very briefly, I wanted to just mention that what this bill does is it creates the Hawai'i Television and Film Development Board. The reason for this, Mr. Speaker, is if you take a look at all of the industries in the State -- the ones that we're focusing on and the ones that are important to this State -- they all have governing boards or governing agencies or governing bodies assisting with this industry. We've learned throughout this past session that the film industry is an industry that the State eventually, hopefully, will be able to rely upon. But without a board or without an entity pushing forth this industry, it makes it very difficult.

"So I think the most important thing that we do in this measure is we create this Board. The Board is well-balanced. Nine members, of which four are the film commissioners of the various counties, four members appointed by the Governor, and the last, ninth member is the Director of the Business, Economic Development and Tourism Department. In addition, to that, Mr. Speaker, we want to give the Board the opportunity to start looking at ways that they can assist in this industry and that's the reason why we created the special fund.

"There are no monies in this bill. It just asks that this Board start looking at areas in which we can assist, not only the Legislature assisting this industry, but more importantly the entire state and other governmental agencies. So I think this is a far cry different from the bills that we've seen this past session. Definitely, this bill has nothing to do with Baywatch. I guarantee it. Thank you."

Representative Cachola then rose to speak in support of the measure, and asked that the remarks of Representative Thielen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cachola continued, stating:

"I want to assure you, Mr. Speaker, that I'm not going to change my vote. Thank you."

Representative Thielen then rose to speak in rebuttal, stating:

"We don't need a board to encourage the film industry. Let's take a look at Hawai'i Five-O, Magnum P.I., the recent Pearl Harbor movie done by Disney Studios, they're doing fine without the intervention of state government. When the Chair of the Committee talks about not needing any money, we're setting up the vehicle for the money. If I were a betting person, which I'm not, I will bet you that those film companies will be

lining up next year to say, 'You've got a fund set up, give us the money and we will portray partially clothed women around the world to entice people to come to Hawai'i.' 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. 37, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PRODUCTION FUNDING," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Meyer and Thielen voting no and Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 51 and S.B. No. 2513, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2513, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Herkes voting no and Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 52 and S.B. No. 2411, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2411, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 53 and S.B. No. 2530, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2530, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 54 and S.B. No. 185, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 185, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 55 and S.B. No. 2837, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2837, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker. Mr. Speaker, in your Opening Day speech, you invited us to take a voyage of discovery, to explore new opportunities and innovative programs for our children.

"Mr. Speaker, under your leadership you have made education your highest priority and I am happy to report that your Committee on Education has taken up your challenge and started on that voyage. Little did we realize the rough seas and

strong winds up ahead. I would also like to thank the crew of the Education Committee for their hard work and support.

"Mr. Speaker, this bill is the most important measure of the three major pieces of legislation which deals with educational accountability and authority. Accountability and authority are the two elements of a common agenda that must be pursued together. Accountability without authority - to ask for performance without providing the means to succeed - is unreasonable. Authority without accountability - to provide the means to succeed without asking for performance - is irresponsible. Clearly, one element without the other is a prescription for failure. Both are needed.

"Mr. Speaker, this bill instructs and empowers the Department of Education to initiate accountability. It permits through law an accountability system that should motivate and support improved performance by identifying a framework for the system while providing the flexibility that is needed to ensure that the system is fluid and human. An accountability system primarily involves the process of accepting responsibility and being accountable for one's actions. A system that clearly links authority and adequate resources to responsibility. It also defines clear lines of responsibility and mutual obligation; and requires continuous inspection of how well our system and our schools are supporting student attainment of statewide standards. This inspection would lead to recommendations and actions in a continuous improvement cycle.

"Mr. Speaker, there are those who have publicly stated that this bill does nothing but perpetuate the status quo. That is far from the truth. All three measures together promote sweeping reform. What this bill, in particular, does is describe negotiable items by limiting their scope and removing them from the definition of the accountability system.

"Mr. Speaker, I can state with utmost confidence that this educational accountability bill addresses Superintendent LaMehieu's five concerns about collective bargaining:

"First, it requires collaboration. Under the bill, the Superintendent would have the power to develop collaboratively the details - the 'whats' or the 'givens' - of the accountability system. Unlike the collective bargaining process, which is dominated by a 'quid pro quo' logic whereby two parties come to the table to trade positions to arrive at the least offensive compromise solution to an issue, a group of individuals that is representative of all who have a stake in public education would be convened by the Superintendent to build a solution together. Even more to the point, no single party in the collaborative process will be at the table with the power to reject all of the group's work. This group, which will determine the 'givens' of accountability, for example: what will be examined; what standards of judgment will be applied; what process will determine judgments; and even, what actions can be taken. These 'givens' cannot be held up by the position of any one group. This is a remarkable departure from the status quo.

"Second, the bill provides for multi-party discussion. Collective bargaining prohibits multi-party discussion. Collective bargaining in separate successive pairing is unlikely to produce a single, coherent accountability system that focuses on the contributions of all parties."

At this time, Representative Luke yielded her time to Representative Ito.

Representative Ito continued, stating:

"This bill specifies a multi-party collaborative process, one that will determine a single, coherent accountability system.

"Third, the bill identifies other partners. It provides for the voices of those who should be heard in the collaboration on

accountability but who would not be present in collective bargaining. These include, but are not limited to, parents, students, community members, businesses, higher education, media, and even political leadership, many of whom should be held accountable.

"Fourth, the bill supports innovation. It provides for a collaborative process of all stakeholders to design consequences for schools and employees, such as retraining, termination, or relocation. At the same time, the bill limits collective bargaining 'to the impact on personnel arising from the Superintendent's decision in implementing the educational accountability system.' That is, the Superintendent and the unions would negotiate whenever features of the accountability system had a direct bearing on personnel actions. Using this kind of two-tiered approach, the bill ensures that public employees in the schools are given their due process and their protections under the accountability system while at the same time enabling innovative 'givens' to be determined in the collaborative process.

"Fifth, the bill addresses the concerns regarding continuity. A firewall has been created to address Superintendent LaMehieu's concern that once the specifics of accountability have been identified, they should not be eroded through subsequent negotiations, especially on unrelated issues. The bill states that provisions on the impact of the accountability system 'may be reopened only upon mutual agreement of the parties.' This means the unions will not be able to use their negotiation or ratification processes to suppress the agreements arrived at through consensus unless all parties mutually agree.

"Finally, it should be noted that a considerable responsibility is imposed on the negotiation tier of this process. Simply put, I am confident that the parties will strive for agreement because even absent such an agreement, the authority to act is conferred by the collaborative process.

"Mr. Speaker, this bill is needed if the Department is to implement an educational accountability system that will bring about desired improvement. I urge my colleagues to vote for the passage of this measure. Thank you."

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

"Mr. Speaker, we heard throughout January, February, March and April that the key measure of accountability in this session of the Legislature was going to be the passage of a bill on educational accountability in which the right of collective bargaining was kept away from the collaborative process that would be used to determine what accountability would mean and how it would be fulfilled in the schools.

"It pays to read to the end of the bill. If we read to the end of the provisos in the budget, we find the Hemmeter Building. If we read to page 6 in this bill, we find these lines, 'For the purposes of this section, negotiations under chapter 89 shall be between the superintendent or the superintendent's designee and the respective exclusive representative...'

"So the very point that we were fighting for in this whole process of accountability has now been compromised. I think it's okay to talk in strong rhetoric about how much this represents change as opposed to the status quo, but when we were told for four months that this was the essential provision that had to be there -- to remove this process from collective bargaining -- and when we find that collective bargaining is, in fact, in the Conference Draft, I think it behooves us to recognize that we're closer to the status quo than we are to really meaningful change. Thank you, Mr. Speaker."

Representative Rath then rose and asked the Clerk to register an aye vote with reservations 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 Yonamine then rose to speak in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Yonamine continued, stating:

"I would like to commend the Chair, Ken Ito for shepherding this bill into its present form."

Representative Yonamine's additional remarks are as follows:

"Mr. Speaker, I rise in support of S.B. 2837, SD 1, HD 2, CD 1 Relating to Educational Accountability.

"This measure expands the DOE's accountability system to include specifically: student accountability; professional accountability for schools, teachers, principals, and other employees; and public accountability for other significant partners in the education process.

"The Superintendent is responsible for the development and implementation of a system of consequences which is to be designed through a collaborative process involving stakeholders including the unions.

"There was some initial concern that the Superintendent would be give 'free rein' in implementing an accountability system. The bill strikes a balance by limiting the scope of collective bargaining negotiations concerning the educational accountability system to the impact on personnel arising from the Superintendent's decision in implementing the system.

"My experience as both Chairman of the Board of Education and as Chairman of the Labor Committee tells me that this important legislation is an excellent compromise and will lead in the long run to improved public education."

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

"Representative Ito has spoken well to the merits of this bill and I endorse those remarks by reference. I do, for the benefit of the Representative from Waikiki, wish to invite his attention to the additional provisions after the provision that he read, in which it is very clear that the scope of those negotiations are in fact limited, as discussed by Representative Ito. It is clear that the provision that the Representative from Waikiki was concerned about is in fact in this bill.

"What I would like to do is focus a little bit right now on the process by which these bills came about. Equally as important as the substantive result is that process, and I think it offers both instruction and some hope for how to accomplish meaningful change in the future.

"These in my mind were the procedural ingredients which assured the success of this measure and its companions, H.B. 1874 and H.B. 1873.

"First, there was an articulate spokesperson, Superintendent Paul LaMehieu, who was willing and able to take the case for change to the people, and to risk the consequences within the status quo of advocating that change.

"Second, there was a sincere effort at consensus, both outside and within the Legislature prior to session. As a result, from that discussion and effort, all three of these bills were adopted by the Majority as part of its Majority Package. In other words, we obtained 'buy in' up-front.

"Third, we were fortunate to have both the House and Senate Education Chairs, in this instance, line up as people who were fully committed to these changes, both philosophically and by way of intestinal fortitude, who were backed up by solid bi-

partisan committee work, and all of whom persevered when the heat turned up.

"Fourth, there were affected constituencies who were equally committed to change or who were at least open to the discussion of the difficult issues raised by that change. I include in that: parents; parent-teacher associations; and yes, teachers. I think one of the ingredients by which these bills came into the form that they are in now, and are passing out of this Legislature, was the good faith participation of the Hawai'i State Teachers Association, who I believe entered into good faith discussions, which were not based upon defensiveness, but were in fact based upon what they viewed as the good of the children and of the system by which those children could be educated. I believe they should be singled out for their participation in this process and in the result.

"Finally, there was the overwhelming weight of public opinion in support of change as expressed to us directly by our voters.

"So all five of those ingredients offered the milieu by which this result came to pass. Clearly the process worked and I commend it to our successors in the Twenty-First Legislature as a framework for the unfinished business of meaningful change in other vital areas. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2837, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ACCOUNTABILITY," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 56 and S.B. No. 2480, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2480, SD 1, HD 1, CD 1, pass Final 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:

"Mr. Speaker, I would like to speak in favor of SB 2480 SD1 HD1 CD1, which amends the current divorce law and permits by mail in place of publication on the condition, that the plaintiff files an affidavit attesting to impoverishment and the present location of the defendant is unknown.

"Presently, the HRS on divorce states that notification of intent to divorce, separate, or annul a marriage must occur by one of three methods: 1) personal delivery, 2) certified mail, or 3) publication in a newspaper. For people who have no address for their spouse, publication is the only currently available method of notice. Before any court action can take place, notice must be delivered.

"However, many low - income women remain in marriages because they either: 1) don't know their spouse or ex-spouse's current address, or 2) they can't afford the publication fees. Unfortunately, women in these situations must remain married due to the current statute. This bill is helpful to low - income women who cannot afford publication fees by allowing copies of divorce papers to be sent via mail to their ex-spouse or spouse's last known address. Publication fees are at least \$300 and for low-income families, that amount may be the bulk of their income.

"When the current location of the spouse is unknown, serving papers to the last known address may not seem effective. However, publication could be just as futile. How

likely is it that someone would search publications daily for a notice?

"Once a notice has been made, divorce and court action may proceed. For women stuck in bad marriages, they may finally be granted custody of their children and most importantly move on with their lives. I urge your support for the passage of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2480, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

Conf. Com. Rep. No. 57 and S.B. No. 3073, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3073, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVING," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Schatz and Stegmaier being excused.

The Chair directed the Clerk to note that H.B. Nos. 2098, 2492, 37 and S.B. Nos. 2513, 2411, 2530, 185, 2837, 2480 and 3073 had passed Final Reading at 2:35 o'clock p.m.

Conf. Com. Rep. No. 58 and S.B. No. 3038, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3038, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 59 and S.B. No. 2779, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2779, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 60 and S.B. No. 3199, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 3199, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, although every reasonable precaution can be taken to protect our environment and citizens from harmful exposure, I still have concerns and grave concerns. That through some unforeseen event or human error a known and potentially harmful microorganism and pathogens can be inadvertently released, in some cases, cause irreversible damage to our State and our environment.

"Granted the research can greatly benefit by the import of microorganisms and pathogens, but this bill potentially poses a serious threat to public health and safety. Even though rules and regulations will be implemented to insure that Hawai'i is protected, I ask that prudence, caution and diligent oversight are judiciously exercised by our State departments so that our

precious environment and our people are safe from harm. So it's with that caution that I ask have reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3199, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 61 and S.B. No. 2121, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2121, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE LAWS," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 62 and S.B. No. 2982, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2982, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 63 and S.B. No. 680, SD 1, HD 2, CD 1:

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

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

"This bill, Mr. Speaker, represents a reasonable compromise that will allow those who enjoy the use of fireworks to continue to use it in moderation, while at the same time, in all practical terms, decrease the overall amount of common firecrackers played on these special holidays.

"Mr. Speaker, under this bill, if one wishes to pop firecrackers for the upcoming New Year's celebration, that individual will have to get a permit in order to purchase. That permit will cost that individual \$25. That permit will allow that person to purchase up to 5,000 firecrackers. (When we spoke in terms of a tau designation, we identified this as a 20,000 tau package.) Five thousand firecrackers will be the packaging limit. This bill prohibits the sale of firecrackers packaged in amounts greater than this limit. This bill also specifies that fireworks cannot be sold more than 5 days prior to the New Year. So we are also limiting the circulation of fireworks on the street with this bill.

"Mr. Speaker, I am confident that with this bill, the use of firecrackers will be minimized. It will be less than what we have seen in recent years.

"Secondly, Mr. Speaker, as we did in the draft from last session, we are addressing the issue of aerial fireworks. Our present State law bans the importation of aerial fireworks unless you have a license. And that license is only issued for special events like the Fourth of July public displays and the like.

"This bill, seeks to further enhance our present law by banning the possession of aerial fireworks. So if you don't have a license and you possess these aerial fireworks, it is a crime under this bill. If you have it in your house, it is a crime. If you purchase it without a license, it is a crime. Mr. Speaker,

I believe we will be giving our law enforcement officials the tools necessary to enforce this part of the law.

"In our preliminary meeting prior to session, we met with representatives from the U.S. Customs Office, ATF, Police, Fire Department and DOT - Harbors, and many others and asked for their advice on how to curb fireworks. They told us that if we wanted to get serious about the illegal fireworks problem, we needed to do a few things: 1) increase importation fees on fireworks; 2) impose strict inventory control for those aerials legally brought into the State; and 3) impose stricter penalties for selling and buying without a license.

"With regard to the importation fee for fireworks, we increased this substantially, including fees for wholesaling, storage, and retailing. The revenues raised by this increase will allow the Fire Department to hire the personnel they need to properly inspect shipments, and monitor and inventory the fireworks brought into the State.

"Mr. Speaker, this bill will also require importers to designate fireworks cargo on the bill of lading, declaring gross weight, location of storage facility, and notification to the county regarding how it will be distributed and the expected landing date. This bill also specifies that the storage facility be approved 15 days prior to the arrival, and that it meet all local safety codes. We also provide that for any fireworks landed in the State, if the importer doesn't have a valid license to import and store, or if the fireworks are not properly declared, the fireworks are subject to seizure.

"Finally, Mr. Speaker, with regard to the penalties, if someone imports illegal aerials without a valid license, that person will be subject to a class C felony. I hope people understand how serious a charge this is and will think very carefully before venturing into this illegal activity.

"If an individual purchases, possesses, sets off, ignites or discharges aerials without a permit, or stores, sells, or possesses without a license less than 25 lbs, it will be a misdemeanor. If 25 lbs. or more, it will be a class C felony."

At this time, Representative Saiki yielded his time to Representative Hamakawa.

Representative Hamakawa continued, stating:

"Selling aerials to someone who does not have a valid permit will also be a class C felony.

"In closing, Mr. Speaker, we have attempted to seriously consider the concerns of both proponents and opponents regarding fireworks. I am confident that this legislation is a strong step towards the interest and protection of public safety balanced carefully with a respect for the desires and wishes of a public lifestyle that has been enjoyed for many years."

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

"I know that it is a compromise. It was a hard won compromise. I congratulate the House/Senate conferees that finally did arrive at a bill. However, there are features in it that first need to come to a conclusion that is unfortunate.

"I base my opinion on an analysis done by the Community Fireworks Forum, a very good group. They're convened by the Hawai'i Humane Society and American Lung Association. The participants include: the American Lung Association of Hawai'i; the American Promotional Event; CFX Lines; the Prosecuting Attorney for the City and County of Honolulu; the State Harbors Division; the Hawai'i County Fire Department; Hawai'i Island Humane Society; Hawai'i Veterinary Medical Association; Hawai'ian Humane Society; Hawai'i Kennel Club; Honolulu Fire Department; Honolulu Police Department; Ilio and Popoki Hawai'i Dog and Cat News; Legislative

Information Service of Hawai'i (LISH); Maui Humane Society; Retail Merchants of Hawai'i; Serious Puppy Training; U.S. Department of Alcohol, Tobacco and Firearms; U.S. Coast Guard, Marine Safety Office; U.S. Customs Service and U.S. Consumer Product Safety Commission. They put out a very objective analysis. However, I am taking and drawing opinions from it.

"They point out some good features of the bill. Number one, it discourages the illegal importation and sale of aerial fireworks. In the past, I've rallied against aerial fireworks, but this bill alleviates that situation. It places a de facto ban on firecrackers because the permits will cost \$25 and there will be some people who will not want to buy a permit or cannot afford to buy a permit. So therefore, you will have, perhaps, fewer purchases of firecrackers.

"On the other hand, there are some negative features of this legislation. It will allow the use of non-firecracker fireworks without a permit. These are sparklers, fountains, ground spinners and other items that remain below 12 feet high or wide. The \$25 permit fee has a dark side to it in that it will prohibit many citizens from participating in cultural events because they can't afford the fee. Any person may purchase a year supply or more prior to July 4, 2000 because this bill doesn't go into effect until July 6, 2000. Then they could store the fireworks in their homes without penalty. I'm assuming they'll keep it until New Year's Eve. There is a hazard there just for the first year.

"This may hurt legitimate local business and I quote from this analysis, 'The license fee for retailers is prohibitive and will eliminate many small local businesses from selling fireworks. This gives the big box retailers an unfair advantage. The increased cost of doing business will encourage suppliers to pull out of the Neighbor Island market. This may create a monopoly and encourage black market sales. Also it may cause interisland movement of fireworks by air, which is a violation of federal law.' The fee for retailers, I believe, is \$500 and it may be a difficulty for very small 'mom and pop' stores to undertake.

"So this is a problem for some small stores. The 'black market' maybe an unfortunate by-product of this legislation and people will somehow, perhaps, not use a permit or a seller may sell the item without a permit, even though there may be an audit done later. People could forge a permit. There are very many ways in which people might get very creative to by-pass this permit process."

At this time, Representative Leong yielded her time to Representative Marumoto.

Representative Marumoto continued, stating;

"Basically, it is still not a healthy proposition. There are many people who suffer from the ill-effects of fireworks and smoke. For those people too, I am voting no.

"There's a problem with the bill in determining a three month inventory or six month inventory. I don't see how anyone is going to come in and say, 'Well you have a four month inventory.' That's not going to work. I think it's a little bit unworkable.

"I think the worst feature of this bill, and the reason why I feel compelled to vote no, is that it will create, perhaps, illegal activity on the part of our citizens. It reduces the respect for the law if people go around without the permit process. I believe that, as legislators, it is the wrong thing to do. It's the worst thing we could do. I think, in effect too, we might have done this, created some unintended illegal consequences by passing the Medical Marijuana Bill. But of course, this is a fireworks bill and I think we may have people skirting the law in this.

"So I will not participate in law-breaking, law making and for this reason, I think it's a serious matter. I hope it works. I hope I'm proved wrong, but I'm sorry, I cast a no vote."

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

"I take all the good points in the bill. I think many of those will be beneficial, but I take reservation at the fact that we're charging \$25. A lot of people can't afford that. If we're just trying to limit the number of firecrackers, a \$1 fee is fine, a \$2 fee, it doesn't matter, the piece of paper is used once. After you don't have that anymore, after it's punched, written on, whatever, it cannot be used. So you can only buy one and you use your one, it doesn't matter how much it cost. So the \$25 is what I take exception to. Thank you, Mr. Speaker."

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

"Mr. Speaker, I fully understand the health problem associated with the burning of fireworks. But I promised one of my constituents that I would read this letter. I had a lot faxed to me because I have a large Chinese constituency.

Dear State Representative,

So the State is finally getting a fireworks bill in the making and it might cost me \$25 to use 5,000 tau fireworks, each time. Does this mean that every time I need to use fireworks for ancestral worship, I will have to get a permit and pay \$25 for my religious beliefs. I would feel very upset if this bill became law and if you didn't also include other religious activities and other groups.

Please wake up. Understand my views and why I am so angry at this. I feel actively discriminated against for my religious beliefs. Many others feel that this is wrong and needs to be corrected. It would do no good to pass this and later on have it changed due to a class action suit against the State.

"Mr. Speaker, according to the Federal Register of Consumer Product Safety Commission in 1976, it states that 'the State of Hawai'i opposed the ban of fireworks on the grounds that a ban imposes an infringement on the religious and cultural rights of it's citizens. The record further demonstrates that use of fireworks for religious purposes is deeply rooted in tradition with long standing centuries-old history and the Commission is convinced from the record that the religious use is sincere and necessary.'

"The firecracker in the age old Chinese religion is first regarded as an important aspect of opening and closing a religious ceremony. In the cultural context, the burning of fireworks ushers in good vibrations and commences and ends all festivities. According to Chinese historian, Douglas Chong, many law abiding Chinese Americans still wish to practice their form of religion and festival worship and Taoism, not only at the temple, but at home and at the cemeteries.

"Traditionally, the Chinese families burn several packs of fireworks at home for festival days and for saints' birthdays as portions of the prayer ritual, and also for baby blessings and home weddings. Lion dance organizations and establishments follow their cultural practice and use fireworks before, during and following the Lunar New Year to usher in good fortune and to cleanse and bless the premises of homes, shops, businesses, restaurants, agencies, temples and the club houses. Restaurants and hotels burn firecrackers on behalf of their clients for all auspicious occasions, such as a wedding, a birthday party, a baby party and anniversaries.

"The firecracker in the religious, ceremonial and cultural aspect context is not a toy, nor a reckless form of amusement.

Certainly, individuals who practice their religion and culture with prudent respect should not be punished for the abuse of others.

"Mr. Speaker, we talk of segregation of certain states. Let me conclude with words from the Federal Register again, 'the State of Hawai'i claims that both religious and cultural uses of firecrackers are protected by the First Amendment of our Constitution. The arguments raised are that religious use is protected under the clause prohibiting infringement on the free exercise of religion while cultural uses are protected by the Freedom of Speech clause.'

"Mr. Speaker, I speak here today for all religious groups that they must remain diligent in protecting their rights from any further infringement from the government. Thank you, Mr. Speaker."

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

"While I'm sure that this was passed through with the very best of intentions, there seems to be a number of flaws, many of which have been alluded to.

"I can tell you what's going to happen. What's going to happen is either you're going to have all the poor kids go to the rich people's houses to watch fireworks or you're going wind up, probably, where I come from in Kona, they'll buy one permit, put it in the scanner, and make duplicate permits and get all the firecrackers they want. And here in Honolulu, you'll wind up with a black market. It's probably going to become somewhat akin to getting your inspection. The only person that can't get inspected is somebody who doesn't know anybody. Somehow, some way they'll be able to get fireworks.

"However, that's not my major cause of concern, the fact that the fees are too high and it's going to create a black market. My greatest concern is just this, I've been a commercial pilot for almost 30 years. The thing that worries me is the ValuJet type crash, especially one that happens in the middle of the Pacific. We had incidents last year, even though it's legal to have fireworks this past year, plenty of incidents of people taking fireworks interisland down on our carriers.

"Most people don't have any real concept or idea how very dangerous that is on an aircraft, especially an airliner in a cargo bin with turbulence, weight shifting and the like. You know and I know that people are going to go to the mainland, they're going to find a deal on fireworks like they find deals on other products and they're going to bring them back in their luggage not realizing the extreme danger. You're going to wind up with this type of catastrophic depressurization and possible crash.

"I think that's going to be an unintended consequence. I'd really hate to see something like that happen. I just don't think this is an enforceable or workable law. So that's why I'm voting no. Thank you, Mr. Speaker."

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

"Why are we here? I think one reason is to protect the health and safety of the people. Sometimes that is difficult and unpopular -- but it must be done.

"Who is this bill for? I hope it is for many of the elderly who struggled through the seemingly endless New Year like my friend's mom. She has Alzheimer's and the noise so upset her that the family was advised to sedate her. They did and she got up out of bed and fell on the floor, fracturing her hip. Hips take a long time to heal.

"This bill is also for the innocent bystander in the emergency room who sustained burns on her thigh and arm in addition to a laceration -- just walking by an area where fireworks were

being exploded. She was very angry because the person who was using the fireworks told her she should have gotten out of the way faster.

"This bill is for the many people who suffer from chronic obstructive pulmonary disease and asthma (both young and old) who must lock up their doors and windows and count the hours until the New Year ends. Many experience an exacerbation of their disease and end up in the hospital for a week long stay.

"This bill is for one young man who won't see the New Year again.

"This bill is also for the animals who suffer because they do not understand what is happening. Hannah is a timid dog I know -- she cowers with each loud bang that becomes more frequent as the New Year commences. She is too frightened to relieve herself and hides in fear from her family.

"This bill is also for the firemen, the policemen, the doctors, the nurses and the paramedics who have come to dread New Year's Eve.

"Our job is to protect the health and safety of the people. Sometimes that is difficult and unpopular. This bill may not be strong enough to do what is needed but I pray it will help us do our job -- and that our next New Year will be peaceful and safe. Thank you, Mr. Speaker."

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

"Unfortunately, the homerule concept was considered, but was not part of the bill. It made it more restrictive or prohibit the encounters from the more restrictive in terms of the items that's inserted in the bill. Thank you."

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

"Most of my concerns have been mentioned already. The one really nice thing about the bill is that it tries to make our current laws with the possession statute built in maybe a little bit more enforceable. But I have several concerns with the bill. Thank you, Mr. Speaker."

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

"This bill should have been a very simple bill, not convoluted as it is, very simple, giving the rights to the counties to decide whether they would have fireworks or not. This is a homerule issue. It is our counties' fire departments and our counties' police departments that are most impacted that are the government services that will respond to fireworks use. This simply should be homerule issue. Thank you."

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

"This is one of those bills where you're 'damned if you do, and you're damned if you don't.' But I'd like to rise in support of this bill, Mr. Speaker.

"The people that want to ban fireworks are not happy with this. This bill will eliminate a lot of the smoke from the past. It will eliminate a lot of the noise from the past. It will be the best that we're able to put together at this stage because there's so much emotions with this, as our Representative from Liliha stated, with the religious issue and people's right to do this and do that. However, this was the best bill that our Judiciary Chairman and the Vice Chairman were able to put together working with our colleagues on the other side. I urge all of our colleagues here to support this bill. Thank you."

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

"Most of what I wanted to say has been said so I will try not to be repetitive, but I think an interesting illustration to point out is the fact that this is a homerule issue. It's glaring us in the face and that is those Representatives from Maui know that had banned fireworks in the past. The State came in with a statewide law, which took away the Maui County ban and they were forced to live with fireworks even though they didn't want it.

"Suddenly, the Oahu folks decide, or a large enough portion of people on Oahu said we don't want fireworks anymore. So now the ban becomes a statewide ban that we're discussing. Well Maui was stripped of their rights, as a county, to determine what their environment would be, their health standards and everything else, while the people on Oahu decided for them what their standards would be.

"Now we're stepping in the other direction as well with people on the other islands, again kowtowing to Oahu and living with the standards that Oahu is deciding to set. All the while, the issue is totally within the purview -- if you look at the bill itself, you will see that it started out to be a fire department, but the county councils or city council on this island, the fire departments, county fire codes, et cetera, that are used to implement this thing.

"Everything is county except for the overriding law that tells us how to live our lives. What we should do is go back to what we had and that is to disallow -- we didn't have this -- but to use the clarification on the ban on ariel fireworks except for public display licenses or permits and let the counties decide for their common non-ariel fireworks. That way people who want to ban can ban it, those who don't mind can have it. We would clear ourselves of this mess and quite quickly. Thank you."

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

"I simply wish to make a few comments on previous remarks made.

"First of all, as has already been noted, this is a compromise. I think we have fully realized that we have a truly split community, once each of us went back to our communities and determined that our communities were split between those that wanted a total ban and those that were willing to try at least for one or two more years the concept of some toughening up, some cracking down, and some limitations. I think at that point it became the reality that we needed to work towards a compromise, and as is the case with all compromises it has imperfect conditions in it and there will be something in there for everyone to agree and disagree with.

"I want to particularly note the Community Fireworks Coalition, which my colleague the Minority Leader referred to, because I think that this was a very good effort. I think this was one of the bright spots of this session that a representative group composed of many of the interest groups having to do with fireworks would come together and debate this issue, and come out with some realistic conclusions. Many of the ideas are in this bill. One thing I don't want to let lie here is the impression that all of the groups that were part of the Community Fireworks Coalition are unhappy with this bill. In fact, most of the groups, I think, are happy with many of the efforts that we have made in this bill. For example, the reference to the Customs officials. The Customs officials would regard this bill as a materially better..."

Representative Pendleton then rose on a point of order, stating:

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

Representative Case continued, stating:

"I will try not to glance over. The Customs officials would certainly regard this bill as a material improvement on the current law.

"Third, this bill certainly does crack down on aeriels. I don't think there is any argument about that. And it certainly cracks down on importation.

"A concern with fees that been raised by a number of colleagues. That is the cost of enforcement. I think the conclusion of all of us, at this point, is that the general fund should not be used for the enforcement of the fireworks laws. I think we have all concluded that enforcement is one of our primary concerns. The lack of available money with which to enforce the fireworks laws is one of the problems we have. I think it is pretty evident to all of us that we need to provide for a self-generating source of revenue with which the fire officials in all counties who are responsible for enforcing these laws can in fact carry out enforcement duties. That was a very consistent theme throughout. I think that it is only fair that those who use the fireworks and those who import the fireworks are those that bear the cost of enforcement. I think that is a very basic concept that is part of this bill.

"I want to address homerule for a second because I think our memories are getting short. Yes, at one time we had homerule, and yes at one time we had differing standards from county to county. That was exactly the problem that the Representative from North Kona referred to, which was: when you have homerule and differing conditions existing in each county, what you have is an inside-the-state movement of these dangerous instruments by plane, going back and forth between the counties. I think that is one of the primary reasons why we moved to a statewide system here. I think if we are truly going to give credence to that concern we need a uniform system throughout the State, we need to maintain that consistency that will mitigate the possibility that fireworks will move from one county to the other; from a county with strong fireworks laws to one with no fireworks laws.

"I think we all regard this as an attempt to find the middle ground, and we all certainly regard this as an attempt that needs to work. Otherwise, I think that public opinion will in fact turn more firmly towards a total ban and I think we here will probably turn more firmly. So we need to try this out, but this probably isn't the end of the story if this doesn't work. Thank you, Mr. Speaker."

Representative Marumoto then rose to speak in rebuttal, stating:

"If I may address the issue once again. The question of the county has come up and I found a strange provision in the bill, which says that the counties cannot pass more restrictive legislation and ordinances. I thought that was rather strange since generally you allow -- you know, if there's a federal law, the state is allowed to become more restrictive -- but not in this particular case.

"In addition, the funds that will go to the counties, I'm a little puzzled as to how much it would be and for what reason. I believe the license fees are supposed to go for auditing, for an auditor to make sure that their is a paper trail. I don't know whether there'll be enough money raised from licenses to fund the auditor's function.

"The permits may also go for enforcement and fines are apparently split 80 percent to 20 percent between the counties and the State. I don't know how much money will be collected, for instance, by New Year's Eve if everybody stocks up before the Fourth of July for New Year's Eve. So there may be a lack

of funds to enforce. There probably won't be any fines until after New Year's.

"So I think you're asking these counties to operate without any funds or perhaps insufficient funds. Thank you."

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

"Mr. Speaker, I guess everyone should know that I've taken a personal interest in this legislation. First of all, I'd like to have the remarks from the Representative of Mililani entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Garcia continued, stating:

"Especially, the statement that made reference to a young man who will not see a New Year's Eve again.

"This legislation was difficult to put together. I appreciate the hard work of both the negotiators of the House and the Senate to fashion this compromise. So many different interests, so many opposing concerns, tradition, grounds of religion, homerule. If I may be allowed to comment on this legislation from a different point of view, a very personal one. It goes to the impact that legislation has on us personally.

"On New Year's Day when I woke up, looking forward to that like we all did, the dawn of a new centennial, my eldest daughter was marching in the Rose Bowl Parade, looking forward to seeing that on T.V., when I got the phone call about what had happened with my cousin. My family had to rush over to Queen's Hospital just in time to say our last good-bye.

"This whole story and this whole issue is fraught with irony. For you see, Mr. Speaker, the last time I saw my cousin was a few months ago when we all stood around the grave of my grandmother, held hands and said a prayer. She had departed some years ago. The next time I see my cousin we're in a circle, holding hands and saying a prayer at his death bed. So many thoughts run through your mind. I felt very guilty. I felt like I was the only one in that room who felt he could have done something to prevent that tragedy.

"I think his death will not go in vain. He helped to galvanize the debate on what we needed to do with respect to this issue. He gave us the momentum to come together, gave us a reason to fashion this compromise. In the final analysis, one cannot always know what we do, our impact, and what the ramifications will be with respect to this issue. I suspect it will be on that day of celebration, on our next New Year's Eve or the days or weeks that come before that celebration.

"I anguished over what my role should be with respect to this issue, but I promised the Chair of Judiciary that I would take myself out of debate and give him the free hand to do what he felt was right and good on behalf of the people and not just my cousin. The family has already acknowledged that what he did was wrong. It was said earlier on this floor that it is difficult to determine what impact our laws will have on the behavior of people. No matter what we do, I suspect, with this issue that people will do what they want to do, as it was with my cousin.

"Again, I want to thank your Chair of Judiciary, Mr. Speaker, for what he did on behalf of all the people of Hawai'i. As for my family, we thank the Legislature for what I hope will be a passage of this law and the enactment by the signature of the Governor. I just hope that tragedies, such as the one that we had experienced, will not be visited upon others. I ask the members for their full support of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 680, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Final Reading by a vote of 41 ayes to 8

noes, with Representatives Ahu Isa, Auwae, Kahikina, Leong, Marumoto, Meyer, Rath and Whalen voting no and Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 64 and S.B. No. 2062, SD 1, HD 3, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2062, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I have a concern. Mr. Speaker, I've been a long proponent of long-term care. That's why I'm in support of this bill. The concern I have is in the Committee Report it states '...more work is needed to explore the mechanics of establishing a state-sponsored long-term care system that is effective, cost-efficient, and covers the largest number of people.' Hopefully, this bill will do that. It calls for an actuarial study.

"My concern is with the actual wording in the bill that whoever implements the study -- in the bill there's several references to comprehensive universal program. To me, that kind of handicaps, looking at the most alternatives for a cost efficient long-term care program for the people of Hawai'i. Thank you, Mr. Speaker."

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

"It's very short. Basically, this is developing a state program, which means an ongoing cost, another program, unionized, probably in the same condition our prisons are in now. If we really want to look at viable long-term solutions, we have to look to the private market, especially if it's going to be comprehensive and cover a greater amount of people. That's not in the bill. I think that is the ultimate solution. For that reason, I object to it. Another expansion of government and state run program. Thank you, Mr. Speaker."

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

Representative Yonamine's remarks are as follows:

"Mr. Speaker, I rise in support of S.B. 2062, CD 1 on Long-Term Care. As you know, Hawai'i's population is aging, therefore, it is imperative that we be proactive in finding an effective and cost-efficient model to alleviate the high cost associated with long-term care.

"This measure continues the vital work of the Joint Legislative Committee on Long-Term Care. It extends the deadline for the Committee to June 20, 2002. In addition, it clarifies the requirements and considers alternative models to study:

1. A universal comprehensive program with benefits capped at cost equivalent to 3 years of nursing home services.
2. A comprehensive universal program with benefits beginning on 91st or 181st day of disability and capped at cost equivalent of 3 years of nursing home services.

"The findings will be submitted to the Governor and Legislature on November 15, 2001; at which time the Committee will draft legislation for the Regular Session of 2002.

"I commend the Joint Long-Term Care Committee for their significant accomplishments thus far. I am confident that as a result of the study, an integrated system of care for the elderly will be achieved.

"In the end, our elderly citizens will be able to say, 'Lucky we live in Hawai'i.'"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2062, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Rath and Whalen voting no and Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 65 and S.B. No. 2254, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2254, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY OF HEALTH CARE INFORMATION," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 66 and S.B. No. 2655, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2655, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, the patient's bill of rights should include the right to medical services without paying the 4 percent general excise tax. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2655, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 67 and S.B. No. 2850, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2850, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you. This measure is intended to address a common situation in Hawai'i where a child could live with a grandparent or aunt or uncle rather than with a child's parent or guardian.

"According to the Department of Human Services, this measure compliments and enhances the current regulatory framework regarding foster care, which is very similar to kinship care. There were a number of bills on this subject. I had constituents who were very strong lobbyists and were kupunas, tutus, who are in this exact situation. They are raising their grandchildren.

"We all know that we have a very serious drug problem in Hawai'i. This is probably the major reason why grandparents find themselves raising a whole new group of children. It seems like such a simple thing. What they need is to be recognized as the adult that's making decisions for these children. There were other bills that were moving along in that direction which would have solved the problem. They are the people that raise the child and try to enroll them in school, but because they are not the natural parents, they run into problems.

"If the child has a medical problem and the grandparent is called, they can't make the decision because they are not the

natural parent. The natural parent has been gone for three days and is on a drug trip and they can't reach them. This is a real problem, but it just seems to me it can be simply solved, but instead this bill creates a kinship boarding home. Then it goes on to explain what that is and who can run a kinship boarding home. Well a grandmother and an aunt and an uncle are not running a boarding home. They have created a home for their own kin.

"So I was disappointed that the bill that would have more appropriately handled this problem and made life easier for these loving grandparents was not passed, and instead we got this bill, but I'm certainly going to support it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2850, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KINSHIP CARE," passed Final Reading by a vote of 49 ayes, with Representatives Okamura and Yoshinaga being excused.

Conf. Com. Rep. No. 68 and S.B. No. 2863, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2863, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCE HEALTH-CARE DIRECTIVES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Chang voting no and Representatives Okamura and Yoshinaga being excused.

The Chair directed the Clerk to note that S.B. Nos. 3038, 2779, 3199, 2121, 2982, 680, 2062, 2254, 2655, 2850 and 2863 had passed Final Reading at 3:20 o'clock p.m.

At 3:21 o'clock p.m., Representative Yonamine asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:22 o'clock p.m.

Conf. Com. Rep. No. 69 and S.B. No. 2154, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2154, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"This year, 22 domestic violence bills were introduced in the Legislature. Of those, only one remains: Senate Bill 2154, relating to protective orders.

"This year our State has witnessed several horrific examples of domestic violence.

"Not long ago, a woman on Kauai was doused with a flammable liquid which was ignited by her husband -- she died after two weeks of pain and suffering. Then soon afterwards, 35 year-old Erlinda Millon, the mother of six children was found lying dead on the kitchen floor of her home -- stab wounds inflicted by her husband were found on her chest and stomach. The children are now left without a mother or a father.

"According to the New York Times, 'Women, though not necessarily the gentler sex, are far less inclined to pick up a .38 than men are. They're seldom quick to reach for a knife and they're much more apt to wring their hands than other people's necks. For as long as anyone's been keeping tabs on such matters, women have accounted for no more than 10-15 percent of all murders.'

"Dr. Susan Wilts, director of the New York City Department of Health's Office of Health Promotion and Disease Prevention stated, 'We haven't come close to affecting intimate partner violence and homicide the way we have other kinds of violence and assault. It remains a shocking issue that this is the main reason that women end up dead, and that it occurs within the context of their home and family, where they are supposed to be safe. Women worry when they go out,' she said. 'They should worry when they stay in.'

"Mr. Speaker, some experts believe that crimes of domestic violence reflect a society in which men feel they have a right to exercise power and control over women, and to use physical violence when necessary to assert their dominance.

"Are individual men, rather than men as a whole, the problem or is it the personality characteristics and life experiences of some men that lead them to batter and kill?

"All of us must recognize that violence against women is a global problem.

"Writing about the tradition of 'honor' killings in countries such as Pakistan and India, Ellen Goodman took a look at what UNICEF is trying to do with a renewed drive against culturally sanctioned homicidal violence. She states we have come a long way in the past decade from where the international community was still debating about whether there were in fact any universal human rights at all, or whether tradition could in some way justify human rights abuse.

"UNICEF's director believes 'many cultural norms put pressure on men to show they have power and privilege over women.'

"UNICEF is now working to connect with men as 'partners' not 'perpetrators' and to help the men of the world who may feel isolated and only know a different standard to redefine themselves -- to redefine that man's 'honor' means is the honor to have the courage to protect and uplift women.

"In Hawai'i, we have much work to do -- to help both men and women to redefine their roles. This begins with early intervention in families to teach good parenting skills -- it continues with improving access to substance abuse treatment and mental health access and treatment. It goes on with the work that needs to be done to eliminate the violence caused by poverty and the lack of equal access to education.

"It also means continuing to work on legislation that results in a decrease in domestic violence.

"One of the original purposes of SB 2154 was to extend the period of time covered under a protective order. While in its final version, that is no longer a component, the bill nonetheless provides for some much-needed relief to victims.

"Now, a victim in a dating relationship can qualify for a protective order available only for those seeking an order of protection from a family or household member. This is significant in that victims may seek relief in the family court system. Family court judges are generally regarded as being highly capable at discerning domestic violence cases and dealing with them with a special expertise that may be lacking in district court.

"Family court judges have extended power in issuing protective orders. The family court can also mandate early intervention treatment of the respondent. Many domestic violence support groups and those in the criminal justice system believe that only through rehabilitative justice, will we see an end to the cycle of violence.

"The benefit of conferring jurisdiction in the Family Court cannot be overstated. An abusive 17-year old can now be

adjudicated in Family Court and receive intervention treatment, instead of the limited measures available to the District Court.

"Another key aspect of this bill is the recognition of foreign protective orders. Although we are an island state, we must stress the importance and efficacy of protective orders granted in other states. There is no reason why an order for protection in California cannot provide a victim some degree of protection here in Hawai'i. We cannot allow abusers to get off on such a technicality as not recognizing a full and fair adjudication in another court.

"As the last remaining bill addressing domestic violence, it is crucial that this House support it. It is every legislator's duty to work to create the safest state for its citizens. This bill is a step in the right direction. Thank you, Mr. Speaker."

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

"Mr. Speaker, I introduced, earlier this year, on our side of the State Capitol, a measure similar to this, which sought to extend, like this bill does, protections to those outside of the marital context. So that those who have or have had a dating relationship can receive the same protections for the same kind of abuse and violence.

"My strong commitment to stopping or fighting domestic abuse goes back to a career prior to the Legislature. But it reminds me that no matter how tough our laws that we have to let people know that there are resources out there not just tough laws on the books, but there are resources out there. I'm hoping that in the media coverage of this, I believe, sole remaining domestic violence bill, that the media coverage will allow people to realize that they have a choice. That they have to seek out those resources that are there to help them because the toughest, most well-intentioned laws on the books still won't help them if they don't stand up and seek help and seek that out.

"This past Sunday, my office had the honor of coordinating a domestic violence awareness day at Windward Mall. We had over a dozen groups which are out there staffed wholly by volunteers to provide services to women. Many of them are the wives who suffered from abuse or those in dating relationships. It was good to hear from those people that they hadn't just set up booths for nothing that many, many women sought out help by approaching people manning those booths, volunteers there offering help. Groups like Hale Ola, which provide a shelter for women who need a place to live to stay away from an abusive relationship.

"I'm saddened that the other bills that were introduced by other members throughout this chamber on this side didn't proceed and move forward. I think we can visit that next year, but I do hope that the media provides sufficient coverage for those women who are in a difficult position will stand up and seek out help. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2154, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE ORDERS," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 70 and S.B. No. 2711, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2711, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 71 and S.B. No. 2151, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2151, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Hamakawa's remarks are as follows:

"Mr. Speaker, I rise in support of this measure. The recent Xerox shooting here in Hawai'i and the recent rise in mass shootings across the Nation have made the seriousness of the problem of firearms in the hands of the mentality unstable all too clear. While we here in Hawai'i can boast that we have the second strictest firearm control laws in the Nation, we must acknowledge that our laws do contain a loophole through which Mr. Uyesugi and others like him with mental health problems have and could fall through. At the hearings on this and similar measures, we received passionate, disparate testimony on many regulatory firearm control issues; however, everyone, firearm advocates, law enforcement, the medical community, and citizens at large, were singular in their support of your Judiciary Committee's goal of preventing tragic unnecessary injury and death by keeping firearms out of the hands of the mentally unfit.

"In its final form, this measure focuses on your Committee's goal. At hearing, numerous problems and issues were raised regarding requiring reporting by mental health professionals. No viable solution was arrived at in Committee. However, all conferees agree that the bill in its final form provides for the best start to meeting our long-term goal.

"Because there was vehement opposition to, and concern expressed by, both the public and HPD regarding the proposed schemes for re-registration in both the Senate and House versions, we do not provide for a re-registration scheme. Instead, the CD 1 provides for the following:

"In response to HPD's request, we gave them the necessary authority to seize firearms and ammunition from persons who are denied permits or become disqualified from ownership, possession or control of firearms for reasons such as mental disorder or criminal conviction. The ability to seize by HPD would only occur after giving notice, and where those persons fail to voluntarily surrender or otherwise dispose of their arms/ammo. ("Dispose" was defined as selling the arms to a licensed gun dealer, transferring ownership to a person qualified to own a gun, or surrendering the arms to the police.) When a person is denied a permit, the police must send a notice stating the reasons for denial. The police MAY require surrender of the firearms - this gives police discretion such that if the reason is innocuous, they should not require surrender.

"We provided for the disclosure of health care information by health care providers or public health authority regarding a person's mental health history to the police. The information shall be used only for the purpose of evaluating the individual's fitness to acquire or own a firearm. A waiver signed by the person for that purpose is required.

"We added a provision regarding disposal of firearms, that requires the court immediately notify the police that a defendant has been ordered to voluntarily surrender all firearms and ammunition or dispose of them. If defendant fails to voluntarily surrender, the policy may seize.

"The second part of the bill establishes a violent firearm crime coalition attached to the AG. The coalition's goal is to reduce violent crime. The coalition will determine: the best process to seize firearms from those who are no longer qualified

to own them and fail to voluntarily relinquish them; and the best process to keep firearms from individuals no longer qualified to own for mental health reasons.

"Finally, we require a report to the Legislature before the start of the 2001 and 2002 Sessions."

Representative Kaho'ohalahala 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 S.B. No. 2151, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Kahikina voting no and Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 72 and S.B. No. 3133, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 3133, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

Speaker Say, on behalf of Representative Oshiro who was at the rostrum, rose in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Oshiro's remarks are as follows:

"I stand in strong support of SB 3133, SD 1, HD 1, CD 1.

"This bill, once signed into law, will greatly improve the quality of life for the residents of our community and aid in the enforcement of our present laws regarding prostitution.

"Special recognition should be given to the citizens of Wahiawa, especially those residents who reside near or along Walker Avenue, Pine Street and Mango Street. Your willingness to personally step-forward and petition your government for redress reflected your sincere interest in your community and your sense of pride. A special thank you goes out to the Wahiawa Police Station, the Wahiawa Neighborhood Board, and especially to Board Chairman, Ben V. Achohido, who was instrumental in the development and passage of this legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3133, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 73 and S.B. No. 2722, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2722, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I stand in support of SB 2722, SD1, HD1, CD1, Relating to the Hawai'ian Language Immersion Program.

"With the passage of this bill, the Legislature establishes the Hawai'ian Language Immersion Program in statute and enables its full implementation.

"It was 13 years ago that Hawai'ian language immersion began as a pilot program with 40 students. Today, 1,800 students are enrolled in the program, an indication of the

support within our communities of Hawai'ian language education and preservation.

"A budget proviso addresses the need to maintain the focus and strength of the Hawai'ian Language Immersion Program by providing funding for one educational specialist to oversee the curriculum and three resource teachers to provide the students with the appropriate experiences in the medium of Hawai'ian language. It also allocates \$90,000 for transportation of students.

"Additionally, the proviso provides three resource teachers for the Hawai'ian studies program -- the other component of the Hawai'iana curriculum. The study of Hawai'ian culture and values goes hand in hand with the study of the language, and the addition of the three resource teachers assists all kupuna to deliver a unified program of studies, geared to the Hawai'i Content and Performance Standards.

"There is a saying in Hawai'ian, 'I ka 'olelo no ke ola' which means, 'In language, there is life.' Support for SB 2722, shows our commitment to establish and implement the Hawai'ian Language Immersion Program fully, and thereby, keeps the language alive for future generations. For the preservation of our Hawai'ian language and culture, I strongly support SB 2722, CD 1. Thank you, Mr. Speaker."

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

"I would like to thank this body for supporting Hawai'ian Language Immersion, especially the Vice Chair of Finance for her special concern and care in this bill and making sure that it is at this point.

"Mr. Speaker, this is a bill that will not only do what the previous speaker spoke of, but really speaks to the heart and soul of the Hawai'ian culture not only native Hawai'ians, but non-native Hawai'ians who choose to speak this language. Believe you me, in the efforts of 'kulia i ka nu'u,' striving for the highest, this measure will enable this program to push forward. Thank you, Mr. Speaker."

Representative Ahu Isa then rose in support of the measure, and asked that the remarks of Representative Kawakami be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Kaho'ohalahala then rose to speak in support of the measure, and asked that the remarks of Representative Kawakami be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kaho'ohalahala continued, stating:

"Very briefly, Mr. Speaker, I'd just like to say that I'm very confident that we can build one of the best immersion programs in the nation and perhaps even in the world for that matter. And that this measure is just one of the ways in which the Legislature shows its commitment to the native Hawai'ian people, our culture and our language.

"So in closing, I'd like to say, 'E ola mau ka olelo Hawai'i,' that the language of Hawai'i will live on."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2722, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 74 and S.B. No. 2741, HD 2, CD 1:

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

Committee was adopted and S.B. No. 2741, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 75 and S.B. No. 2843, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2843, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I'm in support of any measure, Mr. Speaker, that would better the Department of Hawai'ian Home Land's ability to meet its trust responsibility to the native Hawai'ian people. It is good to see that this Legislature is mindful of the corrective provisions necessary to allow the Department the common sense latitude to dispose of the improvements of lands and the land itself.

"However, Mr. Speaker, I do regret that this Legislature did not have the courage to take the additional step necessary to provide the Department of Hawai'ian Home Lands an added tool for accomplishing its goal of rehabilitating the native Hawai'ian people. Connectivity is an important way to build economic diversity in the Hawai'ian Home Lands, especially in those areas that are remotely located.

"The law currently allows the Department to license use of easements for public utility purposes, such as telephone, electricity and the like. The second house draft of this measure granted those license fees a non-exclusive franchise to off home lands, public rights of way for the express purposes of installing equipment and purchases. This would have enabled the Department to connect its remote and scattered sites to each other in utilities, such and telephone and electricity.

"The Department has already issued a license that brings the home lands the highest quality of communication hardware, meaning fiber optics. Soon every family on Hawai'ian Home Lands will have telecommunication capabilities that are state of the art. They will get the information super highway as if they were driving a Porche on an empty eight lane freeway. The problem is that their wide open freeway can only lead to a crowded two way street once the fiber optic infrastructure is connected to the copper wiring available off home lands.

"The passage of the HD 2 would have enabled the Department of Hawai'ian Home Lands to make sure that its beneficiaries stayed on that eight lane freeway for the entire ride on the information super highway at no additional cost to its beneficiaries. The economic and social benefits of this expanded capacity are limited only by the imagination. In addition, the project of connecting the varied and non-contiguous home land sites would have brought \$100 million new dollars for the State of Hawai'i's economy for the first year.

"So I regret that we are unable to capitalize on this wonderful opportunity this year. It will be one of the most notable missed opportunities of this session. I can only hope that next year this Legislature will have the courage and the vision to support the Department of Hawai'ian Home Lands by giving it the authority it needs to meet its obligation to its beneficiaries. Thank you."

Representative Saiki then rose to speak in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Saiki continued, stating:

"Very briefly, the gist of my remarks will be that this issue was not one necessarily of courage, but really was one of what was practical and what is legal under the circumstances. This bill, if the amendment regarding the franchise had gone through, would have placed the Legislature in a situation where it would have taken an unprecedented step of delegating to an agency the ability and the power to grant a license which would be akin to a franchise to a private entity. Not only would this be in violation of the Legislature's prior past practices, but it would also have been in violation possibly of the Federal Telecommunications Act of 1996. It was for this reason, along with other procedural reasons, that your Conference Committee was not able to entertain this amendment during conference proceedings. Thank you."

Representative Saiki's additional remarks are as follows:

"During conference proceedings, this measure contained a proposal to delegate to the DHHL the authority and power to grant to a private entity a license to provide telecommunication services throughout the state. The license would be treated as a franchise and thus empower the licensee with significant legal rights to exercise eminent domain power and use of exclusive public rights of way.

"To characterize your Conference Committee's decision to not include the franchise language in the final form of the bill as one lacking 'courage' is misleading and unfair.

"The language could not be included for at least two reasons. First, inclusion would raise many significant procedural concerns. Foremost is the concern that the approval of such a license would be unprecedented, as the usual course is for the Legislature to grant a direct franchise to a utility as it has done since 1961. The proposed language implicated many legal and technical issues that could not be resolved at such a late date.

"Second, the proposed language could possibly violate the Federal Telecommunications Act of 1996. The Telecommunications Act is intended to create a level playing field with respect to the provision of telecommunication services. In this respect, exclusive licenses or franchises to do business -- such as the one here -- may not be permissible. Thank you."

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

"Mr. Speaker, like my colleague from the Island of Lanai, I also identified some short comings in this bill. But since we're speaking about the Hawai'ian Homes Commission Act, I think this is an appropriate opportunity to educate one another because the Act really on the first page on line 4 says that, 'Upon the passage of this Act, all available lands shall immediately assume the status of Hawai'ian home lands and be under the control of the department to be used and disposed of in accordance with the provisions of this Act...'

"These are ordered by virtue of section 73 of the Hawai'ian Organic Act, which this past Sunday we observed the 100th year since its origination. This, in virtue, is the amendment that was made in that Act pertaining to the land laws. That all of these public lands, the ones that were contained in the withdrawal clause providing in section 73d -- which my investigation shows about 200,000 acres worth was named in this clause -- would have gone to Hawai'ian Home Lands. Therefore, this is a great opportunity to show our body, our House that we have a constitutional responsibility. That constitutionally, statutorily, we do have a recognition, we do have an obligation.

"Even in our Admissions Act, we see the five uses of the ceded lands. The second use is for the betterment of the native Hawai'ians, the 50 percenters, which was identified in this Hawai'ian Homes Commission Act. Therefore, this is a great opportunity. I think that the bill can go further. It definitely

keeps the discussion open to our federal, state and constitutional responsibility to the wards of the State. Thank you, Mr. Speaker."

Representative Kanoho then rose to speak in support of the measure, and asked that the remarks of Representative Saiki be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Kanoho continued, stating:

"His remarks reflect the concerns that were previously harbored on Second Decking three weeks ago, which prompted a no vote at that time. But I can now support this measure. Thank you."

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

Representative Auwae continued, stating:

"My words are just that I'm disappointed in the way it ended up. I wish we had done more."

Representative Auwae's additional remarks are as follows:

"Mr. Speaker, I rise to speak in support to SB 2843, HD 2, CD 1. While I strongly support this bill, I feel I must also express my disappointment with this final conference draft. We have missed an opportunity to go much further towards improvements for the Hawai'ian Home Lands, and more importantly for native Hawai'ian's. The Legislature had a chance to empower the Department of Hawai'ian Home Lands by giving the DHHL the ability to authorize a nonexclusive franchise for the purposes of installing equipment in, on, along, or under public rights of way throughout the state. Currently the Legislature is the only body capable of authorizing a franchise.

"By doing away with this important language we have missed an opportunity to move the Hawai'ian Home Lands into the new millennium. Had the language from House Draft 2 been incorporated into this bill, five hundred million dollars in new money could have been brought to Hawai'i and the Hawai'ian Home Lands could have been technically adjoined with fiber optic lines connecting these remote locations. This would have provided native Hawai'ian's living on Hawai'ian Home Lands access to on-line business opportunities and educational opportunities.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2843, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 76 and S.B. No. 2186, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2186, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Meyer 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 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 S.B. No. 2186, SD 2,

HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 42 ayes to 6 noes, with Representatives Fox, Halford, Marumoto, Meyer, Rath and Whalen voting no and Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 77 and S.B. No. 2283, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2283, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Moses 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 S.B. No. 2283, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 78 and S.B. No. 2729, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2729, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Meyer 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, 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. 2729, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," passed Final Reading by a vote of 40 ayes to 8 noes, with Representatives Fox, Halford, Meyer, Moses, Pendleton, Rath, Thielen and Whalen voting no and Representatives Morihara, Okamura and Souki being excused.

Conf. Com. Rep. No. 79 and S.B. No. 2819, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2819, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Morihara, Okamura and Souki being excused.

The Chair directed the Clerk to note that S.B. Nos. 2154, 2711, 2151, 3133, 2722, 2741, 2843, 2186, 2283, 2729 and 2819 had passed Final Reading at 3:45 o'clock p.m.

Conf. Com. Rep. No. 80 and S.B. No. 3043, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3043, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 81 and S.B. No. 3190, SD 1, HD 1, CD 1:

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

Committee was adopted and S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 82 and S.B. No. 2467, SD 2, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2467, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Thielen rose to disclose a potential conflict of interest, stating:

"I come from a licensed contracting family," and the Chair ruled "no conflict."

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this bill that will penalize unlicensed contractors.

"I'm ashamed of the bill and you know from previous discussions that I'm vehemently opposed to it. It's nothing more than a measure that seeks to unduly penalize people who are trying to earn a wage by providing for the unlawful taking of the persons tools.

"The bill has been amended and I know there's been great comment about now it's not as onerous. Well take a look at the bill. The bill allows a person's tools to be taken away upon the mere issuance of a notice of forfeiture by a DCCA investigator. That's all it requires. The DCCA investigator is the judge, jury and the executioner. Where is the fairness? Where is the due process? It's lacking, totally lacking. We treat criminals including drug offenders better than this. We give them more due process rights.

"It's been claimed that the forfeiture bill has been patterned after the administrative forfeiture provisions in the Penal Code, but there's one fatal difference. The Penal Code process requires review or decision by a second independent tribunal, the Attorney General, obviously someone with some legal experience, much more so than a DCCA investigator. The county prosecutor initiates the administrative forfeiture, but the Attorney General makes the decision.

"For unlicensed contractors, however, under this bill, there's no independent verification of evidence. The DCCA inspector, under this bill, is the judge, the jury and the executioner. Forfeiture of tools, under this bill, is accomplished merely by the issuance of a notice of forfeiture. The tools are taken before the unlicensed contractor can protect her or his rights. The unlicensed contractor can lose the tools of her trade because of a technicality, her or his failure to request a hearing within 20 days of the public notice of forfeiture.

"Under current forfeiture and seizure laws, the burden is on the prosecution to prove the basis for the forfeiture and seizure, not so under this bill. The protection is particularly onerous because, unlike current law, the burden to protect rights is on the unlicensed contractor, not on the DCCA by requiring the unlicensed contractor to request a hearing within 20 days. As the bill states, if a hearing isn't timely requested, the DCCA's order of forfeiture becomes the final order.

"Although, there's judicial review available, this protection is also illusory. I question how many unlicensed contractors will have the wherewithal or financial means to protect their rights in a timely manner.

"From a consumer point of view, Mr. Speaker, the facts are also clear. Many homeowners are sometimes victims of shoddy or incomplete work by licensed contractors, who have lawyers

for defense or who leave the islands until things cool down again. Unlicensed workers, who do not have those resources, your handymen or handywomen, are much more likely to take smaller jobs and work diligently to please the owner because their livelihood is dependant on word-of-mouth referrals. Homeowners are well aware of availability of licensed contractors, but if a homeowner chooses to hire an unlicensed worker that's the homeowner's choice. The choice must be protected by law not eliminated to the benefit of a monopoly industry.

"The bill is particularly harsh because forfeiture is in addition to all other applicable remedies, civil or criminal. I've spoken to you before. There's a Supreme Court case that says the homeowner that hires an unlicensed contractor does not have to pay that handyman or handywoman a single cent for the work or for the materials. That's strong enough. There's your civil remedy.

"One last point, this bill is flawed because it states on page 1, that the purpose is to clarify that unlicensed contracting is an unfair and deceptive practice under Chapter 480, HRS. This provision was supposed to be deleted from the conference draft. But look at page 1 of the bill, it remains on page 1 of the bill, lines 18 through 20.

"As with another bill that was unfair to consumers that came out of this body and went up to the Governor for signature, the Governor vetoed that measure. That was the interest upon interest bill, which is not before us right now. But I would hope that the Governor would do the very same thing with this bill that on page 1 says let's make it an unfair and deceptive trade practice. But then the rest of the bill doesn't have that provision in it. So there's certainly a conflict. It was supposed to eliminate it and it did it in a half-hearted attempt.

"I think that we could do a lot of better things than slam the sledge hammer down on the handyman or handywoman. I, frankly, am ashamed of this bill."

Representative Rath then rose to speak in opposition to the measure, and asked that the remarks of Representative Thielen be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Rath continued, stating:

"I'd also like to issue a warning to those who would do business in this state. Whatever somebody does to somebody else eventually they'll do to you. So when they start confiscating tools of working people -- I just listened to the previous speaker -- one thing that was failed to be mentioned is that it's not illegal to contract without a license. The only illegality is if you exceed \$1,000 limit. So suddenly, and I've always found this amazing, suddenly once you go past to \$1,001 the work becomes shoddy and you're a crook, thief and charlatan. However, if you're under, if you're \$999, you're a great guy and welcome to do business. So that's very disingenuous on it's face.

"I guess, like I said earlier, we're going to get those longline fishing boats and put all the confiscated fireworks on them and the tools too. I'm just going to be really amazed to see how big the warehouse is going to be that we're going to have to put everything into. Maybe this is nationalization of all industries, bit by bit, just by taking the assets first, maybe eventually we'll just make everybody a government employee also. Thank you, Mr. Speaker."

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

"Thank you. I will not be redundant. Everything I've said before, I believe still stands true except I do appreciate the fact that our Consumer Protection and Commerce Chair did try to get the unfair business practice out. However, part of the

argument for this is that we're still rife with unlicensed contractors and we can't do anything about them. But I note in the April 14, 2000 issue of the Honolulu Star-Bulletin, two pages in very close to the front, it notes that this man is going to be arraigned for unlicensed activity. He was purportedly doing electrical work without a contractor or electricians license. He could serve up to a year in jail and pay a \$2,000 fine.

"I don't know, but a year in jail and paying \$2,000 that seems pretty stiff. It's a misdemeanor. It's the same penalty you get if you punch somebody out. Now, if you have 25 pounds of firecrackers or more in your house that's also a misdemeanor. What I'm saying is that the penalty is pretty severe. We didn't hear any testimony that these guys are going to jail for a year and paying \$2,000 and as soon as they are out there they run right back out on the street and start doing this activity again. There's no testimony about that. There's no testimony that our sanctions are not severe enough as it is.

"The testimony came in from the licensed contractors complaining about how they want to see the consumers protected. Like I said, getting back to the bottom line, it seems to me the penalties that we have right now are severe enough. We don't need to go into this confiscation activity by the State. Thank you."

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

"Thank you, Mr. Speaker. I'll make it very short. I'm going to be voting no on this same measure. I've got some faxes on this and I just wanted to share this.

"This man is an unlicensed contractor. As he pointed out, the Random House College Dictionary defines contractor as 'a person who contracts to furnish supplies, perform work at a certain price.' But the State of Hawai'i defines it as anyone doing business who is not an employee.

"We've heard from other comments here on the floor that there are many states where contractors are not licensed. This is just another example of bills that are going to put people out of work. We talk every year, at the beginning of the session, since we've been in a 10 year slouch, that we want to help and create jobs and create business opportunities. Yet, this is one that is going to put a lot of people out, qualified people. People who are very good at what they do will not be able to continued doing that, will not be able to bring a paycheck home and along with the fisherman who look like they're almost an endangered species. It's very disappointing to see these kinds of bills move through the process. Thank you, Mr. Speaker."

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

"Mr. Speaker, I don't want to unduly prolong the discussion on this measure because it really has been given exhaustive and extensive discussion in prior floor debates, committee hearings and in conference committee. However, let me just say that your conferees did make a number of significant amendments which were intended to try to address the concerns that were raised about this bill during the April 11, 2000 floor debate.

"First of all, I need to point out that the bill has been significantly narrowed in scope so that the forfeiture provisions will only apply to unlicensed contractors who receive a citation or against whom legal action has been taken by the Regulated Industries Complaints Office or RICO. Under the House Draft, which was forwarded to the conference committee, the bill would have covered unlicensed contractors who would be named in a complaint or case that might have been filed by a third party other than RICO. So that provision has been deleted to address some concerns.

"The other important amendment that was in fact made is that we did delete from the substance of the bill a provision that

would have made unlicensed contracting an unfair and deceptive act under Chapter 480. Notwithstanding the reference in the purpose section, the fact is that if you look at the specific body of the bill in regards to amendments made to current statutory provisions, that we have deleted any amendment to current law that would subject unlicensed contractors, not only to forfeiture, but also to lawsuits and possible additional sanctions were unlicensed activity to be deemed an unfair and deceptive practice. Again, this amendment was made to address the concern that was raised by the Representative from South Kona.

"The bill has also been amended to require that the Department issue a written decision within 30 days instead of 60 days from the receipt of a petition submitted by the owner of tools and equipment seeking to reclaim the property. Finally, the bill has been amended to specify that where forfeiture proceedings have been initiated, that RICO has to meet a higher burden of proof in order to uphold or affirm a permanent forfeiture of equipment and tools.

"Whereas, under the House Draft, the tools could be permanently forfeited upon a showing of a violation of the law based on the preponderance of the evidence. Under the Conference Draft that is before us, RICO must now prove by clear and convincing evidence that there has been a violation of the law before the tools can be permanently forfeited. Your conferees made this amendment in an attempt to provide an additional safeguard over the rights of contractors who may be facing the forfeiture of their tools to the State.

"I believe, Mr. Speaker, that all of these amendments help to make this measure a fairer and more balanced measure. In closing, I just wanted to reiterate again, the importance of this bill. It is a pro-consumer measure because as I've discussed previously, it strengthens our existing contractors license law that contains consumer protection provisions. The bill does in fact also safeguard the due process rights of the owners of equipment. In that regard, I think it strikes an appropriate balance between the need for tougher sanctions on the one hand and the rights of contractors on the other.

"Finally, it should be emphasized that this bill will apply only to repeat offenders who knowingly disregard the law and against whom tougher sanctions are appropriate. For all these reasons, I would respectfully ask my colleagues to once again vote in favor of this measure. Thank you."

Representative Rath then rose to speak in rebuttal, stating:

"First off, Mr. Speaker, you and I both know that the unfair and deceptive trade practices in the opening portion of the bill will be used and can be used in litigation as a demonstration of some type of legislative intent.

"Additionally, there's really no consumer protection here because, like I said before, the protection only extends if the contractor, unlicensed or not, goes over a dollar amount. He's a great guy, absolutely wonderful and there's no consumer harm whatsoever as long as it's \$999. But when it's \$1,001, suddenly there's this consumer harm.

"Maybe we ought to look at it this way. What about the consumer that hires the unlicensed contractor and gets him to do a job that's a little bit more. 'Come on fix this for me, you're here anyway, just charge me another \$50.' He's not guilty. He hasn't done anything wrong. What about the aiding and abetting? The licensed contractor that hires an unlicensed guy. This has happened constantly, chronically. RICO has charged people, licensed contractors, and fined them for this. Let's take that licensed contractor's all his tools, equipment and vehicles away. See how he likes it. Because whatever their contractor will do to them eventually they'll do to you. Confiscation is just way out of bounds. Joseph Stalin would be very proud of this though. Thank you, Mr. Speaker."

Representative Thielen then rose to speak in rebuttal, stating:

"Just in responding to the Consumer Protection and Commerce Chair's comments. Mr. Speaker, he was absolutely right that the House version was much more onerous. So the bill has been somewhat corrected as it went to the Senate, but there's a very clear flaw on the face of the bill.

"The purpose of this Act is to 'Clarify that unlicensed contracting is an unfair and deceptive practice under chapter 480, Hawaii Revised Statutes.' That's treble damages, it's there, the language is in the bill, right there on the face of it. He also makes much about due process that's afforded to all sorts of people, but not to the handyman or the handywoman that's doing the work. There is absolutely no due process that's afforded in a Department of Commerce and Consumer Affairs' inspector going out, citing and taking the tools, 'bingo' right there.

"Now that person is not a trained prosecutor, is not a trained attorney. That person goes out and cites and picks up the tools. Any due process protection that comes in, comes in later. The Chair of CPC did not address that before, he has not addressed it now and he cannot justify the failure to afford due process to a handyman in our society. What are we doing? What are we doing? We give due process to drug dealers, but we don't give it to a handyman that comes to try to make some repairs on your home."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2467, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Final Reading by a vote of 38 ayes to 10 noes, with Representatives Auwae, Goodenow, Halford, Leong, McDermott, Meyer, Moses, Rath, Thielen and Whalen voting no and Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 83 and S.B. No. 2152, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2152, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 84 and S.B. No. 2115, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2115, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 85 and S.B. No. 2427, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2427, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 86 and S.B. No. 2879, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2879, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I'm in opposition to this measure, Mr. Speaker. I've been in opposition to it every time it's come up. I'm environmentally friendly, huggable and touchable as the next fellow, I suppose. But \$2 a tire, I think it's a lot for working families to pay. So I'm going to vote against it. Thank you."

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

"Mr. Speaker, for the Representative from Foster Village, the fee is \$1 a tire. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2879, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TIRES," passed Final Reading by a vote of 45 ayes to 3 noes, with Representatives McDermott, Rath and Whalen voting no and Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 87 and S.B. No. 2354, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2354, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 88 and S.B. No. 3045, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3045, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

Conf. Com. Rep. No. 89 and S.B. No. 2021, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2021, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 48 ayes, with Representatives Arakaki, Okamura and Santiago being excused.

The Chair directed the Clerk to note that S.B. Nos. 3043, 3190, 2467, 2152, 2115, 2427, 2879, 2354, 3045 and 2021 had passed Final Reading at 4:05 o'clock p.m.

Conf. Com. Rep. No. 90 and S.B. No. 2056, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2056, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker and fellow colleagues, I stand before you in support of Senate Bill 2056 and wish to thank the members of the Women's Caucus, Keiki Caucus, Chairman Takamine, Chairman Arakaki, Chairman Santiago and members of

Finance, Human Services and Health Committees for passing out this important piece of legislation.

"I would also like to take this time to thank the Department of Taxation, the Department of Human Services, the Office of Hawai'ian Affairs, the Hawai'i State Commission on the Status of Women, American Friends Service Committee, Bank of Hawai'i, the Hawai'i Alliance for Community Based Economic Development, the Mutual Housing Association of Hawai'i, the Housing and Community Development Corporation of Hawai'i, Nanakuli Neighborhood Housing Services, the Waimanalo Community Development Corporation, and especially Representative Marilyn Lee for all of their input and support of this bill.

"As you know, last year, based on a real and prevalent need, we passed Act 160, Session Laws of Hawai'i, 1999. Section 26 required the Department of Taxation to submit proposed legislation establishing a tax credit for the IDAs to the legislature 20 days prior to the convening of the Year 2000 Session.

"This measure establishes this IDA contribution tax credit that will equal 50 percent of the contribution and is allowable for the taxable years 2000 through 2004. In this hard economic time, where families and individuals are living paycheck to paycheck, the mere concept of saving enough capital for the owning of their own home, business enterprise, or saving for their children's education is something that is not even considered. This measure makes it possible for individuals who would otherwise have no option to be able to participate in this dream given by America of putting a roof over their heads, educating their children and opening a viable business.

"I ask that we continue to assist these people who could be our neighbors or even our children to pursue their dreams that we have instilled in them. I look forward to a time, hopefully next year, where we can provide for a 100 percent credit to help these individuals. Again, I ask for your continued support of this measure and on behalf of myself and the individual that this will impact, Mahalo Nui Loa."

Representative Lee then rose in support of the measure, and asked that the remarks of Representative Kahikina be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2056, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 91 and S.B. No. 2074, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2074, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 92 and S.B. No. 2533, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2533, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"My concern is, again, the linkage between the surcharge and the DAGs and DANCS, deferred acceptance of a guilty plea and

the 'nolo contendere' or no contest plea. Because you have crimes done in misdemeanor and petty misdemeanor that are against other people's personal property. There are also crimes that don't deal with taking the people's property, hurting people's property or hurting another person. So I don't think there's a linkage between the surcharge on those and the victim's compensation fees.

"Now, the Victim's Compensation Fund is an admirable fund. But for the Chairs for next year, I would just like to ask them when they look at this again, and they did a very good job on the prior bill, that the fees that are in the Victim's Compensation Fund like this one, the funding source, is not used for just administrative fees. Thank you, Mr. Speaker."

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

"In speaking in favor of the measure, which provides that offenders with the ability to pay, who enter a deferred plea to a petty misdemeanor or a felony, pay a crime victim compensation fee.

"The crime victim compensation fee is deposited into a special fund and used by the Crime Victim Compensation Commission to compensate victims of a violent crime. Questions have been raised during the process and the forwarding of this measure about the fairness of assessing a fee against criminals convicted of a 'victimless crime.'

"There are no 'victimless crimes.' Every crime, even those where a specific victim cannot be identified, endangers members of our community. Driving without insurance and drug offenses are examples of 'victimless crimes' that endanger members of our community. For example, driving without insurance, everytime an uninsured motorist gets behind the wheel they place the community at risk. Motorists or pedestrians who are injured or killed by uninsured motorists are deprived of insurance benefits to medical expenses, lost wages and funeral expenses.

"Drug offenses. Drug offenders place the community at risk for theft and violent crimes. Many of the claims for compensation received by the Crime Victim Compensation Commission, which involve physical and sexual assault, are committed by criminals who have been using illegal drugs.

"Mr. Speaker, let criminals rather than taxpayers pay to compensate Hawai'i's crime victims. I urge the members of the House 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 S.B. No. 2533, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME VICTIM COMPENSATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 93 and S.B. No. 2692, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2692, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 94 and S.B. No. 2988, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2988, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

CONTRACTS AND PROCUREMENT," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 95 and S.B. No. 1276, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 1276, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Pendleton rose to disclose a potential conflict of interest, stating:

"This measure extends certain powers to the Board of Education of which my wife is an elected member," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1276, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERINTENDENT OF EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 96 and S.B. No. 2961, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2961, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 97 and S.B. No. 2448, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2448, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTISM," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 98 and S.B. No. 2486, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2486, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Rath voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 99 and S.B. No. 2490, SD 2, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2490, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, I know I speak a lot about children's issues, but I think I would be remiss if I didn't also address those who are in the twilight of their lives. In fact, I think those issues may be a little bit more pressing. As we stand at the doorstep of the 21st century, I really couldn't overstate the urgency to address the issue of Hawai'i's aging population. In fact, we are sitting on a virtual social timebomb.

"If I can quote from Project 2011, which is a report from the Executive Office on Aging.

Hawaii is the third most rapidly aging state in the nation as a percentage of those age 65 and over continues to rise. In 1995, 13 percent of the state population was age 65 or over. It is projected that by the year 2020, this proportion will grow to 18 percent. Over the decade of the 1980's, the number of Hawaii residents age 60 and over grew by 52.2 percent, while our total population grew only by 14.9 percent. Between 1990 and 2010, the 60+ group is projected to grow by 72 percent to 299,500 persons, while the 85+ group will grow by 286 percent to 40,120 persons. In contrast, the total population will increase by only 29 percent over that same period.

....

Over the next several decades, the task of the younger generation to care for their parents may be more difficult due to the change in ratio between the young and aging populations. According to DBEDT projections, the ratio between retirees (age 65 and over) and working age adults (age 20 to 64) will increase from 22 percent to 33 percent between 1995 and 2020. The ratio of older adults 85 and older to their children's generation (age 50 to 64) is projected to increase from 9 percent to 16 percent. In this respect, projections for Hawaii are again, more severe than nationwide projections.

Many in need of assistance beyond the help of friends, relatives and social agencies will not be able to obtain it given the higher rate of poverty among seniors. (Hawaii Summit: Project 2011)

"How many of you realize that the fastest growing area of health care expenditures are not for the poor, the disabled or the mentally ill. The increase in health care cost can be attributed directly to the care of our elderly -- expensive because more are qualifying for care and the care is needed for a longer period of time. The sad fact is that the majority of our elderly do not qualify for public assistance, but neither can they afford nursing home care. Many are forced to spend down to the level of poverty or depend on their families who must then struggle with issues of financing and caregiving.

"I fully realize that the measure we produce here represents just a step towards a system of long-term residential care that would truly meet the needs of Hawai'i's elderly. Mr. Speaker and colleagues, we cannot run and hide from this issue. Hawai'i's long-term care needs are rising like a tidal wave, it's about to crash on our shores. If we sincerely want to honor our elderly for the quality of life and quality of care they deserve for the future, then let us provide our families with the options for family and residential care.

"Unfortunately, in this bill, we were unable to fund the information and referral system called for. The Executive Office on Aging has indicated they will now have great difficulty implementing the system. However, the need for information is so great that even the existing sources of information and staff knowledge will go a long way to easing the concerns of families.

"If you're like me, Mr. Speaker and colleagues, you received calls and letters from constituents, relatives and friends wanting to know where to begin in dealing with an elderly or disabled family member who needs care. The first line in meeting this need is an information and referral system pointing to appropriate care. I have no doubt that the Executive Office on Aging will be able to provide that first step of caring.

"To my knowledge, Mr. Speaker, we are one of the few states looking at developing a comprehensive system of care for our elderly and disabled, at the same time, seeking strategies for

financing. I predict that with the graying of America that quality, affordable long-term..."

At this time, Representative Hamakawa yielded his time to Representative Arakaki.

Representative Arakaki continued, stating:

"...residential care will someday be provided for all Americans. But let us continue to be in the forefront to lead the nation in developing a comprehensive long-term residential care system because our families are important and our elders deserve that honor. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2490, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM RESIDENTIAL CARE," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 2056, 2074, 2533, 2692, 2988, 1276, 2961, 2448, 2486 and 2490 had passed Final Reading at 4:20 o'clock p.m.

At 4:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:30 o'clock p.m., the Speaker assumed the rostrum.

Conf. Com. Rep. No. 100 and S.B. No. 2872, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2872, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"First of all, I want to thank the Finance Committee and you, Mr. Speaker, and the House leadership for providing much needed dollars to the Hawai'i Health Systems Corporation.

"However, my major concern, Mr. Speaker and members, is that this is only for one year. It will take it up to June 30, 2000. So it means that next year they're going to be short again. The hospitals on the Neighbor Islands are the only show in town, the acute care, it's the lifeline. Now we have only one hospital on Maui. On the Big Island, they have two major acute care hospitals, but it's a very large island. Without proper assistance, the people of the respective islands will be hurt and can suffer from lack of care and lack of services, which is happening right now.

"I'm very disturbed when they don't provide a fair amount of appropriations to Neighbor Island hospitals. We don't have the luxury of an urban center where within a square mile you may have four or five hospitals. We have one hospital for the whole Island of Maui, which is large than Oahu. So members, as you deliberate in the future for the budget, I hope that you consider this.

"I'm also a little disappointed in the fact that the 'budgeteers' are also from the Neighbor Islands and also affected by this. I hope that they will consider this in the future. Thank you very much."

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

"This is a good demonstration of what happens with collective bargaining. The Hawai'i Health Systems Corporation had no say in the salary negotiations. This is one size fits all. The State does the negotiation and says 'you folks

are now going to have to pay these kinds of salaries.' Not only did they not get to negotiate, but they just got the bill without any money. I think Speaker Emeritus makes a very good point about the fact that this is \$20 million for salaries that owed for last year. They are almost immediately starting in the hole again.

"Another thing that this bill does is it tells the Hawai'i Health System, 'we'll give you this money if you provide us with all the records as to how you're doing on accounts and receivables.' I'm not totally clear how detailed all that information is. It's kind of like we've got this money here, but we're not giving it to you till you come with all these records and prove to us that you're doing the very best job possible to collect all accounts receivable.

"It's troubling to see how this organization is often treated. I hope that we do find our way clear to appropriate enough money so that they can operate without having to come back here year after year begging with 'hat in hand.' Thank you, Mr. Speaker."

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

"Though I can empathize with Speaker Emeritus and essentially agree with him, I think some of the concerns should be addressed and thank the Finance Committee and the Finance Chair and Vice Chair of this. It's a concern about maybe the funds, the \$20.5 million, maybe there's some concern as far as efficiency of HHSC. Though we talk about accountability in education, maybe we should talk about accountability here. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2872, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 101 and S.B. No. 2108, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2108, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"This bill will finally lead towards an identification of all lands which comprise the Ceded Land Trust, so that questions relative to proper payment can be put to rest. This bill also demonstrates the Legislature's desire to fulfill a fiduciary responsibility to the Hawai'ian people. Completion of this inventory and the consolidation of this information will also enable the State to more effectively and efficiently manage the Public Land Trust, which is its most important asset next to its citizens.

"I wish to thank all the members of this House for a unanimous vote three weeks ago on Second Decking and express deep appreciation to you, Mr. Speaker, and to the Chair of the Finance Committee for providing the required monies for this bill. Thank you."

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

"I'd like to thank Representative Kanoho for championing this bill and moving it to the floor for a final vote. I want to add comments and say that the State of Hawai'i actually needed the ceded lands inventory before it became a State in 1959. As

was noted in the Conference Committee Report, the Legislature has been calling for an inventory for more than 10 years now.

"It is imperative that this and future Legislatures remember that this bill is only the first step in a much greater project or larger project. It is evident that this Legislature wants to adopt an incremental approach to the inventory in the hopes that it will actually begin to get done. While I am in strong support of this bill, I would like to point out two specific areas of concern.

"First, the bill requires a dollar for dollar match from the Office of Hawai'ian Affairs to cover the cost of the inventory. This is a portion of the bill that the Office of Hawai'ian Affairs agrees with. My concern is that this mandate does not seem in keeping with the practice of fundamental fairness when you consider that the Office of Hawai'ian Affairs receives only one-fifth of the revenues generated from the lands that are being inventoried.

"The second is I have some concerns that the inventory is limited to those lands considered part of the Trust at and since Statehood in 1959. Mr. Speaker, part of the dilemma about the ceded lands trust is that we do not know exactly how much or which parcels of land are a part of that Trust. To simply measure, does not provide us an opportunity to find unknown parcels that are really a part of the Trust, and potentially, rule out parcels of land that we currently believe are a part of the Trust.

"Aside from these two concerns, I strongly support this measure. It is a long awaited beginning. I sincerely hope that each member of this Legislature uses this measure as a humble beginning and will support future Legislation to complete a more comprehensive inventory of the Ceded Lands Trust. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2108, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 102 and S.B. No. 2987, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2987, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 103 and S.B. No. 2579, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2579, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 104 and S.B. No. 2873, SD 1, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2873, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 105 and S.B. No. 3123, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 3123, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"The bill pertains to an appropriation for the 'Bridge-to-Hope' program and I am strongly in favor of the program, but I have a concern on the bill.

"This expands the Temporary Assistance to Needy Families program by establishing a post-secondary education benefits program for single parents. The appropriation is \$300,000 and the expending agency is U.H. The effective date of this appropriation measure is 'on approval,' which is my concern. I think on appropriation measures for the year 2000-2001 generally the effective date is July 1, 2000. I'm hoping that this is not a fatal flaw in the measure. That it is a typographical error. Thank you very much."

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

"Mr. Speaker, this bill, known as the 'Bridge-to-Hope' measure has taken three years to reach this floor for Final Reading. It has been named 'Bridge-to-Hope' because that's exactly what higher education represents to those who are now on welfare. It's a bridge, a way to cross over from despair and dependency to a future of self-sufficiency, productivity and hope.

"No one will argue that higher education doesn't lead to higher paying jobs and increasing the odds for achieving self-sufficiency, especially for a single parent head of household, especially for welfare moms. The earlier opposition to this approach from the Department of Human Services was due largely to their focus on workforce programs and requirements. I believe that the Department has now come to realize that for the long-term the path to economic self-sufficiency and independence rise in preparing the recipient for higher paying jobs.

"Here in Hawai'i, it's calculated that a single parent with two children will need to make over \$13 an hour to provide adequate housing, clothing and food, not to mention child care. Far too many people have a perception of welfare recipients as lazy or lacking intelligence. But for the vast majority of recipients, however, there is a desire to pursue the dignity of work, to provide a home, child care, health care and nutritious food. But how do you do that if you lack in education, skills or support.

"In approximately 18 months, many of our families will reach the lifetime limit on receiving assistance benefits. Unless some larger and greater opportunity than minimum wage employment is offered, these families, at best, will only move from their dependency on welfare to the frustration of working poverty or even illegal avenues to gain adequate income.

"Senate Bill 3123 will allow those who are motivated to pursue higher education to count work study and internships towards fulfilling their mandated minimum work requirements. Other states have had the good fortune and their advantage of a booming economy that allows them to train and place employees with employers needing workers.

"Here in Hawai'i, our economy does not allow for direct work placement, much less encouragement for greater access to quality jobs. To provide a coordinated though modest funding base for this 'Bridge-to-Hope', \$300,000 has been appropriated to the University of Hawai'i in this bill for work study options to students on public assistance. Once this approach is proven,

it is hoped that we will provide an even greater level of support through increased appropriations.

"I'd like to thank the Welfare Employment Rights Coalition, or WERK; and the NASW, the National Association of Social Workers, for their steadfast support of this bill. Also for this beautiful arrangement on my desk. I'd like to present this bill to all those who can now walk across a bridge to hope. Thank you, Mr. Speaker."

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

"I want to thank first you, Mr. Speaker, for your leadership and support of this bill. This bill, 'Bridge-to-Hope' program, is an effort led by Chair Arakaki and I'd like to request that the words of Chair Arakaki be put in the Journal as my own," and the Chair "so ordered." (By reference only.)

Representative Kahikina continued, stating:

"Mr. Speaker, this will support those single mothers who have made sacrifices to go back to school and earn a college degree to provide for her family. Mind you, Mr. Speaker and colleagues, men fall in this single parent category too. All studies and research reports have indicated that a college degree was very significant in gaining meaningful employment to overcome poverty.

"Mr. Speaker and colleagues, for those of us who served on Health, Human Services and Housing Committees and sat through the compelling testimonies of successes from some of these very successful people can testify that a college degree did take them out of poverty. I want to thank those testifiers that came and shared their stories, especially Ms. Nora Kanimura, single mom who through her story showed us how she provided for her family.

"The irony of it all, Mr. Speaker and colleagues, is that people like Nora and the others that came forward, they probably won't gain from this bill, but they definitely are the forefront of showing people who are in this situation that there is a bridge to hope. Thank you, Mr. Speaker."

At 4:47 o'clock p.m., Representative Oshiro asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:51 o'clock p.m., the Chair stated:

"With the astute observation of our Minority Leader, she has found an error in the bill that is before this House. So at this point the Chair will recognize Representative Arakaki to state the legislative intent of the bill that we have before us."

Representative Arakaki then rose and stated:

"Thank you, Mr. Speaker. I'd like to thank the Minority Leader for pointing out this error, however, we feel there is a remedy. If we can make a formal request to the Governor to approve the bill after the July 1, 2000 requirement for appropriations for the new fiscal year. Thank you, Mr. Speaker."

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

"Mr. Speaker, as you know, the 'Bridge-to-Hope' allows temporary assistance to needy families. The recipients of the temporary assistance to continue to receive benefits if they are pursuing post-secondary education, notwithstanding the work requirement of TANF.

"Mr. Speaker, the funding requirements for TANF would be reduced if the recipients weren't required to pay tax on food and medical services and rents. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3123, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 106 and S.B. No. 2576, SD 2, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2576, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OWNED PUBLIC HOUSING," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 107 and S.B. No. 3160, SD 2, HD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3160, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 108 and S.B. No. 3179, HD 3, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 3179, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 109 and S.B. No. 2716, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2716, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

Conf. Com. Rep. No. 110 and S.B. No. 2946, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2946, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION APPEALS," passed Final Reading by a vote of 47 ayes, with Representatives Auwae, Garcia, Okamura and Whalen being excused.

The Chair directed the Clerk to note that S.B. Nos. 2872, 2108, 2987, 2579, 2873, 3123, 2576, 3160, 3179, 2716 and 2946 had passed Final Reading at 4:53 o'clock p.m.

Conf. Com. Rep. No. 111 and S.B. No. 2706, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2706, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, this bill will justify what I feel is wrongful interpretation of a tax law and would penalize businesses. Mr. Speaker, we do not expect a mainland antique dealer to collect taxes for our island state, but rather puts the burden on the Hawai'i based consumer or business to calculate a use tax on goods imported into our State, whether they are purchased over the Internet or any other way.

"One of our interisland carriers, Mr. Speaker, will be investing in a fleet valued in excess of \$400 million. They will be leasing these quiet, fuel efficient planes from a company located in Seattle, Washington. Mr. Speaker, a few years ago, the Legislature extended this concept to include the purchasing of services from out-of-state firms and tax local banks for check and credit card processing services from the mainland. Similarly, Hawai'ian and Aloha Airlines were taxed for aircraft leasing services that involved out-of-state vendors.

"In this case, Mr. Speaker, the State Department of Taxation's interpretation of the law gave this vendor a presence in Hawai'i. The vendor is Boeing Company in Seattle, Washington, and thus subjected them to state taxation. This is a serious business because it can all add up.

"Mr. Speaker, this bill will provide an operating lease investment tax credit equal 2 percent of the aircraft lease rent paid by an airline operating in Hawai'i. Mr. Speaker, we should be providing a 4 percent tax credit or an exemption as aircraft carriers are the sole means of transportation between our Neighbor Islands. I feel it would affect our Neighbor Island people the most.

"Mr. Speaker, Hawai'i will have to change direction if it wants to compete, grow and prosper in the future. If it is to the benefit, and it is to the benefit of our emerging e-commerce business. Thank you, Mr. Speaker."

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

"I can't add anything to what my colleague from Liliha said. I would just like her words entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Rath then rose in support of the measure, and asked that the remarks of Representative Ahu Isa be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

Representative Hiraki's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of SB 2706, SD 1, HD 2, CD 1.

"Mr. Speaker and colleagues, the original draft of this bill addressed the issue of whether our general excise tax law is applicable to mainland companies that receive lease rental payments from airlines in Hawai'i that are leasing aircraft from them. The technical tax issue involved was whether there is sufficient nexus to legitimately impose the tax. Both interisland airlines took the position that these lessors are not doing business in the State and therefore they are not liable for this tax. It appears that no other state (with the possible exception of one) imposes a tax on out-of-state lessors of aircraft. The original legislation would also have done away with unequal application of the tax law - that is, the imposition of a tax only where an airline decides to pursue the direct lease rather than debt financing of aircraft.

"However, since the session began we have had a change of circumstances, and your Committees have taken a different approach to address this issue. Instead of a tax exemption, this bill calls for an investment tax credit of 2 percent where an airline enters into a direct lease when acquiring an aircraft. This bill is designed to be an incentive for airlines to modernize their fleet with aircraft that comply with federal noise regulations and are quieter, more fuel efficient and better for the environment. It retains a tax base for the state while attempting to level the playing field when an airline acquires new aircraft. The investment tax credit in this bill is similar to the existing capital goods tax credit when an airline recoups the taxes paid when it purchases rather than leases an aircraft.

"This bill is applicable to both interisland airlines and benefits both. Both will get the same credit when their fleets are modernized. And the state will benefit as it will receive tax payments that are currently were not being assessed and paid.

"From a policy standpoint, the need to keep our interisland air transportation system stable and healthy is only one of many reasons to vote for this bill. I ask for your support in passing this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2706, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 112 and S.B. No. 539, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 539, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"First, I would like to applaud the leadership of our Chairman of the Higher Education Committee. Representative Morihara has ably led this committee and I have enjoyed working with him as his Vice Chairman over the past four years. I would like to personally thank Chairman Morihara for having the confidence in me and for allowing me the opportunity to chair the Higher Education Conference Committees this session.

"Two years ago, led by Representative Morihara, we passed, and the Governor signed into law, the UH Flexibility Act.

"Act 115 (1998) provided the University with increased flexibility in managing its resources. With this added flexibility, the University has been able to function more entrepreneurially, enabling it to be more effective in meeting its multiple missions of instruction, research, and community service.

"Mr. Speaker, today I stand in strong support of SB 539, SD 1, HD 1, CD 1. The purpose of this bill is to propose an amendment to the Constitution to give the University of Hawai'i autonomy in matters involving their internal structure, management and operation of the University.

"The University is one of the top 25 public universities in the country. The University brings in nearly \$200 million in research and training funds. Its potential is our State's potential. With strengths in technology, marine science, astronomy, and opportunities in outreach, medicine and East-West relations, I believe the University will continue to be a leader in our State.

"This environment in which higher education institutions find themselves may have changed so it is now a very dynamic one. While procedural requirements may have been effective in

the past, they now hold institutions back, preventing them from taking advantage of opportunities.

"The trend today is to set goals for public higher education institutions and to give them freedom to pursue those goals without imposing procedural mandates. That is what the best state universities across the country have already done, and that is what this bill intends to do for the University of Hawai'i.

"The question posed to voters in the 2000 General Election will be: 'Shall the University of Hawai'i have the authority and power of self-governance in matters involving only the internal structure, management, and operation of the University?'

"If approved by the voters, the University will be able to exercise greater internal control over the University by:

1. Codifying constitutionally many of the powers recently granted to the University through Act 115 (1998);
2. Providing that all internal structure, management, and operational decisions of the University are clearly the responsibility of the BOR; and
3. Deleting the requirement that the Legislature first authorize the University to formulate policy and exercise control over the University before the University takes such action.

"Finally, the amendment will, if approved, reserve to the Legislature the exclusive jurisdiction to identify the laws of statewide concern, that the Legislature is currently empowered to enact.

"I believe that this bill moves the University towards the structure that the framers of our State Constitution envisioned for it. The University is unlike other State departments because the Constitution establishes the University as a body corporate. As such, it should be able to determine how it will achieve its goals.

"Some of you may be wondering if the University will be responsible in using the increased flexibility. Of course, there are no guarantees. But if past experience is an indication, the prospects are encouraging.

"Furthermore, you can be certain that in the coming years, the House Committee on Higher Education will keep close watch of how the University is using their increased flexibility.

"This measure, if approved, will positively affect the University for years to come. Now the challenge for the University will be in implementing these changes. Also, with these powers will come greater responsibility and accountability. The University will be responsible to report back to us and to the public on those changes.

"The University and the university community will face challenges and problems, but now the solutions are in their hands.

"It is hard to let go and there is a leap of faith that needs to be taken. Thank you, Mr. Speaker and colleagues for putting your faith in the University."

Representative Case then rose to speak in support of the measure, and asked that the remarks of Representative Takai be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Case continued, stating:

"As we look over the activities undertaken in the last three or four years with respect to the University of Hawai'i, I believe we all recognize now that we have definitely been on the right track with the overall goal of autonomy for the University.

This is the natural next step to guarantee the University the autonomy with which to make its own decisions and to chart its own course. It is the natural next step which many other great university jurisdictions of our country have already taken.

"But with autonomy comes authority, and with authority comes responsibility, and with responsibility comes the call to leadership. I believe the University, generally, and more specifically its Board of Regents who are responsible for leading the University, have received autonomy. They have authority and they have responsibility. But I do not yet believe that they have, in their own organization, made the transition to true leadership, meaning the ability to recognize the tough choices and to make them.

"Just as the prior speaker mentioned, it is hard to let go, and I believe we are letting go, so sometimes it is hard to assume leadership. I call upon the Board of Regents, now that they have all of the tools they need to assume that mantle of leadership, to truly lead the University. I think if they take up that mantle of leadership, we can truly look forward to a great institution. Thank you."

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

"I thank the Representative from Pearl City for taking the lead and doing yeoman's work, as well as the Chairmen of the Judiciary and the Finance Committee for working on this bill.

"This bill is a strong bill. It's a positive bill for the University. It strikes a balance between the autonomy the U.H. needs to manage its own affairs, and also the fact that we are deeply involved with the process of the University and the University is an integral part of this State. It does not raise the University to the level of the Judiciary, but it certainly does raise the bar in its internal management so that it can withstand the political whims as they come and go, back and forth.

"Many questions are asked about 'What is autonomy?' Autonomy is not that the University will be independent of the State. The University is a constitutional creation and just as much as the Judiciary or OHA or any of those other constitutional entities, it is very much an integral part of this State. It is not only an integral part of this State as an organization, it is also one of the core needs and necessities of higher education and it's part of every state in this country.

"That will always remain the truth here because it is a public institution. What we're talking about in autonomy is about the autonomy to manage its affairs and the ability to create an environment or legislate a statutory environment that encourages greatness in the University. That's what this striving has been for in the last few years in giving the University the flexibility to be the best it can be. We have and we will continue to call upon the University we know to show its leadership because we need it as much as it needs us.

"Now, in all of that, we know that the University has a lot to do and sometimes it may stumble, but I think we all have the faith and the belief that it will be, it is and will continue to be a great institution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 539, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 113 and S.B. No. 2420, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2420, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I think it's a concept that's a great idea. My concerns lie in several areas, however. First, I wonder if the State Department, in this case the Department of Business, Economic Development and Tourism, I wonder if they are a likely agency to administer scholarship for higher education.

"Secondly, I have some concerns that we are elevating high tech over and beyond any other needs that the State may have. Whether they be in nursing or some other critical field.

"Third, the bill does not take into account awarding these scholarships to students in need. There is no financial requirement. So anyone, even those who are coming from families who can afford education will be eligible for this. For these reasons, I have some reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2420, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 114 and S.B. No. 2838, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2838, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTERNET PORTAL," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 115 and S.B. No. 2859, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2859, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thirty years ago, Mr. Speaker, public sector workers had no collective bargaining rights. Hawai'i Legislature, in 1970, enacted Chapter 89 and determined as a state policy that joint decision making is a modern way of administering government. Mr. Speaker, with Chapter 89 came workplace democracy for the first time for public sector workers and their families. At that time, private sector workers had been enjoying the same rights and protections under the National Labor Relations Act.

"In the past three decades, many changes have occurred. Changes in technology, changes in the workplace and changes in how government conducts their business. We need to adapt to these changes in a positive way so we can benefit from the change and so we can convert these changes into advantages for the general public. In this process, I believe, today, just as it was true 30 years ago, joint decision making is the modern and better way to administer government.

"Changes are a part of reality and this bill provides us with a golden opportunity to modernize government. It provides us the opportunity to re-tool government so that it can do what is our collective responsibility, to improve efficiency and productivity in government with a view towards providing the highest level of public services to the people of Hawai'i.

"Mr. Speaker, by achieving greater efficiency and productivity, we will by necessity lower the cost of government

and the cost of providing these important and essential public services. Much will be said today on this floor, Mr. Speaker, about what the conference draft does and does not do. So if I can ask your indulgence, I would like to touch upon a number of points that are incorporated in the conference draft.

"The Governor started off the debate or the discussion by pointing out 18 ways in which we could modernize government, in which we could bring about the changes that would lead to higher levels of efficiencies and productivity.

"First, he talked about redefining the merit system and he talked about a performance based system that does not rely on seniority. The Conference Draft responds by actually implementing this performance based system. It provides for retention based on productive performance of employees. It also provides for performance based removal of employees who cannot meet the standards that are established. It even goes beyond establishing the system by providing for a means of then implementing this process. Earlier the Administration had indicated that even if we established a performance based system, if it was tied into the grievance process, there was a concern of how successful this system would be.

"Therefore, the Conference Draft establishes two tracks, Mr. Speaker. One that leads under a contract leading to a performance judge making the call on any adverse action against an employee based on failure to meet performance standards. For those employees who are not part of our collective bargaining agreement, the establishment of a merit appeals board that will similarly act to oversee challenges by employees who ultimately get removed for failure to meet such performance standards. At the same time, while providing for this new process or this new procedure, to ensure that there is due process, criteria are established and these are basic criteria, Mr. Speaker, that will ensure essential fairness in these evaluations.

"Number one, the criteria provide that the evaluation processes and the consequences will be made clear to all employees. Number two, the job description will also be made clear and related performance requirements also explained. Number three, evaluation procedures will be observed and these will allow for employees, who are impacted, to have an opportunity to engage in those discussions. Surely fairness and objectivity will be a criteria of this process, as well as allowing the employee to have performance feedback from the evaluation that are performed.

"Another criteria is that this process will occur without discrimination and will even include the possibility of looking for transfer to alternative positions should the employee not be able to meet the performance standards that are established for his or her position.

"These are all parts of a process to respond to the Administration's concern that by going to a performance based system, we will then be able to elevate the productivity level as well as efficiency for employees in the system.

"Number two, the Administration talked about decentralizing our system. They talked about economy. The Conference Draft responds in a number of ways.

"First, for the first time, it provides real participation to the Judiciary, to the Superintendent of the Department of Education, to the President of the University system, and to the Executive Director of the Hawai'i Health Systems Corporation."

At this time, Representative Hamakawa yielded his time to Representative Takamine.

Representative Takamine continued, stating:

"It allows them, for the first time, to have an actual voice by having a vote as part of management. Second, that Chapter 89-6, which provides for how these management votes get distributed is also amended. It's amended in a manner that the University of Hawai'i, as well as the Department of Education, have additional say at the bargaining table. So we empower those two agencies to a higher level than what the current law provides.

"Third, there is a memorandum of agreement mechanism that currently exists. The Conference Draft 1 provides actual language which establishes that process, not only as establishing it, but also decoupling the process so that an employer, any employer jurisdiction can engage, because of unique circumstance or whatever the reasons may be, in establishing supplemental agreements to address those unique situations. By doing this, it provides for greater flexibility and autonomy for those jurisdictions.

"Finally, Mr. Speaker, CD 1 also provides and allows these employer jurisdictions to establish their own classification systems as well as recruitment systems all within an effort to provide for flexibility. At the same time, the Conference Draft 1 maintains, as much as possible, the principle of equal pay for equal work because of the fairness involved there.

"The Administration came up with the suggestion of eliminating mandatory arbitration and going back to the right to strike and in the process eliminating the provisions in the law regarding essential employees. The Conference Draft responds to this. This one point was a particular interest to me personally, Mr. Speaker, because as we have seen the history of arbitration in our State, we have seen that we usually end up on the losing side. A point, in fact, is the most recent arbitration, the transmittal on today's agenda from the Governor regarding the most recent HGEA arbitration and the fiscal impact of that is very substantial.

"Given that, although not maintaining the position of elimination of mandatory arbitration, CD 1 provides for basic fundamental changes in the criteria that will govern such arbitration. Again, Mr. Speaker, the change to the criteria are incorporated on page 175 of the Conference Draft and if I can go over them to point out and to underscore.

"Essentially, I believe we all feel that every employee should have fair compensation for the work that they do. At the same time, there is a concern that collective bargaining not become an unfair burden to the taxpayer. And that we don't find ourselves backed into the corner of having to increase taxes because of the cost of collective bargaining. Therefore, the Conference Draft provides, and if I can quote, lines 19 through 22, 'that the employer's ability to fund cost items shall not be predicated on the premise that the employer may increase or impose new taxes, fees, or charges, or develop other sources of revenues.'

"This would all go directly into the employer's ability to pay, which is a key factor in the arbitrator rendering his or her determination. Supplementing that, and again, because these are all concerns that directly impact on fiscal considerations, Mr. Speaker, going again to the employer's ability to pay, which is a fundamental component of any arbitrator's decision, there is also additional language which basically precludes special funds in the determination of the employer's ability to pay. Therefore, we may have in one particular special fund over \$100 million and while in the past that could have been considered as part of the employer's ability to pay, if Conference Draft 1 passes, then no longer will that be a consideration allowed to the arbitrator. These are some basic changes made in the arbitration process because of the ultimate impact in terms of cost for the State.

"The Administration also indicated that they had a concern regarding performance based pay for senior management employees."

At this time, Representative Saiki yielded his time to Representative Takamine.

Representative Takamine continued, stating:

"They also had a concern regarding management employees and whether or not management employees should also be judged on the same basis as the rank and file employees in terms of its performance based system. The Conference Draft responds by establishing exactly that. Under Chapter 89C-2, currently, their collective bargaining provides raises or increases by certain percentages. Chapter 89C-2 provides for equivalent increases in pay for management employees. What the Conference Draft does is it attempts to provide for the same kind of treatment as employees in the rank and file based on their performance. That is unless the upper management employees are performing based on performance standards, then they may not get the full benefit of such increases. Therefore, it's a basic principle of fairness to go across the board.

"The Administration indicated concern over salary overpayments and expediting the recovery where through errors employees are over paid and, because of due process, the long period of time that is required to recover. Conference Draft 1 responds by providing for a mechanism that allows the State at the front end to recover actual overpayments, but also again for due process, it provides that under Chapter 91 hearing process, employees will have the opportunity to question where the State may have made an error in trying to recover those funds.

"It also provides that under a collective bargaining agreement, if such a mechanism is in place, then that is the process that will be followed. Again, attempting to expedite the process and provide for greater efficiency.

"The Administration also provided concerns over drug testing and changes in the drug testing policy including the provision of two strikes and you're out. Conference Draft 1 responds, and let me say here, Mr. Speaker, that all of us, I imagine, would agree, there is no room for drugs in the workplace. It's not only a safety concern, it's also one that impacts directly on the efficiency of any and all employees.

"However, in Conference Draft 1, the approach that is taken is rather than having the employee commit or be involved in any incidents, that at the front end we try to screen out to minimize the chances that these problems will actually occur. Therefore, Conference Draft 1 involves pre-testing of any employees and it goes beyond that. It provides an additional requirement that any employee who has been convicted within the three years prior to their application date of any substance abuse or drug conviction will automatically be excluded from being hired as a state employee.

"It is also indicated in the Conference Report that because this is a negotiable matter, it's a mandatory subject of bargaining that the parties have indicated willingness to negotiate on other matters regarding this policy.

"The Administration raised the concern over anytime they wanted to right-size government, anytime they wanted to take action that would lead to layoffs, there was a concern because of bumping rights. They pointed repeatedly to the previous round of layoffs that we had, which resulted in the exercise of bumping rights, but ultimately ended up in not saving the State much money at all. Creating, at the same time, morale problems because you had people in different positions that they may not have been well suited for.

"The Conference Draft 1 responds by providing for an alternative: a voluntary separation mechanism that provides that the employee, if impacted by a reduction in force, would have the option, rather than going to the bumping rights, to then go to a voluntary separation process which would impose

certain requirements and at the same time result in a true savings. This is patterned after the federal model that was implemented, which resulted in some good results.

"The Administration raised concerns over overlapped duplication not being clear. Where does collective bargaining start and finish? And where does the statutory provisions, what roles do they play, in terms of collective bargaining? The Conference Draft tries to provide for clarification and greater efficiency by drawing a line. With respect to this point, Conference Draft 1 provides that where you have civil service, the classification, the recruitment system, clearly that will be determined by the statutes, but in all other matters..."

At this time, Representative Luke yielded her time to Representative Takamine.

Representative Takamine continued, stating:

"...Chapter 89, which provides for collective bargaining will rule so long as there is consistency with Section 89-9D, which determines what is negotiable and what is not negotiable.

"The Administration provided a concern regarding managed competition. Conference Draft 1 responds by providing, and again perhaps in this instance more similar to what the Senate Draft covered, language for managed competition to be established in the Office of Collective Bargaining and renaming the Office of Collective Bargaining so that it will include managed competition.

"The Administration raised concerns regarding a new classification system and also new recruitment procedures that will provide, again, for greater efficiencies and improvements over the now prolonged process of recruiting employees.

"Conference Draft 1 responds by providing a broad grant of authority to the Department of Human Resources Development and also allowing it to streamline and to expedite where it's efficient, where it can realize the cost savings, both in the recruitment process as well as the classification systems.

"The Administration raised concerns about administrative appeals process and about the possible consolidation. Again, attempting to create greater efficiency and there again we talked about the Merit Appeals Board. Under the provisions of the Conference Draft, the Merit Appeals Board will not only oversee performance based appeals, it will also include matters of classification, matters of recruitment and matters of initial pricing for classes of workers.

"The Administration raised the concern of SWAT, what they refer to as expediting the process of changing civil service rules and procedures, and being subject to Chapter 91, again, you had a protracted process to follow. Conference Draft 1 responds by allowing an exception to Chapter 91, again, to expedite the process so that any savings, any greater efficiencies, can be realized because of that.

"Finally, Mr. Speaker, the Administration raised concerns about the timetable that, like this year where the arbitration award and the fiscal impact is handed to us, is presented to us on the last day of the session, the 60th day, where we're not in a position to be able to take any kind of action to fund that. It certainly makes a lot of logical sense that if we're going to be able to incorporate any cost items from collective bargaining into the financial plan, it has to be done at the front end and not at the tail end.

"Therefore, Conference Draft 1 establishes an impasse date of April 16, and works backwards from there to allow the submission of such cost items to the Legislature at the beginning of the session.

"Mr. Speaker, the Conference Draft 1 provides funding: \$600,000 for training, which is recognized as an important

component to make all of these changes work; \$128,000 to assist in the employee assistance programs, that is where employees who have problems whether it is personal in nature or related to substance abuse, that these can be addressed adequately; and \$150,000 for the employee retirement system in terms of the voluntary separation and the potential cost there.

"In addition to that, Mr. Speaker, Conference Draft 1 responds by providing the repeal of six total chapters of the Hawai'i Revised Statutes. That includes Chapters 77, 79, 80, 81, 82 and 83. These are parts of what the Conference Draft attempts to incorporate of the 18 points that the Governor, the Administration, raised at the outset, it attempts to address 15 at least. Certainly with the possibility of others being addressed in the future.

"With this said, Mr. Speaker, I will be voting in favor of this measure."

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

"I'd like today to hopefully receive an aye vote from every member on this floor for our House Majority efforts for passing this landmark bill on civil service reform.

"The work has not been easy. I've had the opportunity to share and learn much from my Co-Chair, Finance Chair Representative Takamine in our joint efforts. We have built a foundation of data, input and agreement upon which we can and we must work together continuously on civil service reform. Along with the Governor, the Department of Human Resources Development, taxpayers, unions, employees and ourselves, the Legislature, this bill is the first step in separating conflicts between the constitutional article that established Hawai'i's original civil service law in 1939, and the 1968 Constitutional Amendment which guarantees collectively bargaining.

"Hawai'i was the first state in the union to allow its public employees to collectively bargain for working conditions and wages. In 1970, when our first agreements began to take shape, Hawai'i had been experiencing a decade of tremendous growth. Our economy was fueled by a tremendous amount of military spending due to our involvement in the Vietnam War. Federal price agreements for sugar were in effect and eleven years after Hawai'i attained statehood, our people possessed an optimism for greatness.

"But as we all know as members in this chamber, things have changed since the '70s.

"Activism was the key then, and I was doing what college activists did back then. We were perhaps the first generation to use mass media to openly voice our independence from the establishment. Luckily many of us back then still continue to be involved in doing what we believe is right.

"During those days, I must have given my father a very hard time being as outspoken as I was for a third generation Japanese-American girl. However, it has been only over the past several years, the time that I have spent with this Legislature, that I have come to appreciate a new fullness of life, human struggle and the power of our human spirit in involving our people and our State with the lessons of my heritage, and pardon the expression, with new life.

"My work with Chair Takamine and many supporters in civil service reform reflect several deep seeded philosophies which have guided me. First, we are here to do the people's work through the people's Legislature. This is not the unions' Legislature. And it is not the Executive's Legislature. We are the people's Legislature and we have to work and respect all people in order to create new hope and opportunities for public service. Collaboration has been the key of the House's efforts on this measure.

"Second, Hawai'i is not the same Hawai'i as in 1939 when the Territory passed out our first civil service law. Hawai'i is not the same as it was in 1970. This is the new century and we are the first Legislature to take Hawai'i into this new millennium."

At this time, Representative Ito yielded his time to Representative Yoshinaga.

Representative Yoshinaga continued, stating:

"Your House Majority fully understands this process of change and this must occur naturally. Our constituents tell us this daily and they give us our report card.

"Third, I am the product of my heritage and have been greatly enriched by it. Last year, or frankly maybe the year before, I made a speech on this floor about shared sacrifice, about dreams and aspirations for our people and working through adversity to make possible a better Hawai'i. Through this process of civil service reform I appreciate what it means to be a civil servant of the people.

"My grandfather, Iwao Yoshinaga, was a beneficiary of civil service in the federal system, being the first Japanese ancestry postal worker in the early 1900s. It was his livelihood that was ensured through fair and consistent civil service rules. He married my grandmother Nui and built a home at 2121 Bingham, which is where I currently reside. His applying for and holding a federal job could not have been possible back then if civil service laws on merit and fair advancement were not established.

"My father, James, enlisted in the 442nd and in the 100th Battalion and served our country during World War II. Upon his return and after holding several jobs, he became a federal firefighter, a big goal for him. I remember that he had to study very hard, because he wasn't always the best student, in order to take a merit based entrance examination. The good news arrived when my father was accepted and we moved to Wake Island to serve his first posting.

"These family experiences of the federal civil service system have helped my family and, I think, all the people in terms of giving financial stability in that system and process. And it helped me to be able to go to college to become an attorney and serve the district where we have been participants since 1921. My dad always said that when times were tough you never give up or give in.

"With this civil service reform measure, we have produced the first comprehensive review of the entire Title 7 in 30 years and the first true legislative analysis since 1939. This is a monumental effort and it is not over. As I said last session, the Governor's proposal to reform civil service is visionary, but such vision cannot be implemented with the sweep of a hand. We have begun a new era of labor management relations."

At this time, Representative Goodenow yielded his time to Representative Yoshinaga.

Representative Yoshinaga continued, stating:

"By this measure we will give more incentives to public, employees and their managers to succeed in the new economy. We empower State government to respond faster to urgent needs to streamline cumbersome rulemaking. We are cutting red tape and removing old laws, which are no longer necessary. We are putting a historic emphasis on performance, from job performance, recruitment, and job training, and setting up the mechanism for performance based incentives.

"Given the six decades of civil service laws and upon nearly 30 Legislatures, we've made tremendous progress in these 60 days. The call for greater government efficiency must continue. We must be tempered by the current and future resources

projected to be available. We will not overspend the people's money. To the critics that complain that the government grew too much, it was also because of people's needs that government expanded the number of teachers hired and new schools built in our communities over the last decade.

"We have expanded and will continue to expand our prison systems; enhanced our University system; and improved and hopefully continue to improve our hospitals, and increase our staffing in human services and environmental services.

"We must give our State government managers modern tools by which they may succeed in providing efficient services.

"This civil service reform bill is the first step to do that and it will help them to succeed by instilling a higher level of job satisfaction, abilities to accept new challenges, train managers for success, and keep a strong merit system with adequate safeguards to protect our citizens. We have begun the journey to modernize our State government for the new century. Thank you, Mr. Speaker."

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

"On the Order of the Day today the item that we are talking about says 'Civil Service Reform' Mr. Speaker, if that was the actual name of the bill that we are debating, it would be flawed in its title. After all the 'hoopla' and after four months of business rallying the public to make change, after four months of all the headlines, we've brought forth a mouse.

"To say that Republicans approach cynically the idea that Democrats would by themselves actually enact a civil service reform measure, well Mr. Speaker, that would be the understatement of the millennium.

"What we all predicted has come to pass. The unions won. Mr. Speaker, we took the wrong path from the beginning. Why take on the unions directly? Why, oh why, go after existing benefits that workers enjoy? The real issue facing Hawai'i today is economic reform to create jobs. The unions are interested in that goal as well. The real answer for Hawai'i is in our hands and within our grasp.

"First, smaller government through attrition. Second, nobody loses their job. Third, higher pay for the people remaining in government. Fourth, tax relief for the rest of our people. Fifth, job creating prosperity for us all. Instead we have 'kochoku,' rigidity. Thank you, Mr. Speaker."

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

"My colleague from Waikiki expressed himself very well. And I don't think I could improve much on it, but I will make an attempt.

"Civil service reform was the Governor's initiative and the Republicans were generally supportive of many of the ideas incorporated in his original bill. We wanted to see as many of these ideas advanced and discussed before the final curtain. We knew that there was a need to educate us legislators as well as the public about the various components that comprise public employment law.

"It is a very complicated business. No one wanted to dump civil service, the merit based civil service system, or collective bargaining, but I think it was a way to mentally clear the decks so that we could tackle new ideas.

"The Republicans also hoped to see many of the good concepts enacted and not left on the cutting room floor. Instead, we saw very few ideas advanced, at least in this House and even fewer passed. It was a big disappointment.

"One of the provisions that it had called for was jurisdictional autonomy. That didn't happen but we did see marginal improvement in the process.

"The reinstatement of the right to strike. Arbitration is very expensive and will continue to be. No, under the measure before us, we won't be able to raise taxes specifically, for salary increases, but we can consider all the rest of the money in the general fund, and that will be up for grabs.

"The ability to privatize certain services with all privatization initiatives going into the Office of Collective Bargaining. I fear, we will see very few contracts that will survive the collective bargaining process. This is a step backwards for government efficiency.

"The elimination of overtime in the computation of pension benefits. Not all Minority Members are in favor of changing this expensive practice, but there definitely is abuse in the system and this problem needs a cure.

"The Chamber of Commerce advocated the aforementioned features. It said this bill is a good start. Others have called it 'baby steps' toward reform. The Governor said he would be happy with 50 percent. Despite the favorable spin, I think it falls far short. There is no provision for dismissal for chronic drug use. Instead this matter is to be referred to the grievance process. Republicans strongly advocated 'two strikes and you're out,' because it is not fair for co-workers to have to cover and do extra work for their drug-using colleagues. It is demoralizing and sometimes dangerous.

"The collective bargaining process will encompass even more management issues, according to experts in labor, making the civil service system even more cumbersome and unwieldy.

"One unfortunate occurrence was with the demise of a bill to help the looming financial crisis in the Public Employees Health Fund. The single union trust fund concept died in transit. This reform had the potential to improve health insurance service, price and choice for employees, but it was killed because the present system provides a lucrative source of revenue to several public sector unions.

"I think the unions and the leadership did a good job in protecting their members and I congratulate them on their skilled lobbying and organizing efforts. I don't think they even pulled out all the stops in this effort. They could have launched even stronger lobbying pressure except that they were able to contain most reform measures in committee with little regard for the Retirement System's financial integrity, witnessed in last year's multi-million dollar raid. There appears to be little interest on the part of the union leadership in the long-term financial viability of our employee institutions. What I see is a lot of self interest."

Representative Souki then rose on a point of order, stating:

"Mr. Speaker I believe the Representative should be addressing you and again she is addressing me, and I don't know why. I am not the Speaker anymore."

The Chair asked Representative Marumoto to direct her remarks to the Chair.

Representative Marumoto continued, stating:

"Thank you, Mr. Speaker, I keep forgetting that he is no longer the Speaker, but Speaker Emeritus. I will address my comments to the Chair.

"What I actually see is a lot of self interest. Therefore, I call upon legislators and union leaders to consider, in the very next session, the necessity to deal with the financial stability of the health fund, the ERS, and the State. Yes, the economy appears to be improving and there is more money to spend, and we did

spend what was available this year. But folks, it is how we spend it and how we plan to spend it, that is critical for our future and important to our beleaguered taxpayers. They deserve better. They deserve the best. Thank you."

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

"First of all, I know that you are well aware that your Minority worked very hard on this measure also. I didn't hear that earlier, but we worked very diligently trying to get some reforms. However, the measure before us is not civil service reform. It is public employment and that is the correct title of the measure. So we should keep that in mind also.

"I believe this is a step in the right direction, but it is only the first step and the beginning of a very long journey. We have a long way to go to get to anything that would actually help the State. When I say, help the State, I don't mean anything derogatory against the public employees. I believe they need to understand that we want them to have good pay, good benefits, but we have to be able to afford it. From the onset, I think your Minority made it quite clear that we didn't want to lay anybody off. We didn't want any 'warm body' to go away. We wanted to make changes for the future so that we can keep paying those that are in the system now, not only as they work for us, but as they retire.

"No changes should be made to retirement for current employees. They were promised something when they came here and they deserve it. But we have to make some changes for the future or we will be bankrupt, Mr. Speaker, and I think you are well aware of that also. Thank you, Mr. Speaker."

Representative Rath then rose to speak in opposition to the measure, and asked that the remarks of Representatives Fox and Marumoto be entered into the Journal as his own, and the Chair "so ordered". (By reference only.)

Representative Rath continued stating:

"I rise in opposition to the public employment bill."

The Chair responded: "Civil Service? Relating to Civil Service?"

Representative Rath responded:

"It says 'A Bill for an Act Relating to Public Employment,' so I will go with that."

The Chair responded: "I believe your title is incorrect, but please proceed."

Representative Rath continued, stating:

"Well, it certainly is [incorrect] on the digest because it says 'Civil Service Reform' and it certainly is not that, Mr. Speaker. I would just like to make a couple of short comments.

"I think that if you were to give this bill a grade and it would have to be a 'D' and I am not really sure what that 'D' would be for. Maybe it would stand for disingenuous, deceptive, disastrous or disappointing, you can take your pick. Any one of them would pretty much describe it.

"One thing it is not is civil service reform. Another thing it is not is winning back our management rights. The third thing that is not going to happen is, in effect, in the marketplace and our economy. It really should have it in our tax base or in a reduction of size in our government. Those things are not going to happen with this bill. It certainly is called a lot of things and I am absolutely sure it is one thing. It's one small step for the Democrat Majority, but it's one giant leap for Gary Rodrigues. Thank you, Mr. Speaker."

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

"I rise with strong feelings about this bill. I would like to just clarify a few of the comments that I have heard, so that when our members go back to their communities and explain this bill to the public they can convey in all truthfulness what is contained in this 217 page bill.

"I think the reality is that not everyone has had a chance to go through the bill and really study it. There are many fine components that even the Finance Chair and Labor Chair have not been able to touch upon. They probably touched upon only half of them.

"On the issue of the decision to go with arbitration, I think some members really don't understand that it is significant that the arbitrator is prohibited from reflecting upon the ability of the State to raise taxes, fees or charges. That is a very significant point in arbitration awards. I will explain why in a minute.

"Another point that is very important is arbitration criteria number one. The arbitrator cannot and is prohibited from considering certain funds with certain county or federal restrictions on them, such as trust funds, like the Hurricane Insurance Relief Fund, the Airport Fund, and other trust funds that we have with the employment system. They cannot be considered by the arbitrator.

"Mr. Speaker, the reason why I say they are significant is that what I did over the summer, through the workgroup that was chaired by Representative Iris Catalani, was take a thorough review of Chapter 89. There at our brown bag lunches that were opened to members of this body, we learned about Chapter 89 and the Office of Collective Bargaining.

"One of the things that I had learned about the Office of Collective Bargaining is the process the State goes through in negotiating contracts. One of the most disturbing things that I had learned after researching the past ten or twelve decisions by the State, is that the State, for whatever reason, chose to go to the bargaining table and offer a zero percent pay raise.

"In all of these cases, Mr. Speaker, the unions came in with a 2.5-3 percent pay raise request. What is really interesting, Mr. Speaker, especially for the attorneys in the House as that, the arbitrator seemed to suggest to the employer groups that if they stayed with a zero-zero position, given the financial statements available to the arbitrators, submitted by Budget and Finance, that the arbitrator would be hard pressed not to see an ability of the State to make these awards.

"But in all these cases, Mr. Speaker, the record clearly shows that the State came in at zero-zero. The arbitrator didn't go with the union position all the way, but moderated back from it, and that is how we got the awards. That is one thing I wanted to clear up.

"Regarding the overtime issue, I think it is very good that the Minority Leader would state publicly that there is a difference of opinion within her own Caucus because I think the same remains true within our own Caucus also. Both Republicans and Democrats appear to be split on this. Is this an issue of collective bargaining? Is this an issue of public policy? I think it is important that in the Committee Report reference is made to this.

"We will see what happens with the unions and the Executive Branch. We will know what happens in about nine months. Should they not be able to resolve this issue on the collective bargaining table, perhaps, we can look at it again. But I think it is wonderful that the Minority Leader would point out that important fact regarding overtime.

"I think it is also important to note, Mr. Speaker, on the jurisdictional autonomy issue. Earlier we heard a bill about jurisdictional autonomy for the University that Chair Morihara talked about. It is one of the high points about it. It's a constitutional amendment that gives the University of Hawai'i autonomy. The reason why I mention that, Mr. Speaker, is because of the testimony that had been presented to us from the Judiciary; the Maui County Council and Mayor; the Big Island County Council and Mayor; the Kauai County Council and Mayor; the Honolulu City Council and Mayor; the HSAC Board of Directors, Chair of the Board, and Executive Director; and the University of Hawai'i President, the Board of Regents Chair, and the Board of Regents.

"I have three comments regarding jurisdictional autonomy as it regards collective bargaining, and the ability to say aye or nay on pay raises. For me, Mr. Speaker, it is very telling because there are two aspects of jurisdictional autonomy: one of funding, and one of control over one's employees."

At this time, Representative Chang yielded his time to Representative Oshiro.

Representative Oshiro continued, stating:

"Mr. Speaker, on the funding issue, perhaps we need more debate on that issue and more discussion. But on the personnel issue, we have made great strides. We have given the several counties the ability to create their own civil service systems; to set up their own classification, recruitment, and re-pricing systems. We have given them the authority and the directive to work out the most appropriate supplemental agreements so that their employees are empowered and they can fine tune the contracts to their needs.

"Mr. Speaker, I am glad that some people stood up today and talked about Republicans and Democrats because I think that it is telling. This process is one of inclusion and I really must commend Deputy Director Nishimoto, Director Mike McCartney and all the staff at DHRD, civil service, exempt, excluded employees, who went out last summer and put up a web site and went through the rank and file from the bottom up to the top.

"They solicited comments from all of the employees statewide. Over 4,000 people got involved through town meetings, telephone conversations and using the web site. This is truly not a bill that came out of some committee without input from the larger community and the stakeholders.

"Mr. Speaker, when I hear talk about 'disingenuous' and 'deceptiveness' or 'disappointment', I must apologize to those state employees out there who participated in this process. I don't think they want to hear that from their elected officials and statesmen.

"Mr. Speaker, in July 1999, the Governor issued Executive Order 9904. He charged his Director to go forth and revamp the civil service system. The Governor envisioned building bridges between all the parties: labor, management, the public citizens, the employees, and the elected officials.

"It had two prongs to it, one of data gathering, one of fact finding and one of educating. It also had another prong to it of input, discussion, collaboration, synergy in creating and fashioning solutions. They allowed these bridges to flourish and be sustained through the summer months and the beginning of the Session.

"I must admit, Mr. Speaker, that the first time that I heard this bill and passed it out, those bridges were shaking. The people who were involved were scared and really concerned whether we would get anything done this session on this bill. Whether there would be any meaningful change. The fact that we can vote on it this evening bodes well for the process and bodes well for their participation.

"Mr. Speaker, I learned from some of the older members of this House that if we judge ourselves by what we read in the newspaper, or hear on the news, or catch on the radio; if that is how people are going to judge us, so be it. I don't think they know the scope and breadth of what is going on in this bill, and the magnificent achievement that the individuals who participated in fashioning this bill should be proud of.

"If I could, I would like to enter into the House Journal a digest of sorts, of the materials that I received from the DHRD Director the other day, which categorizes over several thousand ideas that came in that are incorporated in some form or manner into this bill."

At this time, Representative Lee yielded her time to Representative Oshiro.

Representative Oshiro continued, stating:

"Mr. Speaker, when I go out into the community or talk to some of the members in the halls I ask them, 'what do you mean by civil service reform?' Sometimes I get a blank face, I get a smile, but always, Mr. Speaker, I get a different answer. When I go out to my community and ask them, for every one hundred people I ask, I get a dozen different answers. So let's keep beyond the rhetoric and let's keep beyond the hyperbole. I enjoy talking about the nuts and bolts of what's in this bill.

"Mr. Speaker, criticisms were made about the unions' influence in this process. Well I'll be quite honest. They have been involved in this process and rightfully so. As the Representative from the Big Island mentioned, Gary Rodrigues represents a union. It is his job to advocate and advance the cause of his union. He is the point person of the UPW. He should be involved in discussions. He represents employees, our friends and families, our neighbors, and the people who provide services for us day in and day out.

"Other unions, like the HGEA, should be involved, Mr. Speaker, and they were involved. The teachers were involved, the University Professors were involved, the police officers were involved, the firefighters were involved. What I am trying to say, Mr. Speaker, is let's not try to dismiss their involvement because they belong to a union. Because like you and I, they belong to the larger community, and they are all part and parcel of our 'Hawai'i Nei.'

"Mr. Speaker, I just need to wrap things up a little here. Let's remember to put this in historical context. The civil service law was passed in 1955. It was based upon a system that was passed in the 1940s. It was based upon a Civil Rights Act passed in 1939. Collective bargaining came to pass in 1970 and what it did was add another layer of law over the system. What we have done today is a couple of things. We have uncanceled the overlap. We have clarified management rights and collective bargaining rights, and added performance based criteria to public service.

"Mr. Speaker, we should not forget that when we talk about government reform and our employees, we are talking about people. We are talking about flesh and blood human beings, the same as is sitting next to us on our right or left. These are people that are our families, and people who have concerns, who carry mortgages, who pay the rent, who drive a car, who buy groceries and pay taxes. So I am glad we are taking this bold step, Mr. Speaker.

"Mr. Speaker, the other night when I was in my office, a friend of mine gave me a letter and when I read it, I was very touched by it. I would just like to close with a portion of the letter that I think would be uplifting to some of the members of the Majority Caucus here.

Don't worry about the proliferation of articles and commentaries in the news media which have a tendency

to criticize, find fault, see mistakes, prod officials and sometimes get things wrong. This is part of the very valuable, abrasive, social action, which polishes the jewel of our social order. If you are to read every article about Hawai'i and take it very seriously, you would soon lose your peace of mind because of the many contradictions that you would find there. Instead, overcome any evil affairs of our society by doing good. This is an age-old principle. Unless reputation is seriously at stake, accept with good humor the fault finding by others. Accept with good grace the criticisms and suggestions offered. But continue to prod ahead with your plans to achieve what you consider worthwhile.

"These words were expressed by our late, great Governor Burns. I ask you, Mr. Speaker, and the members of our Caucus, to take that to heart and to stand firm and strong on this historic moment and this important bill. Thank you."

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

"I have some additional thoughts to those that I have expressed on this difficult subject previously, as it is now up to the people rather than any of us to judge what we have and haven't done, and why I simply ask to insert those remarks into the Journal," and the Chair "so ordered."

"I note, for the benefit of all members, if you will reference page 217, section 152 of the bill, which is the very last page, virtually all of this bill is effective as of July 1, 2002 -- one complete fiscal biennial cycle from now, a number of arbitration cycles from now.

"Thus, virtually all of what may have been achieved in this bill will not be achieved until over two years from now. So we have plenty of time to take corrective action if, as I suspect, the public judgment is not kind. Thank you."

Representative Case's additional remarks are as follows:

"During the floor debate on HB 2518, the House version of this bill, on the 27th legislative day of this session (March 7, 2000), I inserted additional remarks analyzing that version. One of those analyses, entitled "Principal Administration Reforms (with Senate and House Draft Actions)", compared the principal reforms proposed by the Governor with House and Senate action in their respective drafts. The following updates that analysis to address this conference draft and provides brief comments.

1. Jurisdictional autonomy. The Governor wanted to end the one-size-fits-all model of public employment management and let the principal government employers (primarily the counties) run their own show. This bill maintains a uniform statewide system. This was the single most important reform proposal and consequently is the single biggest failure in this bill.
2. Arbitration/right to strike. The Governor wanted to abolish mandatory arbitration and reinstate the right to strike for collective bargaining units other than police and firefighters, and revise the arbitration standards to reflect the state's true financial picture for police and firefighters. This bill maintains binding arbitration and partially revises the standards, although those standards are apparently not effective until July 1, 2002. The choice here has always been either to return fully to the right to strike, or to significantly toughen the arbitration standards to correct the abuse of the arbitration process that we just saw again in the HGEA interest arbitration decision filed April 19, 2000; this bill does neither.
3. Scope of collective bargaining. The Governor wanted to proscribe by statute certain work conditions (vacation/sick leave; salary overpayments; drug testing; other) now subject or allegedly subject to collective bargaining. This bill adopts this proposal only with respect to drug testing of prospective (not existing) employees. This bill thus sides with the perspective that virtually all working conditions should be subject to collective bargaining; that was clearly not the intent of this Legislature when it implemented public employee collective bargaining thirty years ago.
4. Dispute resolution for non-disciplinary (performance) actions. The Governor wanted to expedite dispute resolution outside of the cumbersome and lengthy grievance process through a separate-track "merit appeals board" for non-disciplinary, performance-related actions. This bill creates a merit appeals board but not for the purpose desired by the Governor, and basically retains the grievance process as the primary means of dispute resolution for performance-based actions. Essentially, jurisdictions will continue to find it virtually impossible to manage their workforces based on actual ability to do the job.
5. Impasse timetable/procedures. The Governor wanted to adopt specific steps and time deadlines for unit-wide negotiations on bargainable issues to bring disagreements to a head. This bill does include revised impasse procedures and a timetable geared to the legislative budget schedule, but it remains to be seen whether these provisions adequately address the problems with the current system.
6. Submission of cost items for legislative approval; effect of no action. The Governor wanted to require cost items to be submitted for legislative approval at the beginning of session, and to clarify a longstanding dispute over whether legislative inaction on submitted cost items constituted a rejection. This bill addresses the former but not the latter.
7. Performance appraisal system. The Governor wanted to mandate implementation of a structured performance appraisal system to incorporate merit principles more deeply into personnel management decisions. This bill incorporates some aspects of the Governor's proposals, but probably insufficiently to make merit (as opposed to seniority or other factors) the primary determinant in such decisions.
8. Precedents of statutes or collective bargaining. The Governor wanted to confirm that collective bargaining agreements don't supersede statutes or their implementing regulations. This bill provides exactly the opposite.
9. Excluded employees. The Governor wanted to provide that excluded employees (senior management-level employees who are not political appointees) would not be subject to the outcome of the collective bargaining process. This bill does incorporate some related provisions, but cannot bring itself to fully delink excluded employees from collective bargaining results affecting the unite members they are charged with supervising. Thus, the inherent conflict excludes face will continue.
10. Streamlines personnel rulemaking. The Governor wanted to exempt personnel rulemaking from the cumbersome administrative procedures process. This bill includes related provisions although their effect is unclear.
11. Employer change of condition. The Governor wanted to authorize employers who had consulted and negotiated with bargaining units on workforce management improvements to implement those improvements pending the outcome of any related

grievance process. This bill does not incorporate this or any related proposal, thus ensuring that those objecting to workforce improvements have every incentive to utilize and prolong the grievance process.

"This analysis does not address other provisions in this bill which are steps both forward and backward, and does not cover related issues which are just as crucial such as the impending fiscal crisis with our Public Employees Health Fund. All in all, what this analysis demonstrates is that this 217-page document is essentially a reaffirmation of the antiquated status quo of our public employee system."

Representative Rath then rose to speak in rebuttal, stating:

"I rise in rebuttal to the remarks of the Vice Speaker."

"First off, when we talk about the judgment of the citizens, we must be cognizant that what we really should be judged by are results. And we have not compiled a list of stellar results in the last decade of this Legislature. So it is time that we actually turn the tide and deliver a new, improved economy and government to the people of Hawai'i. They really do work hard and they really do deserve it.

"Additionally, for the edification of the Majority Members, we are the employers. We are those people who represent the stockholders of this gigantic service corporation called government. We have a fiduciary responsibility to act as employers and not as co-employees all in this together. We must exert our management rights to be able to function as a government, as a service corporation to serve the stockholders, the people who pay our salaries and the salaries of the workers. We owe them that.

"We have to deliver those services in a cost effective and responsible manner. Of course, like any business and any corporation that serves anybody you have to take care of your employees. There is no question about that. Nobody is looking to return to those days hundreds of years ago when employees were more commensurate with slaves.

"But we've given up all of our management rights. We have to be able to control the quality of service delivered. We have to be able to increase efficiency, because we must reduce the tax burden on our citizens. We must always remain cognizant that we have a fiduciary responsibility to those stockholders. Thank you, Mr. Speaker."

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

"I just have one question. Will this bill allow the government employee to change the light bulb in the Governor's Office?"

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

"I rise in support because I guess this is the best that we can do. If we don't move this bill out, then we have absolutely nothing. We will just have the status quo. The Majority Leader anticipated me by pointing out that this bill comes very close to the status quo, at least for the next couple of years.

"I find it somewhat surprising how the Vice Speaker, one of the previous speakers, would suggest that this is bold and daring. I am not sure that these are the kind of words that perhaps the Governor would use to describe what has come out of this process. Perhaps this is the best that one can do or achieve in a process where there are so many players and different groups pulling for their own interest.

"Mr. Speaker, as I speak to people who work for the state government, I am amazed that they don't find themselves at all

opposed to the 1.1 million citizens. They are among the people who are calling out for empowerment, innovation, and getting rid of some of the archaic rules. They often used the term 'civil service modernization.' This is not saying that there are good guys and bad guys, but just acknowledging the fact that we have the same rules regulating the employment situation, with respect to the state and state employees. We have the same rules today as we have had for decades without acknowledging the technological and societal changes and all the different things that have happened.

"It's not that those before us were foolish and we are so wise, but it is that circumstances have changed. This is why the Governor has moved forward with some real, innovative civil service reform. I didn't agree with every single thing in his bill, but it certainly went a lot farther than this.

"I guess I am in support and have reservations. I just wish that we somehow could have gotten more out of the entire process. Perhaps we would've been better off just agreeing to the Senate version. It is very complicated, like previous speakers mentioned, there are 200 pages. I don't want to seem negative, but I think it is our job to call it like we see it. If it is great, then I am going to say it. But there are several concerns, and I am paid to say those too.

"It is not that I am being skeptical, or doubtful, or negative. I am trying to be as positive and hopeful as we can be, but this is the reality, that I don't think we are going to have the Governor cheering, eager, enthusiastic and excited about signing this bill. We've already seen leadership on the other side of the aisle expressing the same reservations that many Republicans are expressing. So, for all those reasons, Mr. Speaker, I will support this measure but with reservations. Thank you."

The Chair then stated:

"We have had a long debate on this particular issue but if you want to continue this discussion, the Chair will allow the Members. At this time, the Chair would like to call a recess for the Members of the House to acknowledge the Senate who are ready to adjourn.

"The Chair will call a five minute recess to meet Senators Les Ihara, Jonathan Chun, Whitney Anderson, Avery Chumbley, and Sam Slom, and receive the message from the Senate that the Senate is ready to adjourn."

At 6:13 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:20 o'clock p.m.

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

Representative Ahu Isa then rose to speak in support of the measure with a reservation, stating:

"I have worked for many years with civil service employees at the University -- 21 years. The one reservation I have deals with a particular section of the bill that redefines the merit principle of retention based on appropriate conduct and performance.

"Mr. Speaker, I raise the question: How can we truly base our decision on performance when in many instances the tools our employees work with are antiquated and outdated? For example, our Judiciary system, the third branch of government, still use Wang computers. If we truly believe in holding our public employees accountable, holding our teachers accountable, then we must provide them with equipment, books and up-to-date tools like the private sector has, especially, in this fast paced information technology economy.

"So if our Representative from the North Kona, Waimea, Waikoloa, area feels that we should have more efficiency in government, then I think, Mr. Speaker, this is one of the reasons why we don't.

"With this bill, Mr. Speaker, our public employees with tenure will be at the mercy of their bosses who many times are not there, but leave the running of their offices and departments to their secretaries.

"Hopefully, Mr. Speaker, our administrators and our executives can set the example and have training and retraining, like how we want our public employees to have, in entrepreneur activities and training opportunities related to being more efficient and effective, and setting the good example for our public employees. Thank you, Mr. Speaker."

Representative Yonamine then rose to speak in support of the measure, and asked that his comments be inserted into the Journal, and the Chair "so ordered."

Representative Yonamine continued, stating:

"It took years to craft Title 7, parts of which have their beginnings in the late 1930s, well over 60 years ago, and into the 1970s. I underscore that passage of time for those who may be disappointed that this measure, with but a scant year or two of debate, did not accomplish much.

"Civil service reform, like Rome, cannot be done in a day. But what we have here is a beginning, and a good one at that. I do not consider this bill the end of civil service reform, rather it is an excellent beginning. One in which our conferees, together with their Senate counterparts, can take justifiable pride. We have work to do so let's keep going. Thank you."

Representative Yonamine's additional remarks are as follows:

"Mr. Speaker, I rise in support of S.B. No. 2859, SD 1, HD 1, CD 1 RELATING TO PUBLIC EMPLOYMENT, also known as the Civil Service Reform bill.

"It took years to craft HRS Title 7, Public Officers and Employees, parts of which have their beginnings in the late 1930s, well over 60 years ago. I underscore that passage of time for those who may be disappointed that this measure, with but a scant year or two of debate, did not accomplish enough. Civil Service Reform, like Rome, cannot be done in a day. What we have here is a beginning, and a good one at that.

"Management gains include a redefinition of the merit principle application to employee selection and retention, the replacement of a single statewide system with nine jurisdictions each with the ability to have separate civil service systems, and the establishment of a program for severance and retirement incentives as a means of facilitation the restructuring of government.

"Labor gains include funding for in-service training and the REACH program, clarifying the procedures for indebtedness repayments, and the authorization of experimental modernization projects.

"Both labor and management benefit from provisions that define or clarify grievance procedures, work hours and conditions, cafeteria plans, drug testing, terminations, and so forth.

"The basic tenants of the collective bargaining law are preserved ensuring both management and labor equal rights at the bargaining table.

"Finally, the long, comprehensive chapter-by-chapter review of applicable statutes has led to the repeal of overlapping and redundant sections of the HRS.

"I do not consider this bill the end of civil service reform; rather is an excellent beginning, one in which our House Finance and Labor Committees together with their Senate counterparts may take justifiable pride."

Representative Whalen 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 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 S.B. No. 2859, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Rath voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 116 and S.B. No. 2221, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2221, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Morita's remarks are as follows:

"The Hawai'i Legislature has more than a twenty-year history of providing incentives for the in-state production and purchase of ethanol. Hopefully, this carefully crafted bill will bring a convergence of interested parties that can finally bring to reality the State's long talked goals of energy independence, the strengthening and maintenance of Hawai'i's agricultural base and new economic opportunities.

"For me personally, this piece of legislation symbolizes many positive accomplishments in how government can work with private sector interests to remove barriers. I want to thank the staff from the Attorney General, Department of Taxation of Department of Business, Economic Development & Tourism's Energy, Resources and Technology Division for their expertise and assistance. With their help we have crafted legislation that not only offers incentives to create viable, new business opportunities, but also seeks to protect the State's interests.

"It is a propitious time for ethanol production.

- * In the past several years there have been more progress in the technology for the conversion of lignocellulosic materials to ethanol than in the previous twenty years.
- * Efficiencies have improved and cost have decreased to the point that an ethanol plant built today may cost as little as one third than a comparable sized plan build ten to fifteen years ago.
- * Our local sugar companies are searching for higher valued uses for its major products, i.e. sugar, molasses and bagasse. Bagasse and molasses are excellent feedstock for producing ethanol.
- * Hawai'i faces critical municipal solid waste problems. A significant portion of municipal solid waste, 65 percent, is organic material that can also be converted into ethanol feedstock.

- * The banning of methyl tertiary-butyl ether (MTBE), which contaminates ground water, may provide opportunities for the export of ethanol as a replacement gasoline additive to boost oxygenation to meet air quality requirements in non-attainment areas on the mainland.

"We have heard a lot about the New Economy this session. This bill reflects movement to support the principles of a New Economy. It is the perfect blend for high and low technology (new innovations with agriculture as its base), a move towards greater fuel diversification and self-sufficiency, and opportunities for export technology.

"This is a piece of legislation that encourages risk taking, public-private partnerships, economic opportunities and environmental and societal benefits. This is a bill this body can be proud of and I urge your support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2221, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 117 and S.B. No. 2781, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2781, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

Representative Ahu Isa rose to disclose a potential conflict of interest, stating:

"I am the Vice President and Principal Broker for the Hilton Hawai'ian Village Vacation Resort Suites," and the Chair ruled "no conflict".

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

"I rise in strong support of SB 2781 for our construction industry and our families. This Legislature recognized the need to rejuvenate the infrastructure of Hawai'i's primary economic engine by providing a tax credit on the construction and renovation of resort facilities and other capital improvements to resort areas. I strongly believe that improvement tax credit is needed to attract new development projects.

"When investors consider the feasibility of developing in Hawai'i, the State is already at a disadvantage due to the following reason: Hawai'i's construction costs are, at a minimum, about 30 to 40 percent higher than comparable costs in Los Angeles and even higher relative to other parts of the country.

"Hawai'i has extremely limited capital resources within our State. In order to provide information on development projects that would be likely to proceed with the passage of this bill, I want to cite the results of a recent survey of the Hawai'i Resort Developers Conference: Members responding to the survey reported an infusion of a total \$1.3 billion in uncommitted resort development projects that were planned and potentially available to Hawai'i for the next five years. The Director of Taxation estimated that the annual revenue loss for the new hotel construction would be around \$54 million. The estimated revenue loss for renovation cost nearly \$8.8 million. Compare these figures with the \$1.3 billion coming in from outside of our state.

"I have faith also, Mr. Speaker, that our resort community will protect our fragile environment and will seriously include it in their planning. Those associated with the construction sector are noticing that today's hotel facilities are having to undergo changes that provide high tech facilities to accommodate individuals and groups. We are learning that

visitor facilities require infrastructure upgrading to attract national and international meetings of any size. Such installation together with other needed renovations are extremely costly, particularly, in Hawai'i, thus, our call for a higher tax incentive to attract outside capital.

"All of these factors lead to the conclusion that an improvement tax credit is needed to incentivise the construction and renovation of our resort areas. This is especially so for Waikiki, Mr. Speaker, where our visitor facilities are, on an average, 32 years old.

"The purpose of such an economic incentive is for an overall benefit to the people of our beautiful State. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2781, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 118 and S.B. No. 2521, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2521, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL SERVICE CONTRACTS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 119 and S.B. No. 2409, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2409, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I understand this measure passed the Senate today 25 to 0. This bill is a vehicle to attract investment capital to rebuild Hawai'i's out-of-date and very tired visitor industry plant. Hawai'i's newer and upscale resorts are competitive in the world market. Hawai'i's older hotels and resorts, many of them in Waikiki, as the previous speaker said, are some 25 to 40 years old and need significant renovation dollars to make them competitive.

"Just to rewire a big hotel to accommodate today's travelers for internet access and sophisticated phone access is a major cost. This is just one cost. A reporter in discussing this bill with me the other day said that there are so many coats of paint in some of the rooms in Waikiki that you can hardly turn around in the room.

"Mr. Speaker, investment dollars are very hard to come by. Worldwide, resort destinations are offering significant, reductions to attract capital. The Greek Islands are offering a 40 percent tax credit to rebuild their visitor industry. The City of Tampa, when they built their new convention center, had to offer significant tax credits to get Marriott to build their new property to service the convention center. There were two states in the nation that offered a 25 percent tax credit.

"Hawai'i has to compete for these investment dollars. The industry in the post-war era was built by insurance money. Then it was followed by oil money, then followed by the Japanese infusion. Those dollars are not available to us today. We have to compete worldwide for those investment dollars. We have to make that investment attractive. Mr. Speaker, unless we become competitive, Hawai'i's older resorts will see

a continuing decline in occupancies, and room rates, and this will mean fewer jobs and fewer tax dollars coming to the State.

"Let me remind the members that construction and the visitor industry for years carried the State's tax burden on their shoulders. Both those industries currently need some help. This bill provides for construction jobs and will over the long run, provide for an increased number of jobs in the visitor industry.

"Mr. Speaker, I started in the hotel industry as a waiter at the Nanioloa Hotel in Hilo in 1947 and I suspect that is before many of the members were born. I admit that my roots and my emotions are tied to this industry and particularly to the people that work in it. My three sons all work in the visitor industry. Mr. Speaker, I have closed hotels and that is no fun. On April 1, 1978 I closed the Kona Inn. It was a great hotel in its fiftieth year and it could no longer compete in the worldwide market.

"Mr. Speaker, I had to look every single employee in the eye, as I handed them their last check, and wish them well. Fortunately, many of them found work at the Kona Surf, which our company also operated. Mr. Speaker, I did not orchestrate the announcement of the closing of the Kona Surf last Friday, but it represents the tip of the iceberg. The Kona Surf is closing because potential buyers cannot finance the improvements necessary to have the hotel compete in the worldwide market. This will happen to more hotels and to more hotel employees unless we act.

"Mr. Speaker, for the last eight hours on the floor I have not said a word. That may be unusual for me. As you know, these are my last few hours on the floor and in the context of this bill. Please allow me to reminisce just a little, Mr. Speaker. The Kona Surf is not a flop house. When it opened it was an upscale, four star property. Its 550 rooms received national design acclaim. It received the Presidential Award for the grounds from Mrs. Rosalyn Carter. Its guests have included: former President Gerald Ford; Mr. Lee Marvin, one of the great drinkers of all time that I have known; the great Harry Owens; Mr. Artie Johnson, for those of you who remember him from Laugh-in, he exceeded my first political fundraiser at the Kona Surf.

"I woke up at about three o'clock this morning with something on my mind. I'm not sure what it was, but among the guests there were two people who said they had never been to a Republican fundraiser in their lives. I was a Republican then."

At this time, Representative Takumi yielded his time to Representative Herkes.

Representative Herkes continued, stating:

"One of those individuals was Mr. Joe Morgan, the great baseball player. The other was Mr. Bill Russell, the greatest basketball player that ever lived. They were frequent guests of the hotel. Some of the finest women golfers in the world have stayed there. Mr. Karsten Solheim, who started Ping golf clubs was a frequent guest. Mr. Buzz Aldrin, who you all met, often came there. My son Kenneth was married there, and twenty years ago I met my wife there and little did we know that fifteen years later we would be married. The hotel closing is a low watermark for the State, for the industry, and for me personally.

"Mr. Speaker, independent economists have estimated that this bill could result in a low of \$1 billion dollars in investments to a high of \$2 billion. New investment in Hawai'i. This would provide hundreds of new construction jobs and retention of hotel jobs and an increase in state tax revenues.

"Mr. Speaker, every Monday morning and every Friday evening, as I fly between the islands, I see construction workers

on their way to wherever the jobs are. They are away from their families all week. Others have just given up and just moved to places like Las Vegas. That's not what we want for these families. This bill will help those workers find jobs at home.

"Mr. Speaker, when I discussed this bill across the table from Senator Inouye, I brought up the news of the Kona Surf closing. The Senator has been through a hotel closing of her own and this news hit her pretty hard. Those of you who were sitting on our side of the table saw the tears well up in her eyes and roll down her cheeks as she thought about her memories of hotels closing. Then I looked at Senator Buen and her eyes were full of tears and I will admit, Mr. Speaker, I had a hard time moving on.

"Mr. Speaker, I know the people at Kona Surf, many of them worked for me. Now I will have to tell the Mary Villaverde's, the Sally Fukunaga's, and others, that we have failed them. These people have relied on the Kona Surf to support their families for over 25 years and I feel that there will be more Mary Villaverde's, Aileen Pi's, and Sally Fukunaga's throughout the State if this bill does not become law. We would have failed them.

"Mr. Speaker, I have talked at some length about the Kona Surf, but this bill is not about the Kona Surf. This bill came to us last year and I believe that you, Mr. Speaker, introduced it. It was in a completely different form and it was designed to try and take care of the problems in Waikiki. We reached agreement with the Senate last year on a 25 percent tax credit at about 11:15 p.m. on the last night. It was a Senate bill so they did the drafting. The bill came back to us with 4 percent. We rejected it. We worked hard on it this year. You made me Manager of this bill and I appreciate that and I have worked hard on it.

"Let me tell you that in this bill we have protected Hawai'i's workforce. We have comparable wages in this bill. We have retention of hotel employees. And, Mr. Speaker, I will tell you who the strongest supporters of this bill are. It's Hawai'i's construction unions, because they recognize the value of this bill and numbers of jobs it creates."

At this time, Representative Cachola yielded his time to Representative Herkes.

Representative Herkes continued, stating:

"This is the the first time in eight years that I have gone over three minutes. Thank you, Mr. Speaker. Members I urge you to support this economic, job creation bill at this time. Thank you."

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

"This bill is really no different than many other measures that we will pass today intended to encourage private sector investment and the maintenance, transition and commencement of sectors of our economy that are intended to eventually increase our State's tax base and create employment. Among incentives that we will pass today that compares with this tax credit in this measure, are the individual development accounts tax credit of 50 percent, aircraft leased investment tax credit of 2 percent, ethanol production tax credit of 30 percent, agricultural infrastructure improvement tax credit of 10 percent, drought mitigating water storage facility tax credit of 10 percent, research and experimental technology tax credit of 20 percent and high technology business investment tax credit of 10 percent.

"These tax credits described in this measure target two of our largest sectors of our economy that are justified in receiving encouragement from our State, and mentioned previously, are tourism and construction industries. Attraction of venture

capital dollars by the tourism industry is dependent upon competition fostered by the tax credits proposed in this bill in much the same way that numerous other measures encourage private sector investment in technology and agriculture. I urge our members to support our State's economy by supporting this bill. Thank you, Mr. Speaker."

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

"The Representative from Puna/Ka'u gave a great speech and he showed why he is really going to be missed. Thank you, Mr. Speaker."

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

"As the Representative from Ka'u/Puna mentioned, we dealt with this bill last year and it went up to the Governor without the credit percentage. This year the fact that the Senate voted 25 to 0 is not just something to be looked upon briefly. It is a monumental movement because for the members that were sitting on the Conference Committee, as you well know, that it wasn't until the wee hours of the Conference before we were able to make a deal on Thursday. The Senate held firm to the 4 percent tax credit. The 4 percent tax credit, from the House's position, was never enough.

"So at this point I not only encourage all of the members of this House to vote in favor of the bill, but at the same time I encourage the Governor to sign this bill as opposed to the 4 percent cousin. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2409, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Lee voting no and Representative Okamura being excused.

Conf. Com. Rep. No. 120 and S.B. No. 3026, SD 1, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 3026, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Ito's remarks are as follows:

"Mr. Speaker, I rise in support of SB 3026, CD 1.

"The purpose of this measure is to appropriate funds for repair, maintenance, and to improve school facilities at the primary, secondary, and college levels.

"Mr. Speaker, I think everyone will agree that there are many schools out there in need of repairs and maintenance. And as stated in the bill, this was mostly due to lack of funding that coincided with a recession over the past 6 years. Accordingly, the State has not been able to properly maintain facilities in the manner that they would have liked to.

"Mr. Speaker, now that the economy is showing signs of improvement, I would like to thank the Finance Chair for finding and appropriating 30 million for the purpose of upkeep of our schools.

"Mr. Speaker, it is a proven fact that a safe and maintained school provides students with the proper environment that promotes learning.

"But this measure not only takes steps to improve the education of our student, but it also will save the State money in the long run. By taking care of many of these repairs now we can avoid having to pay the price, many times over, years from now, and I commend the Finance Chairman for his hindsight in this matter.

"Mr. Speaker, I strongly support this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3026, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FACILITIES," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

Conf. Com. Rep. No. 121 and S.B. No. 2303, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2303, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I would like to pay tribute to the Chair of the Transportation Committee who, acting with his counterpart in the Senate, saved this measure and moved it forward even in the face of a possible adverse action from the Governor. I certainly hope the Governor takes the right step and I am really pleased that the Chair has moved this measure forward. Thank you, Mr. Speaker."

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

Representative Hiraki's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of SB 2303, SD 2, HD 2, CD 1 -- Relating to Harbors.

"The cruise ship industry is experiencing tremendous growth and will contribute substantially to Hawai'i's economy in the form of new jobs and an increase in revenues to the State. However, current passenger terminal infrastructure and facilities need to be vastly improved to accommodate this growing industry.

"SB 2303 enables both the Department of Transportation and the Department of Land and Natural Resources to accomplish the task in making these improvements by the allocation of public service company (PSC) tax revenues in a special fund for this purpose. This allocation is temporary and would be paid by domestic passenger carriers to address an immediate problem. Earmarking a portion of this PSC tax would ensure that critical harbor facility improvements are made in a timely manner.

"The passenger cruise industry consists of both foreign and domestic cruise ship operations. The industry has enjoyed notable success in the State of Hawai'i. In 1998, a domestic cruise ship operation employed approximately 560 employees, of which almost two-thirds were Hawai'i residents, and directly contributed approximately \$68.9 million to the local economy. The number of foreign cruise ships visiting our state has also increased significantly in recent years. Significant growth in this segment of the visitor industry is expected in the foreseeable future. For example, in December 2000, a domestic cruise ship operation in Hawai'i will add the first of three additional ships in Hawai'i. However, existing port facilities throughout the State are inadequate, and cannot handle the volumes of cruise passengers that are being transported today nor can they handle vessels of the size commonly in service today.

"The cruise ship industry is enjoying significant success in Hawai'i. Further growth in this segment of the visitor industry is expected in the foreseeable future. A 1998 study commissioned by the Department of Transportation concluded that the cruise industry contributed over \$300 million to the Hawai'i economy and supported 2,900 jobs. The study further projected that by 2020, the cruise industry would contribute approximately \$1.6 billion and 10,500 jobs throughout the economy. This is an industry that is vital to the overall improvement of our State economy.

"In closing, I urge my fellow colleagues to vote in favor of this important measure of legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2303, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Final Reading by a vote of 50 ayes, with Representative Okamura being excused.

The Chair directed the Clerk to note that S.B. Nos. 2706, 539, 2420, 2838, 2859, 2221, 2781, 2521, 2409, 3026 and 2303 had passed Final Reading at 6:43 o'clock p.m.

At 6:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 6:44 o'clock p.m., the Chair recognized the Clerk, who made the following announcement:

Madame Clerk: "Mr. Speaker, I am in receipt of Senate Communication No. 724, transmitting Senate Resolution No. 107 informing the House and the Governor that the Senate is ready to Adjourn Sine Die. May this matter be received," and the Chair "so ordered."

Conf. Com. Rep. No. 122 and S.B. No. 2312, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2312, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND," passed Final Reading by a vote of 38 ayes to 4 noes, with Representatives Fox, Marumoto, Meyer and Rath voting no and Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 123 and S.B. No. 2218, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2218, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Ito's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of SB 2218.

"The purpose of this bill is to improve the New Century Charter School Law. This law enables those who wish to form a charter public school in their neighborhood to develop a detailed plan to show how their school will meet the same performance standards required of all public schools. The specific curriculum used by the charter schools to meet these standards is left to the local charter school board. Because charter schools are not subject to the same procurement laws as other schools, they have the freedom to develop creative programs to educate students.

"S.B. No. 2218, CD 1, refines the New Century Charter School Law to ensure the success of these new charter schools by striking a balance between autonomy and accountability. This bill requires the Board of Education to adopt guidelines to review charter schools upon their formation and to conduct an independent evaluation of each school to assure compliance with statewide student content and performance standards. It also requires the local charter school board to include a comprehensive assessment and accountability system and a system of financial accountability in their implementation plans for the proposed new charter school.

"Mr. Speaker, some may object to the Board of Education's involvement in this bill because the whole idea of charter schools is supposed to be about increased autonomy, but there are issues that we need the Board to look at. Issues such as minimum school size need to be addressed. There is presently no law that sets a minimum amount for school size. Does this mean that schools of twenty and thirty should be allowed the same amount of funds and positions as much larger schools? Large amounts of money could be spent on educating very few children and all this bill is saying is, 'Let's have the Board look at issues such as these and adopt guidelines.'

"S.B. No. 2218, CD 1, also provides flexibility in establishing charter schools by allowing groups of teachers to establish a 'school-within-a-school' under the charter school law. This bill also ensures that members of local charter school boards are provided the same legal protection as that of local public school boards.

"With respect to financing, this bill allows small schools with less than 120 students to receive a state subsidy or allotment as determined by the Department of Education. It also authorizes the Department of Education to provide a limited start-up and planning grant to a charter school upon the issuance of its charter. Furthermore, this bill requires the Auditor to develop a methodology for allocating funds to alternative public schools, including new charter schools.

"This legislation is very important to ensure the autonomy and success of new charter schools in Hawai'i. Therefore, I urge you, Mr. Speaker, and my fellow colleagues to support this measure."

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

"Mr. Speaker, I rise to speak in support with some concerns on SB 2218 SD1, HD 1, CD1, relating to New Century Charter Schools.

"Mr. Speaker, I believe the Legislature certainly believes that these New Century Charter Schools can be an impetus for positive change. In fact, our entire public education system can benefit from successful and innovative models created by well-planned Charter Schools.

"However, there's some skepticism. It is easier to do a job right than to explain why you didn't. Mr. Speaker and colleagues, I don't believe that we have given this measure enough time and thought. Our Charter School legislation lacks a clear direction. We must commit to a process that assures the success of our Charter Schools. I think this process of doing the job right involves thorough research and careful planning.

"I think successful Charter Schools need to be permitted to experiment on a broad scale and in order to do so they must be free from traditional requirements. However, they are still public schools. If we are to fund these schools in amounts equal to traditional public schools, then we must expect to hold Charter Schools to the same standards of financial accountability.

"Therefore, your Conference Committee, that met on this, has agreed that the Board of Education should become more

involved in guiding the development of Charter Schools. Mr. Speaker and colleagues, how many students should constitute a Charter School? Your Committee deliberated for many hours on this question without coming to a conclusion. We saw some schools with 17 students, some schools with 475 students and we saw some schools with 20 students. I think one of the true tests of leadership is the ability to recognize the problem before it becomes an emergency.

"Mr. Speaker, your Committee recognized the magnitude that negative consequences of inadequate planning would pose to the public as a whole and to our children in particular. Quality is not an accident, it represents the wise choice of many alternatives. That is why the Conference Committee believed that the Board should carefully consider the focus and direction of Charter Schools, adopt guidelines for the formation of these schools, and further define the parameters for the future Charter Schools. Thank you, Mr. Speaker."

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

"The Charter School is a good concept and we should develop it. I wish this bill had gone further in developing partnerships in education with specific communities. Charter Schools are a tremendous opportunity for us to leverage the energy and resources and wisdom of communities and to enhance the special good qualities of communities.

"Mr. Speaker, there is a Charter School proposal in my district for Kihei, and the concept has been very well developed and very well supported and certainly even the DOE knows that we need a high school there. But in an overall sense, I want to observe that the way we do business in Hawai'i is too often centralized, dominantly controlled of how we conduct our affairs in our communities. We often preclude the ability and the talents of our local people to do what they know to do to provide better services for their community. This Charter School bill is an opportunity for us to move more towards community-based management. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2218, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW CENTURY CHARTER SCHOOLS," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 124 and S.B. No. 2475, SD 1, HD 3, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2475, SD 1, HD 3, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Catalani's remarks are as follows:

"I speak in favor of this measure. This measure prohibits gender discrimination in interscholastic, club and intramural athletics in public schools, in grades nine through twelve.

"During the conference meeting, your Committee's narrowed factors to consider, in determining whether or not there is gender equity in existing sports programs, are taken from Title IX of the federal Education Amendments of 1972.

"First, it establishes an advisory commission to determine if schools are in substantial compliance with state and federal laws, and allows the advisory commission to make recommendations to the Board of Education, Superintendent of Education and the Legislature.

"Second, it provides that the Superintendent define equity in athletics for all public high schools and recommend rules for enforcement of gender equity in sports.

"Third, it requires the Superintendent to develop a strategic plan on the advisory commission's recommendations and a timetable to achieve equity relating to the use of existing personnel, equipment, resources and facilities.

"Fourth, this bill requires that the Superintendent submit a compliance report to the Legislature by December 31, 2000, including a compliance plan with timelines for all public high schools, an analysis and assessment of current activities and an itemized expenditure in athletics.

"With this measure, Hawai'i can continue moving towards gender equity in sports."

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

"The purpose of this bill is to prohibit gender discrimination and promote gender equity in sports from the ninth through the twelfth grades of our public school system. While I was growing up in Kalihi, Mr. Speaker, my famous cousins Charlie -- we called him Pili -- Ane, David, Gilbert and Danny were all football players at Punahou and each one of them played for the NFL.

"Mr. Speaker, I remember wanting to play football on the junior varsity team, but because I was a girl they said that I could not participate. So thanks to you and Chair Ito for this bill. I hope the Governor will sign it this year. Thank you."

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

Representative Ito's remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"Thank you, Mr. Speaker. The purpose of this measure is to promote gender equity in high school athletics by providing the framework by which the Department of Education can become compliant with Title 9 of the education amendments of 1972.

"Mr. Speaker, this measure accomplishes this by: 1) establishing, for three years, a seven-member advisory commission, which may make recommendations to the Board of Education, Superintendent of Education, and the Legislature; 2) requiring the Superintendent of Education to develop a strategic plan containing recommendations and a timetable to achieve equity and finally to submit a report on compliance to the Legislature.

"Mr. Speaker, as noted in the committee report, the Department of Education is already striving toward compliance to Title IX, but this measure simply formalizes the process. We had some trouble with this measure in Committee because we did not want to mandate the Legislature to fund projects with money not available, but I feel that we were able to find language that requires the Department to take steps to become Title IX compliant without putting unreasonable demands on the state budget.

"Mr. Speaker, I strongly support this measure. Thank you."

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

"Mr. Speaker, I was fortunate enough to be able to play football, tag football, when I was a law student at the University of Hawai'i. I found it really enjoyable. We had marvelous male coaches and they didn't let us laugh or giggle, they really

made us train to be ready to play. In our year, we won. I think now it is a game that goes on each year between the women law students and the women medical school students.

"I did a survey in my district to see if constituents who had children in the public school system who were girls, if they had experienced inequality in access to playing fields or access to sports in the public schools and the answer came back 'yes.' So this bill definitely is needed. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2475, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER EQUITY IN SPORTS," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 125 and S.B. No. 2134, SD 1, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2134, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I am very much aware of the concern of our colleagues on this measure, especially in the area of appropriation and legislative intent. At the very outset, let me point out a short background to this measure for the education of everyone.

"Before I do that, I'd like to express my appreciation to you and Chair Takamine for your support on this measure, and ost especially for your initiative in bringing resolution to this measure. I would also like to extend my appreciation to my Co-Chairs, Representatives Garcia and Espero for being with me all the way in the process of our Conference, and also our Manager, Representative Halford for being with us also.

"Mr. Speaker and members, please keep in mind that the original purpose of this bill is to reduce the quarantine user fee for active military personnel only. As Chair of the Agriculture Committee, however, I believe that quarantine fees in Hawai'i should be reasonable and affordable to military as well as civilian pet owners.

"Mr. Speaker, your Committee on Agriculture recognizes the tremendous contribution that the military gives to our economy. As the State's third largest employer and second major source of revenue, Hawai'i's military population expends over \$5.2 billion annually and accounted for over \$640 million in tax revenues to the State. This amount represents 20 percent of the total taxes collected by the State. There is no doubt, whatsoever, that they indeed contribute tax revenues to the general fund.

"Your Committee also recognizes that pets are so much a part of people's families -- all families, Mr. Speaker, civilian and military.

"The Humane Society of Hawai'i testified that according to a survey conducted by Ward Research, 56 percent of Hawai'i's household have a pet and on the mainland, pet ownership is the same. These family pet owners have a great impact on Hawai'i's economy when you consider the money that they spend on pet food, veterinary expenses, pet supplies and other services related to pets.

"Mr. Speaker, the Animal Quarantine Special Fund was established two years ago. And as a result, the financial burden of supporting the animal quarantine station shifted from the State to private citizens who uses the facility. It also raised the quarantine fees to its current rates, which proved to be excessive for pet owners.

"Mr. Speaker, members, we know the financial difficulties that the military personnel have experienced when relocating to Hawai'i due to the excessive fees of our animal quarantine. We have heard their testimonies during public hearings and we are very sensitive to their situation. We also heard testimonies from the civilian population citing the excessive fees of our quarantine. Taking all of that into consideration, the Agriculture Committee strongly believes that yes, the fees must be reduced with subsidy from the State and yes, all pet owners must benefit from this reduction. The military personnel themselves testified in support of fee reduction across the board. The Chamber of Commerce of Hawai'i, the Humane Society of Hawai'i, the Business Roundtable and all others, including the Department of Business, Economic Development and Tourism and the Department of Agriculture, testified in support of this concept.

"Senate Bill 2134, SD 1, HD 2, as amended in CD 1, appropriates funds for Fiscal Years 2000-2001 for the purpose of defraying costs for animal quarantine users. This would allow a reduction of \$110 for each animal completing quarantine. The Department of Agriculture would have to comply with procedures under Chapter 91, Hawai'i Revised Statutes, which include public hearings, so realistically, Mr. Speaker, it would take a minimum of four months before a reduction could take effect.

"And so, Mr. Speaker, I believe that this bill has merits. I believe that the fee reduction must be fair and equitable for all residents of Hawai'i. I think everyone would agree, that keeping Hawai'i rabies-free is a responsibility that should and must be borne by all residents of Hawai'i. We must all bear some responsibility, Mr. Speaker and members, because all of us benefit from living in a rabies-free environment, which I might add, is very unique to Hawai'i. It is only right and fair that the State shares in the cost of keeping it 'rabies-free.'

"For these reasons, I ask for your support and the support of my colleagues. Thank you very much."

Representative Cachola then rose to speak in support of the measure, and asked that the remarks of Representative Abinsay be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cachola continued, stating:

"I would like to say that the military is an integral part of Hawai'i's economic viability. This bill is just a small measure to assist and extend our Aloha to them. With that, Mr. Speaker, I urge the members to support this bill. Thank you."

Representative Halford then rose to speak in opposition to the measure, and asked that the remarks of Representative Abinsay be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Halford continued, stating:

"The Chairman of the Agriculture Committee did a good job in presenting the House position in saying that we need to reduce quarantine fees and we need to reduce them equitably. He specifically mentioned the \$110 reduction which could be done with the \$.5 million appropriation that is in the bill. If that's what occurs, that would be good.

"I am voting no because I don't believe that's what's going to happen. Maybe I should mention at this point that I was a conferee on this bill until 10:30 Friday night. Having said that, the way this bill is written now is very good except for one thing, this one line on page two that says: 'the Department of Agriculture can consider reducing fees based on Economic factors, including the ability to pay by a person or a class of persons.'

"I believe that what is intended or meant by this is that will reduce fees to a class of persons in this class, specifically. It means to reduce it for the military only. There is no intention, whatsoever, to reduce fees across the board. That is the purpose of the language in here. If you read the Committee Report, reducing fees to the military is all over the Committee Report. Reducing fees across the board is not in the Committee Report.

"So, hopefully, I'm mistaken and we will know before November if, in fact, the Department of Agriculture does expend money to reduce fees just for the military alone or if they will do it across the board. Having said that, thank you."

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

"Primarily, I can appreciate the Chair of Agriculture's attempt on this bill to make it fair and across the board. My concern is more with that this Legislature, a few years ago, pushed for the quarantine program to be self-sufficient. They did become self-sufficient. This bill seems to indicate that now you have to reduce fees and they will not be self-sufficient.

"For those of you that were around when we reduced the four month waiting period down to one month, the testimony at that time was from people who were more concerned about being with their animals than the cost of fees. But obviously that thinking has changed and there are parties in the public that now want to, on top of having reduced time, they want reduced fees. Thank you, Mr. Speaker."

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

"My major concern that I have, and I have full respect for the Chairman and I understand what he is doing. I believe that this money can be better spent somewhere else, especially in a tight situation. Maybe for human services, health or education programs. Thank you very much."

Representative Abinsay then rose to speak in rebuttal, stating:

"A short response to our colleague from Kaimuki. With the appropriation of \$500,000, the sustainability of the Quarantine Fund is not going to be affected. That is the very reason why we have that \$500,000, because we recognize the quarantine fees are still high. But the fact that this money is going to the Quarantine Fund does not necessarily mean that the sustainability is going to be affected.

"I got a letter from the Department of Agriculture saying that this is not going to happen and the process that is going to happen on this money is by way of rulemaking to address Chapter 91. So I am going to monitor the progress of this and again I would like to ask the support of everybody. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2134, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE AND ANIMALS," passed Final Reading by a vote of 34 ayes to 8 noes, with Representatives Catalani, Halford, Kaho'ohalahala, Lee, Luke, Morita, Rath and Takumi voting no and Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 126 and S.B. No. 2433, SD 2, HD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and S.B. No. 2433, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"As you are aware, this measure required nearly every available minute to finalize. I say that with some sense of humor because I recall a couple of years ago, a prison measure took us down to the very wee hours and within a couple of minutes of the midnight deadline.

"I want to thank, first, my co-managers, Representatives Takamine, Yoshinaga and Pendleton; the Senate Managers on the Conference Draft; the Majority Leader, Ed Case, who sat with me throughout the negotiations; my Committee Clerk, Doug White, who worked very hard on the House versions of this Conference Draft. I even want to extend my thanks, especially in the regard to the area that I am most interested in, that of rehabilitation and treatment which this facility will focus on. I want to thank even a member of the Minority Staff Office, Jim Hall, who came to my office almost everyday to remind me that this was an effort that we should actively and vigorously pursue and I want to thank him for his efforts.

"Mr. Speaker, this measure speaks to three objectives. First, there is the very real need to expand prison bed capacity. As you know we have some 1,200 inmates in mainland facilities. The contract covering the incarceration of those inmates is rapidly running out and so we were pressed to come up with some resolution this year. We answered that with the Conference Draft -- 1,700 beds, minimum and medium, in an area designated on the Big Island as Kings' Landing.

"Mr. Speaker, this Conference Draft also contributes in no small measure to the modernization of state government. I speak to the managed competition aspects of this bill, which I believe are revolutionary in that nowhere else in the country has managed competition been imposed on a proposed government facility. This will be the first of its kind in the country.

"And lastly, this Conference Draft speaks to a different kind of facility and a different way we approach public safety. Of course, there is a need for balancing public safety and criminal justice, but also the drug crisis which affects our community. This public facility in no small measure will deal with the real public health crisis and that is the scourge of drugs and how this facility will help in some way to reverse that.

"The managed competition process established in this bill hopefully will be able to allow the Department of Public Safety to secure the operation of the facility in the least costly way. The process is rather complicated and not without controversy. I believe the House and Senate Managers on this measure have crafted a workable procedure. Just as important, I hope the Governor chooses to sign this measure. I can assure everyone that the Managers were working very closely with the Governor's representatives, that is the Director of Public Safety, to give the Administration flexibility, authority and, in section 4 of the measure, immunity.

"Other jurisdictions have successfully used managed competition to deliver high quality services at the best price. Indianapolis is an excellent example. Since 1992 that City has saved millions of dollars, changing their budget deficit into a surplus without raising taxes. The process was used to successfully convert the local military base into a place where the private sector took over and saved jobs that would otherwise have been lost. Indianapolis International Airport operations were contracted to a private operator at a savings of \$105 million over ten years. The public sector was able to streamline operations within motor vehicle maintenance and successfully bid against three national vendors saving all the union jobs and the taxpayers of Indianapolis \$8 million."

At this time, Representative Oshiro yielded his time to Representative Garcia.

Representative Garcia continued, stating:

"Similar outcomes can be found by looking at wastewater treatment, refuse collection and street repair programs in Indianapolis. I am optimistic that the managed competition provisions in this measure will be similarly successful.

"As I said, Mr. Speaker, many times before, the type of facility we are to have is the most important issue to me. I am optimistic that the facility evolving from this measure will be able to provide each inmate the services he or she needs to rejoin society as a more productive and healthy person.

"We do it in a number of ways in this measure. First, in the development of the operational plan, in step one, specifically, the development of a prescriptive treatment plan for each inmate. Second, a provision in the contract that says any renewal of the contract shall be contingent, in part, upon the State's satisfaction with the recidivism rates of the inmates. Third, in part four of the bill it also includes specific language on treatment including that a substantial amount of the facilities operating capacity shall be designated for rehabilitation and treatment.

"These provisions are crucial and I will be watching carefully to see to it that this facility is held to a very high standard. If the operator fails to carry out the operational plans, and by extension, fails to provide the inmate with what he is prescribed to be given, then the operator will be considered in breach of the contract and the operation is to be awarded to another operator. It is my hope that the process will work and that the contractor whether a private or public entity, will be able to run a facility that the Members of the Legislature and the people of this State would be proud of.

"I hope that my colleagues are still strong behind the concept of providing the inmates the treatment they need. Constructing general population prison beds, the so called 'warehousing strategy,' is a poor strategy. As California has proven in the past decade, after spending billions, they were still very overcrowded. Finally, they seem to have acknowledged, the people in California and public officials, they have acknowledged that general population prison beds actually breed criminals and turn out offenders more likely to re-offend and to re-offend more seriously.

"In only in the past few years has California begun to open facilities with a treatment focus. With this measure I hope that we can skip that costly step with experimenting with general population expansion. We should build a facility that can relieve our need to send inmates to the mainland, and it should be a secure facility that can guarantee the safety of the public. We should not make the mistake of denying inmates the services needed to be made ready for rejoining society. I urge my colleagues to support the measure. Thank you, Mr. Speaker, for allowing me this opportunity."

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

"Let me begin briefly by saying that it has truly been a pleasure working with the Chairman of Public Safety and Military Affairs on this measure. I need to share my biases, however. I felt that all of the measures on this topic from the House were in every respect superior to any of the proposals that the Senate produced. But of course, we work in a Democratic process and so we have to live with the results of coming to some kind of agreement with the Senate. But I felt that both the measure that our Caucus introduced on this topic as well as the original bill introduced by Representative Garcia were far more visionary and bold. But I am nonetheless happy that we have this before us.

"From a pragmatic perspective, perhaps this is the best we can get. I am hopeful that it will achieve many of the things that we have sought to achieve with the House measures. To reiterate what the Chairman has said, there have been basically three priorities of the measures on this topic. One is to make sure that we are no longer just warehousing people, but providing them with real, helpful treatment and rehabilitation for their drug problems. Ensuring that the facility is here in Hawai'i so that we diminish our dependence on the good will of other states and having to send our inmates to other states and also looking at ways to achieve greater efficiencies and cost savings.

"We don't want to do a mediocre job for less money. We want to do a better job for less money and I felt that the straightforward privatization approach of the House was superior to the Senate. But this managed competition, we have to give it a shot and see what that can achieve. I would like to underscore the importance of treatment, Mr. Speaker, by sharing just a few statistics.

"The Department of Health put forward a plan in January 2000, the Statewide Substance Abuse Treatment Plan. It stated that there are somewhat two categories of people who are detained. There is the jail population, the pre-trial detainees, that number just over a thousand, and then there are the 3,234 who are incarcerated in part of the official prison population. The Department of Health did an estimate of how many in each of these populations in the overall group who are required or could benefit from substance abuse or mental health treatment. The figure they picked was 85 percent.

"Even if we say that they were way over estimating and it was only 50 percent, it still showed that there is a dramatic need for these kinds of services and that's one of the reasons why we wanted to make treatment an emphasis. Because if you want to cut recidivism, sure we can pass tough laws. But what you need to do at the same time is to provide treatment so that the conditions, which gave rise to the kind of behavior that we are trying to stop, are eliminated. If you give people true rehabilitation and treatment, you will cut recidivism.

"I would like to close by just commenting that other jurisdictions have found that managed competition has worked. Of course, other jurisdictions have found that privatization has been even better. But I am hopeful that this process will work. We will do more than just warehouse more inmates. We will provide them with more treatment, cut recidivism, and save tax dollars. It can be a real win-win for both the taxpayers and those that are incarcerated. It's the right thing to do from a fiscal stand point and I think it's the right thing to do from the moral stand point. So for those reasons, Mr. Speaker, I stand in strong support of this measure and I would also like to insert further remarks into the Journal," and the Chair "so ordered."

Representative Pendleton's additional remarks are as follows:

"Mr. Speaker, I rise to speak in support of SB2433 relating to prisons. First of all, I would like to suggest that this bill is not merely about 'prisons.' It is not merely about warehousing inmates until they have completed their sentences. This bill, in effect, relates to the establishment of a 'correctional treatment facility' -- an effective criminal justice tool for the new millennium -- a tool which will not only reduce overcrowding but reduce the rate of crime in Hawai'i as well.

"In our original Republican Caucus sponsored measure, we emphasized the term 'correctional treatment facility.' I know that Representative Garcia had the same idea. This proposed measure could be, I emphasize 'could be,' a great step forward towards solving much of our present criminal justice system problems.

"I don't mean merely a step towards solving the overcrowding problem, but a giant step forward in solving our

high recidivism rate, that is, the high rate in which inmates return to the behavior that caused them to be sentenced in the first place.

"A little noted document 'Statewide Substance Abuse Treatment Plan,' prepared by our State Department of Health, and released in January, 2000, contained some frightening statistics. It categorized those incarcerated into two categories: (1) the 1,050 pre-trial detainees incarcerated for less than one year, or the 'jail' population, and (2) the 3234 incarcerated for over one year, or the 'prison' population. The Department of Health has estimated that 85 percent of all of these inmates are in need of substance abuse and/or mental health treatment.

"Of the 1,050 in the 'jail' population, 893 persons need treatment but are not getting any at all. Of the 3,234 in the 'prison' population, 2,749 need treatment yet only 713 are receiving such services. This leaves a gap in services for 3,086 inmates.

"Consequently, the recidivism rates for former inmates is extremely high. This is primarily because most of those released have never received any treatment at all. Director of Public Safety, Ted Sakai, recently testified before a Congressional Committee that our prison population has increased by 65 percent in the past five years. He said there was a study that found that 53 percent of all offenders committed their criminal acts while under the influence of drugs. Sakai also said that all seven inmates who committed suicide in 1999, while incarcerated, were drug users. Clearly, the present system is not working as well as it should.

"A nation-wide study, undertaken jointly by the National Institute on Drug Abuse and the Federal Bureau of Prisons, showed that treated inmates were 73 percent less likely to be re-arrested than untreated inmates. Our goal must be to improve on that record while reaching as many inmates as possible who need treatment.

"Another factor impacting heavily on Hawai'i's high recidivism rate is that while so few inmates receive substance abuse treatment during incarceration, only a relative handful receive treatment while released on parole. In fact, according to the DOH, only 5 percent of parolees in Hawai'i, who are deemed to need treatment, receive any at all.

"Our proposed low to medium security correctional treatment facility, will focus primarily on reducing the recidivism rate through treatment programs, behavior modification programs, and educational and vocational programs designed to assist the inmates toward becoming a productive members of society. It must also deal with the problems of those who have been dually diagnosed with both drug and mental health disorders -- 24 percent of the females and 9 percent of the males.

"I am pleased that my fellow House and Senate conference committee members were able to come up with a plan which keeps the door open for a privately run facility. This compromise legislation allows for managed competition so that the facility can be operated either privately or publicly although, in some respects, it certainly does give the public employees union a distinct advantage in this competition.

"However, if the shoddy past performance of the present system is any indication of the future, then we should join the numerous other states and seek only from the most qualified and most economical private operators in the nation. I believe that it is essential that when we do select an operator for the new facility, we give considerable weight to past performance and not cave into local union pressures.

"The unions, in this proposal, could manipulate the bidding process to their advantage. However, those who make the final selection, should carefully consider the record. Cost savings should not be the only measure by which an operator should be selected. As the old saying goes, 'You get what you pay for!'

"The key phrase in this measure concerns awarding the contract 'to the offeror of the proposal determined to be most advantageous to the State.' To repeat: '...be most advantageous to the State.' Studies have consistently demonstrated that every dollar spent on treatment saves seven dollars and fourteen cents in other social costs. We are talking about a reduced prison population, reduced crime rates, reduced recidivism rates, and reduced medical costs for those incarcerated and for those who have completed their sentences. There will also be a greater sense of wellbeing and security for the families of those so afflicted.

"For years, we have paid a heavy price for a system that hasn't performed the comprehensive task that needs to be achieved. It's far better to select the operator on the basis on what they have accomplished in the past and not just on what they promise to do in the future. Only then, can we expect real progress in truly reducing the current problems, overcrowding and high recidivism, in our criminal justice system.

"This measure, though somewhat flawed, is a major step forward for Hawai'i's people. We have to carefully examine the causes of prison overcrowding and the need for a new approach to dealing with potential inmates with drug and alcohol problems. National figures, in law enforcement and in the media have had made the following observations:

- * 'General Barry McCaffrey, Director of the White House Office of National Drug Control Policy, stated the Federal Bureau of Prisons study showing successes for inmates in treatment programs "proves the need to attack drug crime with treatment programs... The results say loud and clear that intensive, institutional drug treatment when followed by structured transitional support and supervision, makes our communities safe and gives offenders a real opportunity to turn their lives around.'" White House Office of National Drug Control Policy
- * 'The Alcohol and Drug Abuse Division (ADAD) of Hawai'i conducted a study of new arrestees in Hawai'i during 1995-96. The results of their study indicated that, "Substance use and dependence among new arrestees...is a treatable problem that. Despite long-term consequences, has often been overlooked." Out of the 537 males and 159 females surveyed statewide, the study found that a substantial portion of the new arrestees (56 percent males and 49 percent females) were in need of treatment for alcohol and/or drug use, but reportedly never received treatment.' Hawai'i Department of Public Safety
- * 'The DOH estimates that more than 4,000 adults can be expected to seek treatment for substance abuse each year. Treatment facilities in general, and for criminal and juvenile justice clientele, in particular, are lacking in Hawai'i. Neighbor island resources are especially limited.' Hawai'i Department of Health
- * 'The ability of drug abuse treatment to reduce illegal activity has marked economic impact. One study found a reduction in crime-related costs in the year following treatment that averaged more than \$19,000 per patient. This compares favorably to the cost of providing the treatment - \$2,828 for methadone maintenance, \$8,920 for residential treatment, and \$2,908 for outpatient drug-free.' Journal of Quantitative Criminology
- * 'The New York Times reports that every 20 seconds, someone in America is arrested for a drug violation. Every week, a new jail or prison is built to house them in what is now the world's largest penal system.' Molly Ivins
- * 'McCaffrey agrees. In congressional testimony last week, he said it was time to abandon the phrase "war on

drugs" because "addicted Americans are not the enemy. They require treatment. Wars are waged with weapons and soldiers. Prevention and treatment are the primary tools in our fight against drugs." David Broder

- * 'The case is just as dramatic for prison and jail inmates, 60 percent to 80 percent of whom have serious substance abuse problems. Science shows that appropriately treating addicts in prison reduces their later drug use by 50 percent to 70 percent and their later criminality and resulting arrests by 50 percent to 60 percent. These data make the case against warehousing addicts in prison without attending to their addictions.' National Institute on Drug Abuse
- * 'Doctors Kim Thorburn and Terrence Allen, who worked in our (Hawai'i) prison system for years, estimate that "only about one-third of our prisoners need incarceration. These are violent criminals, predatory child molesters and the career criminals." Both doctors were members of an ad hoc prison committee that I headed when I was a trustee of the Office of Hawai'ian Affairs. Martha Toynbee, a criminologist at Halawa Prison for two decades, was also a committee member. All three agreed that: 1) Most people were in jail for drug-related crimes. 2) This was a health issue, not a penal problem. There is a need for more substance abuse programs and not necessarily for more prison cells, to eliminate overcrowding.' Moanikeala Akala
- * 'I have to wonder whether one of the reasons we do not fund treatment more is that we believe these individuals are "bad" people and, therefore, do not deserve our assistance. But these people are not strangers. They are your brothers, your sisters, your mother, your boss, your uncle, your friends. They are our community and they are in trouble.' Claire Woods, Hawai'i Substance Abuse Coalition
- * 'Today, the Department of Health's 1998 survey reveals that 16,000 adolescents need substance-abuse treatment, which is estimated to be about \$30 million. This figure is conservative considering that it doesn't include all the students who dropped out of school because of substance-abuse-related problems.' M.P. Anderson, Hina Mauka
- * 'Hawai'i leads the nation in locking up criminals. According to the U.S. Justice Department, our state had the largest increase in growth of our adult prison population -- 23 percent -- in 1997.' Rep. Nestor Garcia (P. 128)
- * 'Drug treatment that begins in prison and continues on the outside reduces crime, reduces drug abuse and underpins the successful return of inmates into society. Research shows that drug treatment in prison, when combined with treatment, drug testing and a system of graduated sanctions after release, can cut crime rates by as much as 80 percent. Because 70 percent of prisoners have a history of drug abuse, it might be expected that this regimen of treatment and sanctions would be widespread. But a national survey of inmates shows that only 10 percent participated in prison-based drug treatment in 1997, down from 25 percent in 1991.' National Institute of Justice
- * 'A fully supported program of drug treatment and rehabilitation, beginning with drug courts at the front end and tough "re-entry" courts at the back end, is the ultimate answer to our prison overpopulation problem.' Honolulu Advertiser Editorial
- * 'Kamaau, 43, has been in trouble since he was 13. He is now serving a 20-years sentence for three counts of armed robbery. But since April, Kamaau -- one of 659

Hawai'i inmates at the Minnesota prison -- has been enrolled in its "Lifeline" substance abuse treatment program. Substance abuse treatment programs are a must for inmates like Kamaau, who is seeking parole. He won't be eligible until 2004. He participated in similar programs while he was imprisoned at the Halawa Correctional Facility, but said this time it's different -- different because he believes facilities are better at the 1,345 bed prison, in the western part of Minnesota and run by Corrections Corp. of America (CCA). "There are so many more programs in Minnesota than at Halawa," Kamaau said. "I miss being away from home," he added, referring to Prairie's remote location in Appleton, 30 miles from the South Dakota border. "But that's a small price to pay to grow up and to better myself." Honolulu Star-Bulletin

- * 'Our prisons are crowded today because lawmakers, in Hawai'i as everywhere, are far more willing to pass tough new anti-crime laws with mandatory and lengthy sentences than they are to deal with the root causes of social ills. It is irresponsible to pass laws that require the justice system to lock people up and then fail to provide adequate facilities to make that possible.' Honolulu Advertiser Editorial
- * Correctional Recovery Academy Program Description: 'In partnership with the (Ohio) Department of Corrections, Civigenics is offering a comprehensive recidivism reduction substance abuse service for male and female offenders. The program is called the Correctional Recovery Academy. The Academy is a recovery based treatment approach to substance abuse and crime. Within the context of a curriculum driven program, participants learn real-life ways to help them remain out of prison and live a life free of crime and drugs. The structure and content, and methods of the Academy are determined by empirically proven principles of effective programming. Our model focuses on the proscribed attitudes and behaviors among inmates that often lead to relapse to alcohol and other drugs, re-arrest, and re-incarceration. The Academy relies on concrete, straightforward, and easily understood "how to" techniques rather than traditional, non-directive, intrapsychic therapy approaches. Out approach is holistic, with a strong emphasis on teaching inmates cognitive and behavioral skills.'

"The statistics for drug abuse in Hawai'i are also shocking. Our percentages are similar to, if not higher than, nationwide statistics. We have an epidemic and our rates for crystal meth use and marijuana are among the highest in the nation. Estimates of adult dependence and abuse gathered in a three year assessment study by the Hawai'i Department of health, Alcohol and Drug Abuse Division (ADAD) produced the following statistics: Out of an adult population of 885,002 (based on 1990 U.S. Census Data) 56,994 or 6.44 percent of the population needs treatment for alcohol only; 9,735 or 1.1 percent needs treatment for drugs only; 12,390 or 1.4 percent needs treatment for both alcohol and drugs. This makes a total needing for alcohol and/or drugs of 79,119 persons or 8.94 percent of the population - or one out of eleven! Is this an epidemic? There can be no doubt! Eighty percent of our male inmate population is in jail because of drug or alcohol related problems. The figure is ninety percent for our women inmates. Yet, in Halawa prison, there is a waiting list of sixty days just to participate in voluntary Alcoholics Anonymous programs. We must do better than that!

"We must seek out alternatives to prison. We must focus on rehabilitation and not incarceration.

"Naturally there is frustration concerning the need for additional prison space for Hawai'i's inmates. No matter which path the governor or the Legislature eventually take, there will be sharp criticism: 'The prison should be in Hawai'i not the

mainland!' 'No, It's cheaper to send inmates to the mainland!' 'Hey, we should let private enterprise run the prison!'

"On the other hand, the State has been traditionally approaching the problem from the wrong direction. Instead of focussing on the fact that Hawai'i has too little prison space, perhaps the State should be considering that Hawai'i might have too many prisoners who needn't be in jail in the first place.

"Hawai'i can claim to have one of the lowest violent crime rates in the nation. Conversely, Hawai'i has one of the highest incarceration rates of any state. Doesn't that suggest that the Legislature needs to look for alternatives to prison, especially for non-violent drug offenders?

"Even the governor appears to be a believer in the efficacy of drug and alcohol treatment programs. Governor Cayetano issued a proclamation declaring September 1999, to be 'Alcohol and Drug Addiction Recovery Month.' At that time he met with dozens of professionals from various treatment programs and dozens of citizens who were willing to risk their anonymity to give testimony on how treatment has aided in their personal recovery from addiction. They left believing that the Governor supported their cause.

"State statistics show that eighty to eighty five percent of our current prison population is substance abusers. The percentage of women inmates who are abusers is even higher perhaps ninety five percent. This suggests that if the Legislature is to truly enact legislation to reduce crime in this state it should place its highest priorities on treatment and rehabilitation.

"There are a number of successful residential and out patient clinics. Sand Island Treatment Center is one. St. Francis and The Salvation Army operates others. Hina Mauka, a residential treatment and outpatient clinic, is located in Kaneohe. Its 'Teen C.A.R.E.' program provides substance abuse services to eligible students at public high schools. The value of this program is that it helps young people recover before their addiction leads them into a life of crime while simultaneously improving school attendance and performance. This type of program is something the Legislature should place on the top of its priority list -- not the funding of more jails.

"Many other jurisdictions have faced this choice between treatment and incarceration and they have overwhelmingly chosen to focus on treatment. Around the nation, the use of drug courts for non-violent drug and alcohol abusers have expanded tremendously over the past few years. Even Hawai'i's small drug court efforts have shown tremendous promise. We also need more in-prison treatment programs in addition to more post imprisonment programs.

"Arizona's voters passed Proposition 200 in 1996 and reaffirmed it in 1998. This referendum bill, formally known as The Drug Medicalization, Prevention and Control Act, actually prohibits the incarceration of non-violent drug offenders. This law requires that non-violent drug users charged with possession receive mandatory probation and treatment instead of prison sentences.

"The Supreme Court of Arizona recently examined how well this revolutionary measure was working. Their conclusion: probation with treatment works! They also noted that this approach is saving the taxpayers of Arizona millions of dollars a year. In fact, in national studies it has been estimated that every dollar spent on treatment saves seven taxpayer dollars in prison and criminal costs.

"The legislators should rethink how they approach this problem of additional prison space. They should think of it in terms of how many potential lawbreakers can they help become contributing members of society rather than how many lawbreakers can we cram into our jails. This will take bipartisan support in the Legislature for a new approach towards resolving

this quandary. Hopefully, during this session, legislators will make treatment and rehabilitation a priority over just locking people up and throwing away the key.

"I applaud the Honolulu Advertiser and Channel 2 for polling our citizens on their views regarding the best way to handle the problem of prison overcrowding (2/13/00). The results were encouraging in that a significant portion of the respondents indicated their preference for having funds allocated to substance abuse and rehabilitation programs.

"However, these responses also point out one of the weaknesses of the poll itself. Treatment and incarceration are not mutually exclusive. There is a growing recognition nationwide that the answer to prison overcrowding lies with the establishment of correctional treatment facilities -- facilities that both incarcerates the wrongdoer and provides them with substance abuse treatment and rehabilitation.

"Unfortunately, this approach is not well known to the general public in Hawai'i but if they knew what such a program entailed, I am confident that they would strongly support this farsighted approach to a very complex problem. So, exactly what is a correctional treatment facility (CTF)?

"Basically, a CTF is an institution which would provide a safe, secure and humane treatment environment for prisoners who have been convicted of crimes against the citizens of our State. What does a CTF offer?

"Such a facility has as its primary objective the reduction of chronic recidivism to crime and substance abuse. Recidivism is the 'revolving door' syndrome whereby released inmates, lacking the knowledge and skills to successfully compete in society, wind up reverting to the behavior which got them in trouble in the first place. The CTF accomplishes their goal by providing intensive training in the knowledge, skills, and attitudes necessary for the inmates to successfully integrate back into the social mainstream.

"What kind of programs are we talking about? A successful correctional treatment facility trains the inmates in a battery of positive social skills directed toward the following:

- * Eliminating criminal and addictive behavior
- * Managing anger and conflict effectively
- * Preventing relapse
- * Solving problems
- * Planning and setting goals
- * Obtaining gainful employment
- * Living an independent, pro-social lifestyle.

Inmates are also held accountable and are required to:

- * Provide peer counseling
- * Complete a detailed battery of release preparation activities
- * Take responsibility for their actions
- * Learn and demonstrate new skills
- * Demonstrate pro-social attitudes and behaviors.

"The results of such a comprehensive approach to treatment and rehabilitation have been extremely positive. Recidivism rates for participants have dropped dramatically. Former inmates have rejoined their families, found gainful employment and successfully rebuilt their lives. They have been almost unanimous in their praise of what such rehabilitation and treatment programs have done for them as individuals. They are also aware that their struggle does not end when they return to the community. A CTF maintains after care programs in conjunction with paroling authorities, ever mindful that lasting rehabilitation requires long term attention.

"No program is perfect, but the correctional treatment facility is a giant step forward in resolving this growing problem of prison overcrowding and recidivism. The correctional

treatment facility is an idea whose time has come. There is near unanimity that treatment does work. Leaders in the field have said:

1. 'Treatment for substance abuse can significantly reduce crime. A national study showed that most criminal activity, including breaking and entering, drug sales, prostitution, driving under the influence and weapons use, declined by between 23 and 38 percent after drug treatment.' U.S. Department of Health and Human Services Administration, Press Release, Services Research Outcomes Study, September 9, 1998.
2. 'Treatment in a criminal justice setting is effective with the following elements: develop a systematic screening and referral system; provide six months or longer in a treatment facility; use high-intensity therapeutic approach; require community-based continuing care after discharge; and insure assessment and evaluation for accountability.' Institute of Behavioral Research at Texas Christian University, Research Summary Focus on Drug Treatment in Criminal Justice Settings, January 1998.
3. 'A three-year study of Drug Treatment Alternatives-to-Prison showed that 61 percent of participants either completed or remained in treatment; only 15 percent were re-arrested, but none for violent crimes.' Vera Institute, Diverting Drug Offenders to Treatment: Year Three Report on DTAP Expansions, Spring 1996.
4. 'Community-based treatment cuts crime. After six months in OASAS-licensed agencies, the number of clients arrested was reduced between 56 to 91 percent, depending on the type of treatment.' NYS Office of Alcoholism & Substance Abuse Services, OASAS Evaluation Systems; Preliminary Analysis of Behaviors of Clients Remaining in Treatment at Least Six Months, October 1997.
5. 'Mandated treatment works. Clients with criminal justice system involvement perform as well as patients who voluntarily participate in treatment.' U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration, Office of Applied Studies, Overview of Addiction Treatment Effectiveness, 1997.
6. 'Treatment reduces recidivism. Studies in California, Texas, Delaware and New York State show that, of inmates who receive treatment, about 25 percent were re-arrested with 12 to 18 months. However, of similar persons not receiving treatment, re-arrest rates were nearly 70 percent.' U.S. Department of Health and Human Services Administration, Press Release, Services Research Outcomes Study, September 9, 1998.
7. 'Probation plus treatment works with DWI offenders. An OASAS 10-year analysis of Rennselaer County's Probation Alcohol Treatment (PAT) program, in which persons on probation for DWI offenses received outpatient treatment, showed PAT graduates had 40 percent fewer DWI re-arrests and were only one-fifth as likely to violate probation as non-PAT offenders.' Research Institute on Addictions, 1996.
8. A national study showed reductions in criminal behavior and arrests after treatment. Selling drugs declined by 78 percent, shoplifting by 82 percent and assaults by 78 percent. U.S. Department of Health & Human Services, National Treatment Improvement Evaluation Study, 1997.
9. A California study concludes that regardless of treatment modality, reductions in criminal activity were substantial. A key factor in success was increased length of time in treatment. State of California Department of Alcohol and Drug Programs, Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report, April 1994.
10. 'Less than four percent of offenders who go through drug courts are re-arrested.' Vera Institute, Diverting Drug Offenders to Treatment: Year Three Report on DTAP Expansions, Spring, 1996.
11. 'Treatment Alternatives to Street Crime (TASC) reduces drug use and criminal activity. TASC offenders remain in treatment longer (6months or longer) with fewer clients returning to prison after one year than non-TASC offenders (29 percent vs. 52 percent).' American University's Drug Court Clearinghouse, 1997 Drug Court Survey Report, 1997.
12. 'Treatment is a great investment in the state's future. Each dollar invested in treatment save \$7 in other costs. In their day-to-day work, treatment agencies service as a bridge to help persons from dependence to independence, where they make vital contributions to the state's well-being.' John Coppola, Executive Director, Alcoholism and Substance Abuse Providers of New York State, September 24, 1999.
13. 'Results of OASAS analysis was based on admission and discharge forms for 58,846 patients who spent at least six months in treatment in 1997 and 1998 (or about 27 percent of all patients discharged during that period). It covered fur major program categories: Residential Drug-Free, Ambulatory Drug-Free (including Medically Supervised outpatient clinics), Alcoholism Outpatient Clinic and halfway houses. Results by area showed:
 - * Less Crime: Only about one-third of the patients were arrested before or during treatment, However:
 - * The number arrested fell from 18,633 to 5,513, down 72 percent.
 - * The number incarcerated fell from 15,052 to 3,520 down 77 percent.
 - * The average number of arrests per client fell in a range from 65 to 94 percent, depending on the type of program.
 - * Fewer Hospitalizations: The number of patients using inpatient hospital detoxification fell from 9,382 to 2,273 down 76 percent. The number of patients hospitalized for other reasons dropped from 4,237 to 2,267, down 46 percent. The number using emergency rooms fell from 5,440 to 3,294 down 39 percent.' Office of Alcoholism and Substance Abuse Services (OASAS), Albany, New York.
14. 'The good news is that when drug treatment is available in the Criminal Justice System, it works! The bad news is that it's usually not available.' David Lewis, M.D., Project Director for Physician leadership on National Drug Policy (PLNDP) and Director of the Center for Alcohol and Addiction Studies at Brown University.

"There is also almost unanimity that treatment programs, over the long haul, save money. Excerpts from a number of studies emphasize that point:

 1. 'Criminal-justice experts admit that such experimental programs (making probation an effective tool) do cost money particular the drug treatment. But they argue it's far less expensive than continuing to throw offenders in jail. The average cost of drug treatment per year is around \$3,000 compared to \$25,000 to incarcerate an

- individual.' Alexandra Marks, Christian Science Monitor.
2. 'Every dollar spent on treatment saves \$7 through reduced spending on health care, social services, the criminal justice system and lost productivity.' State of California Drug and Alcohol Drug Programs, Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report, April 1994.
 3. 'It is estimated that an economic benefit of \$68,000, in reduced crime, arrest, prosecution and incarceration costs, health care savings and potential earnings, will accrue during the first year after a treated inmate's release. If only 10 percent of our 1.2 million inmates involved with drug and alcohol abuse were successfully treated and trained, the economic benefit in the first year of work after release would be \$8.6 billion.' The National Center on Addictions and Substance Abuse at Columbia University, Press Release, CASA Study Shows Alcohol and Drugs Implicated in the Crimes and Incarceration of 80 percent of Men and Women in Prison, January 8, 1998.
 4. 'The state-financed Drug Treatment Alternatives-to-prison (DTAP) program in Brooklyn estimates that from 1990 to 1996, \$5.2 million in city and state corrects costs were saved by diverting felony drug offenders from prison to residential treatment. Some 64 percent of DTAP participants remain in treatment one year or more. Their re-arrest rate after one year is only 11 percent, compared with 26 percent for non-participants. Some 70 percent of DTAP graduates are employed.' King's County District Attorney's Drug Treatment Alternative-To-Prison Program, Seventh Annual Report, October 1997.
 5. 'Of babies born to women in the drug court program, the percentage of drug-free babies has substantially increased, resulting in considerable savings.' American University's Drug Court Clearing house, 1997 Drug Court Survey Report, 1997.
 6. 'A RAND Corporation study found that providing treatment to all addicts in the U.S., at a price tag of \$21 billion, would save more than \$150 billion in social costs over the next 15 years a sevenfold return on investment.' Moyers on Addiction PBS Online.
 7. 'During Fiscal Year 1998 2,622 probationers began participation in DTEF funded substance abuse treatment. 21 percent of these participants were mandatorily sentenced as provided by the Act. The other probationers qualified for treatment based on need provisions established by the Act. The percent of completions was 35.5 percent, of these 61.1 percent were considered successful completions. The average number of days in treatment for those who successfully completed the program was 94.1 of these 77.5 percent were drug free after treatment and 77.1 percent made co-payment contributions towards their treatment. The total cost savings of the program was \$2,563,062.00. This comes from a total prison savings of \$5,053,014.00 by diverting 551 adults from the state prison, minus \$306,399.00 in probation costs and minus \$2,183,553.00 for the DTEF program costs.' Arizona Drug Treatment and Education Fund Report, April 26, 1999.
 8. 'More good news: Treatment of substance abuse is very cost-effective for businesses, especially as an alternative to discharging the employee. Estimates of the money saved range from \$2.00 to \$10.00 for every \$1.00 spent on treatment. It is obvious to me that it is far more expensive to ignore the problem of substance abuse and addiction than it is to address it.' Fred D. Hafer, Chairman, President, and CEO of General Public Utilities Corporation.
 9. 'In Washington, a five-year study of people who received publicly funded substance abuse treatment found that medical expenses were cut in half for those who received treatment compared to those who did not receive treatment. The average cost of medical expenses for those who received treatment was \$4,500 per year compared to \$9,000 per year for those who did not receive treatment. Ohio realized savings of \$11 in health care costs for every \$1 spent on the prevention and treatment of substance abuse. Minnesota reported that 80 percent of substance abuse treatment costs were offset in the first year by reductions in medical and substance abuse hospitalizations, detoxification and arrests. A study of societal outcomes and cost savings in Oregon revealed that taxpayers save \$5.60 for every \$1 spent on those who complete treatment. The California Drug and Alcohol Treatment Assessment (CALDATA) found a 66 percent decline in criminal activity, a 40 percent decline in drug and alcohol use and a 33 percent decline in hospitalizations among those receiving substance abuse treatment. It further reported that every \$1 invested in treatment averaged a return of \$7.' Center for Substance Treatment (CSAT), Washington, D.C. fact sheet, February 1999.
 10. 'The National Treatment Improvement Evaluation Study (NTIES) found staggering reductions in crime: drug sales decreased by 78.2 percent, physical beatings by 77.6 percent and shoplifting by 81.6 percent. As a result, the proliferation of successful criminal justice programs involving (and often mandating) treatment, including drug courts, is steadily increasing the demand for treatment.' P.N. Samuels, J.D., Jenny Collier McColl, J.D., Legal Action Center, New York City. Moyers on Drugs, PBS.
 - * A foundation study by the State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division, January 2000, entitled 'Statewide Substance Abuse Treatment Plan' made the following observations about the situation in Hawai'i, focussing on those in the criminal justice system with drug and alcohol abuse problems:
 - * Criminal Justice Population: 70 percent of the people entering Hawai'i's criminal justice system have a substance abuse problem and 85 percent of the men and women incarcerated in our jails and prisons have a history of drug abuse.
 - * Supervised Release Population: Of the 600 offenders with supervised release status, approximately 70 percent (420 individuals) have a substance abuse problem. During FY 1999, 150 (25 percent) of the 600 offenders had their supervised release status revoked and of the 150 revocations, 120 (80 percent) were due to drug-related offenses. The difference or gap in services between those in need of treatment (420 individuals) and those actually enrolled (9 individuals or 2.1 percent of the total supervised release population) is 411 persons or 97.9 percent of the population in need.
 - * Intake Service Center: A division within the Department of Public Safety that is responsible for the supervised release program in which a pretrial offender who has been assessed and is not a flight risk or a danger to the community is released into the community pending trial or sentencing. This is an alternative to incarceration while simultaneously providing for enrollment and participation in substance abuse treatment.
 - * Probation Population: There are 15,500 probationers statewide under local supervision and 500 under federal supervision. Of the 16,000, 13,600 individuals (85

- percent) need substance abuse treatment and 1,063 (7.8 percent) actually received treatment leaving a gap of 12,537 probationers.
- * The Adult Probation Division provides pre-sentence investigation, supervision, treatment and other correctional services to those who are sentenced to court supervision, however, the probation officer to probationer staffing ratio is 1:180, which is more than double the ideal 1:70 rate.
 - * The Hawai'i Drug Court program is State and federally funded for diverted adult drug offenders. Drug Court services, were extended to 300 clients in September 1998. Services include drug testing, educational, and outpatient treatment to referred substance abuse offenders. Offenders appear regularly before the Drug Court judge who monitors progress in treatment, employment and family life. Offenders must submit to random urinalyses; positive results are dealt with immediately with progressively more serious sanctions.
 - * Incarcerated Population: There are 1,050 pre-trial/pre-sentence detainees (or 'jail' population) who are incarcerated for less than one year, and the 'prison' population of 3,234 incarcerated for a period exceeding one year. (The prison count includes 1,200 inmates transferred to out-of-state facilities.) Of the 1,050 in 'jail', 893 (85 percent) are in need of substance abuse treatment. With no treatment services available for this population, there is an unmet need for them. Of the 3,234 in prison, 2,749 (85 percent) are in need of substance abuse treatment. Of those in the prison population, 713 are receiving treatment services leaving a gap in services for 2,036 inmates in prison.
 - * Corrections Division: They provide technical and administrative support and assistance to all correctional institutions. Units with the Division provide substance abuse programming and education, therapeutic community programs and transitional therapeutic living services.
 - * Therapeutic Community Branch: Maintains treatment services for inmates who have substance abuse problems or are perpetrators of sexual abuse. Locations at Waiawa, Maui, Women's, Oahu and Kulani correction facilities manage substance abuse treatment programs. They review progress and make recommendations for transfer, further programming, placement on furlough, or parole.
 - * KASHBOX: A therapeutic treatment community at Waiawa Correctional Facility with 200 beds that provides substance abuse treatment for 9 to 15 months with treatment focusing on dealing with criminal thinking before addressing substance abuse problems. Program includes meetings, seminars, education sessions, encounter and therapy groups and work assignments. Program also operates at four correction facilities and serves about 180 inmates a year.
 - * Project Bridge: A 6-12 month program, at Laumaka Work Furlough center, that is expanding from 32 slots to 64 slots within a year. Ho'omana Therapeutic Community is a 6-12 month program that serves 14 females at the Women's Community Correction Center.
 - * Parole Population: Of the 1,350 individuals in the parolee population (excludes interstate transfers and revocations), approximately 1,148 (85.0 percent) are in need of substance abuse treatment. Approximately 65 individuals (4.6 percent) are enrolled in treatment leaving a gap of 1,083 individuals (94.3 percent). In this population, approximately 60 percent are employed either full or part-time and may be covered by health insurance; 30.0 percent receive workers compensation or public assistance and may be eligible for the Medicaid QUEST program.
 - * The Hawai'i Paroling Authority: is responsible for public safety and the reintegration of the offender. When an inmate is released, he or she is assigned to a parole officer on the basis of residence. The present parole officer to parolee staffing ration is 1:100, which is nearly 50 percent over the ideal. Through office visits, curfew checks and urinalyses, parole officers assess compliance with the terms and conditions of parole. If parole status is revoked, it does not necessarily mean that the parolee must then serve the rest of his or her maximum sentence incarcerated; it is more common for the parolee to be released on parole after a brief return to prison.
- "In January, 2000, Hawai'i's Department of Health, Alcohol and Drug Abuse Division released the following recommendations for action:
1. An inter-jurisdictional, integrated case management model (linking treatment services will all phases of the criminal justice system) needs to be implemented so that efficient, effective treatment is possible.
 2. Create a system of graduated intermediate sanctions of non-violent drug abusers. Additional resources in supervision and treatment services are critical.
 3. More residential beds and outpatient services are needed at each of the four phases of the criminal justice system: pretrial diversion, probation, incarceration, and parole.
 4. Screening, risk assessment, and treatment process needs to be improved. Processes need to be standardized.
 5. A comprehensive information system that cuts across agencies would be a tremendous device for tracking the offender's substance abuse treatment history and progress.
- "These recommendations mark what would be a significant start to meeting the challenge of prison overcrowding, drug-related crimes, and the misery suffered by the families of those so addicted. While this measure, presently before this body, has some merit, it is merely a very small step it what remains a tremendous challenge before the State of Hawai'i, and its legislators. We must be up to that challenge. Thank you, Mr. Speaker."
- Representative Marumoto then rose to speak in opposition to the measure, stating:
- "Most people in my Caucus are hoping for a privately built, privately constructed prison. But I don't share their optimism. I would like to quote from an editorial from the Honolulu Advertiser:
- Union concedes us a crumb on prison
- As you have just read in the above editorial, essentially nothing will emerge from this year's legislative session that the public worker unions opposed. Isn't a last minute agreement to adopt managed competition for operation of a proposed new prison on the Big Island an exception? Nope. Otherwise how would it have gained enthusiastic support of Gary Rodrigues, State Director of the United Public Workers whose members comprise most of the staff of the state's existing prisons.
- The agreement with UPW workers against private companies in bidding for a contract to operate the new prison. Supporters say it would open a new way for the State to get better services at less cost because the lowest bidder would get the work.

In fact, the bill is a face saving gesture, a crumb, tossed at the last moment to the Governor and his supporters to ease the pain of total defeat. We have no objection to managed competition which has worked well in other states and deserves a try here, but the details render the bill meaningless. It gives the UPW the inside track on bidding for the new prison contract by: allowing the union to help write the terms of the job; and allowing the union to review the cost breakdown of the bids from private companies. Under those conditions, we wonder whether private companies would bother.

Governor Ben Cayetano has conceded that managed competition might be acceptable in determining the operator of a new prison. But the bill being offered is managed competition in name only. In its present form Cayetano should veto it. If there is any positive news in all this, it's been some of the other ideas receiving enthusiastic discussion in this session. Especially, a new emphasis on treatment as a preference to mere warehousing of inmates. Next year should see those ideas crystallize and come to fruition.

"That is the editorial. It is my firm belief that corrections industry companies just don't build prisons unless they plan to operate them also. Why should they gamble on Hawai'i if they can get bogged down in our political jungle? The bill further kills any hope of the Governor to build a prison on the mainland. Now we all want the prison to be built here, but we can sure use the leverage or the threat of a mainland prison to get a better deal here. I hope I am proved wrong and I hope that we have a privately built, privately run prison here, but I just am not that optimistic. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2433, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Final Reading by a vote of 40 ayes to 2 noes, with Representatives Marumoto and Rath voting no and Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 135 and H.B. No. 2024, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 136 and H.B. No. 2407, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 137 and H.B. No. 3014, HD 1, SD 1, CD 1:

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, SD 1, CD

1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 138 and H.B. No. 2314, HD 1, SD 2, CD 1:

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 139 and H.B. No. 2222, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 42 ayes, with Representatives Ahu Isa, Hamakawa, Kahikina, Okamura, Saiki, Schatz, Stegmaier, Whalen and Yoshinaga being excused.

The Chair directed the Clerk to note that S.B. Nos. 2312, 2218, 2475, 2134, 2433 and H.B. Nos. 2024, 2407, 3014, 2314 and 2222 had passed Final Reading at 7:23 o'clock p.m.

Conf. Com. Rep. No. 140 and H.B. No. 2556, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2556, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I rise to speak in opposition to HB 2556, HD 1, SD 1, CD 1. This bill deals with safety inspection frequencies for regulated equipment. This law is unnecessary. It will increase costs to building owners and managers without reason, require the department to increase staff and raise the ceiling for the Boiler and Elevator Safety Revolving Fund. Before 1998, the Hawai'i Revised Statutes did not specify any inspection or re-inspection frequencies for boiler and elevators. These inspection frequencies were set by administrative rules.

"The Department of Labor maintained inspection frequencies, as recommended by the American Society of Mechanical Engineers, at every six months because the Department had no supporting data to do otherwise. These frequent inspections were unnecessary, especially for equipment that is well maintained, new and infrequently used.

"The Department now has the supporting data. They began a data base system called FOCUS in 1998 to compile inspection and accident data. The data supports the Department and the national data showing that annual inspections for elevators are more than sufficient.

"To mandate inspection frequencies at eight months for elevators without any rationale other than 'safety concern' is without foundation. Nearly all accidents occur not because of equipment failure, but because of misuse or lack of training about the proper use of equipment.

"Mr. Speaker, at this time, the Department has difficulty filling positions as it is. This bill will call for hiring more people. Even after these people are hired, individuals need to be trained and pass a National Qualified Elevator Inspector

Examination. Within the last five years, 50 percent of the candidates have not passed the first time and must retake the exam.

"The Department has undertaken a program of safety awareness and education for those at highest risk of injury, and partnered the affected industry groups to promote responsible use and care of the equipment. To enact this bill, rather than a yearly inspection schedule, as supported by the Department of Labor, means bigger government and greater cost to building owners and the public.

"For these reasons, Mr. Speaker, I stand in opposition and would encourage others to vote against this measure. Thank you."

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

"Your Conference Committee made some amendments to this bill to take into account the national standards promulgated for elevators and boilers. If you note, they are different for both the elevators and the boilers. It is eight months for elevators and kindred equipment and thirteen months for the boilers.

"We did this primarily to be in sync with the federal government and the federal standards so that our State can hopefully start to comply with some of these inspections on a more timely fashion given the resources that are available to them. I know someone had made mention about the current resources available. There is a revolving fund with about \$700,000 in the fund and currently there is no need to raise the cap, which is now at \$1.2 million.

"Should they be able to hire more employees and become more self-sufficient, I think that is a time that we can look at raising the cap for them. I think that as a previous speaker had mentioned, if only 50 percent of the potential employees are passing this test, I believe that this is to ensure that we will get the safety inspection that all of us are looking for, for these types of equipment. 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. 2556, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT," passed Final Reading by a vote of 44 ayes to 3 noes, with Representatives Halford, Meyer and Rath voting no and Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 141 and H.B. No. 2277, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2277, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Last year we passed a law outlining our vision as to how we wanted to see the Tobacco Settlement monies, received by our State, spent. Unlike many other states, we resisted the temptation then to use the monies to simply balance our budget. Instead, we put together a bill to ensure dedicated long-term funding for public health promotion and disease prevention.

"Specifically, we put 40 percent into a rainy day fund; 35 percent to the Department of Health for the Healthy Hawai'i Initiative, with 10 percent of that money going to our children's

health insurance program; and 25 percent to the Tobacco Prevention and Control Trust Fund. Many individuals contributed to the creation of that legislation that became Act 304. I was, and am very, proud to have played a role in the passing of that law.

"Mr. Speaker, I want to thank you for giving me the opportunity to manage that bill in Conference. Well, Mr. Speaker, this year with the ink barely dry on that bill the efforts were made to amend and change the course that we had set out on. Well intended as these efforts were, all the same, they have led us on a course that would drastically change the vision we had put into place.

"The funding I am referring to has been referred to as the Tobacco Settlement comes from a one time only source, the settlement from the class action lawsuits against the tobacco companies. This opportunity will never come again and will end soon. Therefore, we have an obligation to our children and our grandchildren to use this money as responsibly for as long as possible and to spend it as wisely as possible. Therefore, Mr. Speaker, as your Chair of the House Health Committee, I was compelled this year to introduce H.B. 2277 to further clarify and re-emphasize our vision set forth last session.

"The core of this bill clearly instructs the Executive Branch to not use these monies to supplant existing programs or services that have been funded with general funds in the past. As H.B. 2277 moved through this year's legislative process, many amendments were made to its original content and many additions were put into the Senate draft. One of the amendments that caused me great concern, was the request by the Tobacco Trust Fund Advisory Committee to be allowed to dip into the corpus of the 25 percent of the funds presently being deposited into a trust fund account.

"H.B. 2277 restates our Conference Draft, restates and clarifies our desire to see this account protected and allowed to grow. Hopefully, this account will grow to such a point that one day the interest earned on it will be sufficient to carry on with the programs this advisory committee has put into place in conjunction with the Department of Health, Healthy Hawai'i Initiative, which is where another 25 percent of the funds have been deposited. We must be strong today to allow for a perpetual source of funding to exist in the future. Also along the way many advocates of primary prevention and substance abuse programs convinced some of our colleagues in the Senate that the 25 percent presently being deposited with the Department of Health to fund the Healthy Hawai'i Initiative should be allocated by line item here in the Legislature.

"Again, Mr. Speaker, as much as I would like to dedicate or to dictate what I believe should be funded, the process we have put into place allows for it to be community driven and forces the Department of Health to listen to the nineteen member advisory committee that, as a result of our Conference Draft, will now include two legislative appointees."

At this time, Representative Garcia yielded his time to Representative Santiago.

Representative Santiago continued, stating:

"We must not allow the fund to fall victim to well meaning, short term needs that could change each year. My strong belief in staying the course that we have set forth last year, has resulted in some people accusing me of not supporting substance abuse and other primary prevention programs targeted in the Senate draft. Anyone who knows me or has ever worked with me knows that nothing could be further from the truth. If those programs, as spelled out by the Senate, are able to fit into the long range plans as developed by the two advisory committees, then they will be funded.

"Through our Committee Report we have given the Administration specific guidance on areas where preventive

programs are most needed and have proven most effective over the years. These programs will compliment the existing programs. The process allows programs to fit into a seamless array of services that are community driven and will enable us to achieve our vision. When we passed Act 304 last year, proclaiming our vision for the future through the use of the Tobacco Settlement Funds, it was an important moment.

"States across the country now cite Hawai'i as a model for funding health prevention measures. As we have done so often in the past, we've seized the opportunity to set a long-term goal whose attainment will make profound changes for the better in our lives. I for one again, Mr. Speaker, am very proud that we had the courage, in the face of a financial crunch as tight as we've ever faced, to designate and commit these monies to preserve and enhance our people's health for the future. I am concerned however, that we have had to reinforce our position again this year.

"We who believe in Hawai'i and the potential of each one of our people know that our vision is achievable. We can ensure permanent funding for the health prevention programs our people, and especially our children, deserve. It is ours if we just take a moment and commit ourselves to this vision, resist the temptation to fund quick, short-term fixes and, Mr. Speaker, stay the course. Thank you."

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

"I would really like the Journal to reflect that this bill and last year's bill, SB 1034 on the same subject, the Tobacco Settlement Fund, stand as a tribute to our outgoing Health Committee Chair. Like him, I am also hoping that this will stand as a legacy to the future. He could have easily gone out looking like Santa Claus, and providing a Christmas tree full of goodies with all the windfall monies from the settlement fund. But I think we all owe him a debt of gratitude because he did stay the course. Not only during Conference, but during the course of the session to consistently say that this Fund should not be frittered away.

"I mentioned earlier, when we were discussing the budget, how when we had surpluses, we tended to go to the trough without any sense of policy, direction or any vision. I think because of our Health Committee Chair's really long-term vision, we can look at this Fund as something that will perpetually work for the people of Hawai'i in the area of health and especially the children in terms of prevention.

"So I also hope that even though our Health Committee Chair will not be here, and I know we are going to miss him very dearly, that we can remind ourselves and let his words echo throughout the years as we continue to look at how we can best utilize these funds for the benefit of people and look at it as an investment and allow it to grow and continue to serve the people. Thank you, Mr. Speaker."

Representative Lee then rose in support of the measure, and asked that the remarks of Representatives Arakaki and Santiago be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2277, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 142 and H.B. No. 139, HD 1, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 139, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I just think that the percentage for the residency requirement is arbitrary."

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

"This bill is just so obviously a protectionist kind of a bill. Like the Representative from Kapolei said, it's arbitrary. It's 85 percent of the people who work for the company have to be residents. I just think we are going the wrong way. Competition is good and I don't think we should always be looking to build fences around to protect everybody here. We have to be open to competition and how people are doing things in the rest of the world. We can compete. We're good, we have good people here and we don't have to do this. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 139, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL CONSTRUCTION," passed Final Reading by a vote of 29 ayes to 18 noes, with Representatives Auwae, Catalani, Fox, Halford, Lee, Leong, Luke, Marumoto, Meyer, Morihara, Morita, Nakasone, Pendleton, Rath, Schatz, Suzuki, Thielen and Yamane voting no and Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 143 and H.B. No. 2392, HD 2, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2392, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Kawakami's remarks are as follows:

"This measure is long overdue. I am pleased that this disease will now be covered under primary health insurance policies. Specifically, out-patient self-management training, education, equipment, and supplies will be reimbursable as the thrust is to mitigate future complications through early preventive measures.

"Beyond the staggering costs to our health care system, the loss of once productive individuals hurts our communities even more. If we can treat diabetes effectively in the early stages, we can avoid the loss of limbs, sight, and ultimately lives. This is why I so strongly support this measure. Thank you, Mr. Speaker."

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

"If I could briefly read from the Committee Report. 'Your Committee on Conference finds that in 1996, the cost of care attributable to diabetes in Hawai'i was \$600 million.' We have taxed, General Excise tax, \$24 million. We have taken from the victims of diabetes and escalated the cost of their care by \$24 million in that one year. 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. 2392, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

HEALTH," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 144 and H.B. No. 1873, HD 2, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1873, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Thank you, Mr. Speaker.

"Mr. Speaker, this bill is the last of the three major pieces of legislation from the Superintendent. We passed earlier the educational accountability bill and educational authority bill.

"Now we have this fiscal authority bill. This bill is aimed at increasing the resource base for our public schools. It does so by allowing the DOE to: 1) retain all of its federal impact aid, federal Department of Defense funds, and indirect overhead reimbursements; 2) retain the full amount of the general fund offset created by increased external funding; 3) establish a federal grants search, development and applications revolving fund; and 4) approve trust fund expenditures in excess of the amount appropriated, but limited to the amount of revenue collected. In other words, this bill allows our education system to grow its resources by making external funding truly additive to its base budget.

"Mr. Speaker, this bill mandates that all federal impact aid and Department of Defense funds be expended solely for education is a measure that has been long overdue. Currently, all federal impact aid funds are returned to the general fund for statewide use. Without the assurance from the state that all impact aid funds will remain with the Department of Education without a general fund offset has made more arguing for increased impact aid appropriations for Hawai'i very difficult to justify by our congressional delegation. This bill will enable the Department to fund programs and initiatives that will make noticeable differences in approving and supporting teachers and schools to focus on academic and learning opportunities for all students in all public schools of Hawai'i.

"Mr. Speaker, the Grants Search, Development and Application Revolving Fund will enhance greatly the Department's capability to search for and secure additional grants to develop new program applications. The Department will be able to search for discretionary grants from the federal government as well as private resources. It can also retain the staff to submit proposals in a timely manner for grants that are applicable to the Department's direction on school based reform issues and for programs that are innovative and on the 'cutting edge.'

"Expanding the Department's authority over trust funds will assist its efforts to expand its educational partnership with businesses and civic groups. Currently, trust fund ceilings limit the ability of expenditures unless the Department goes through a lengthy process of obtaining Governor's approval. By giving the Department authority to approve expenditures in excess of appropriation will enable the Department to expend funds in a timely manner and actively solicit partnerships.

"Mr. Speaker, support for this measure has been expressed by many, including the Hawai'i State Teachers Association, the Hawai'i Business Roundtable, the Chamber of Commerce, and the Governor's office through its Director of Budget and Finance. I urge my colleagues to support this bill. 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. 1873, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 145 and H.B. No. 2280, HD 2, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2280, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Ito's remarks are as follows:

"Mr. Speaker, the purpose of this measure is to continue the development of the school-to-work system which has over the past 5 years, helped provide many of Hawai'i's youths with the skills they will need to be productive members of our workforce.

"The 'seed' money provided by the school-to-work opportunities act of 1994, will run out this year and this measure appropriates money to keep this important program going.

"Mr. Speaker, I also support the amendment made to the bill that keeps the program within the DOE for administrative purposes. All parties involved agree to this language and I am going to support it as well. Thank you, Mr. Speaker."

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

"This is a federal program that wasn't working and the State should not extend it. They should just drop it. 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. 2280, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Fox and Rath voting no and Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 146 and H.B. No. 2458, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2458, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

Representative Thielen continued, stating:

"Mr. Speaker this is just one more bill that is going to weaken the Employees' Retirement System Fund."

Representative Thielen's remarks are as follows:

"I opposed HB 2458 when we voted on the bill at First Crossover because it was yet another attack on the asset base and fiscal integrity of the ERS.

"Although the conference draft of HB 2458 is an improvement over the earlier version, I want to clarify my ongoing concerns with this bill.

"In order to understand this bill, a brief history is in order. The 1995 Early Retirement Incentive program was enacted by the Legislature on the assumption that it would save the State millions of dollars. Part of the law required that the actuarial

cost of advancing such financing would be repaid over 5 years. This bill, H.B. 2458, SD 1, CD 1, seeks to allow the State and counties to extend their obligation period to 19 years.

"Although H.B. 2458, SD 1, CD1 no longer attempts to commingle the State's responsibility under this bill (unlike the earlier version) with the State's overall unfunded liability, it will still increase the risk to the ERS and the retirees and beneficiaries that depend on it. Anytime you increase the period of time that an unfunded liability exists, you increase the risk to the system.

"In addition, H.B. 2458, SD 1, CD 1 will decrease employer contributions over the short term, but increase the absolute accumulated contributions over the term of the extension.

"It's analogous to having a loan of five years and refinancing the term to 19 years. The result is a lower periodic payment, but increased overall payments over the course of the term. So what are we gaining short-term will end up costing us more over the 19 years in absolute dollars--absolute taxpayer dollars.

"While it may be argued that the additional money gained in the first two years as a result of this bill may be used to fund necessary state programs, as a legislative strategy it is still wrong to use ERS funds to balance the budget. The ERS must stop being perceived by the Legislature as a cash cow to cover up the lack of courage to make hard financial decisions. Because of these reasons, I am voting no on H.B. 2458, SD 1, CD 1. Thank you, Mr. Speaker."

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

"This extends the liability from five years to nineteen years to fund existing programs. The total cost of that extension in the increased interest is \$27 million and that is my reason for opposition. 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. 2458, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 43 ayes to 4 noes, with Representatives Halford, Meyer, Rath and Thielen voting no and Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 147 and H.B. No. 1994, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1994, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 148 and H.B. No. 2801, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2801, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 149 and H.B. No. 2802, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2802, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Souki, Whalen and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. Nos. 2556, 2277, 139, 2392, 1873, 2280, 2458, 1994, 2801 and 2802 had passed Final Reading at 7:49 o'clock p.m.

Conf. Com. Rep. No. 150 and H.B. No. 2151, HD 1, SD 1, CD 1:

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 151 and H.B. No. 1759, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1759, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"This is a very important bill and I am in strong support. This has to do with a traffic enforcement demonstration project. This was to be a three year pilot program using photo radar technology. I worked very hard to get the original bill passed, which was enabling legislation to create the pilot program. I kept calling the Department of Transportation to find out what was happening and this bill pretty much answers it.

"There was some wording problems and I was reminded this morning when I got a call from a reporter from the Star-Bulletin because we had a very serious accident in Kaaawa, which is in the district that I represent, which closed the highway. That was one of the reasons why I was such a strong advocate for this photo radar project. I was hoping that we would get a van in our district with the imaging equipment on the roof, which would take the place of quite a number of police officers and would act as a deterrent for people speeding on that very dangerous, two-lane highway.

"So, it gives me a lot of pleasure to see that we are finally moving and this bill talks about funding this program within the next six months. This is very good news for the people in my district and to myself. Thank you, Mr. Speaker."

At 7:58 o'clock p.m., Representative Marumoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:02 o'clock p.m.

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

"I did have a concern about this photo enforcement. It would be an awesome money making machine because I see the photo enforcement ticketing people at about 2 per second or some incredible speed. But my understanding is that if you do get ticketed through this method, traditionally, your insurance will go up precipitously. I think that it is going to be quite punitive financially on a lot of people.

"Of course, you don't want speeders, so this will be a real check on speeders, but I see that people's insurance will go up precipitously. It's not so bad getting a ticket and paying for the ticket, but sometimes you have insurance on several cars and

your rates will go up for three years. Because I feel it's overly punitive and very expensive for our drivers, please allow me to cast a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1759, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Final Reading by a vote of 44 ayes to 2 noes, with Representatives Marumoto and Rath voting no and Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 152 and H.B. No. 2835, HD 2, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2835, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED PROTECTION," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 153 and H.B. No. 2062, HD 2, SD 1, CD 2:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2062, HD 2, SD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 154 and H.B. No. 3016, HD 1, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 3016, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Medical assistance for people on limited incomes who have terminal or life threatening illnesses is a program that we plan to support. I agree with that, but I just want to comment that the need to support them is exacerbated by the tax on medical services. 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. 3016, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 155 and H.B. No. 645, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 645, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I rise to speak in favor of House Bill 645, SD 2, CD 1, relating to veterans rights and benefits. This bill will help reduce financial hardship for families of deceased World War II Filipino veterans.

"World War II Filipino veterans fiercely fought for freedom and democracy alongside their American comrades-in-arms, facing the same dangers, fighting the same battles and making the same sacrifices. Unfortunately, Mr. Speaker, World War II

Filipino veterans do not enjoy the same burial privileges as their fellow American veterans and members of our allied forces.

"Veterans of our allied forces may be buried in our national or state veterans cemeteries. However, in 1946 federal law excluded a number of Filipino veterans. This federal law mandates that only those who joined the Philippine Scouts before October 6, 1945, currently have the right to be buried in veterans cemeteries.

"While a bill is now pending in Congress to repeal this federal law and restore the rights of other Filipino veterans, several of the Filipino veterans excluded under the 1946 federal law are now faced with hardships, even after their death. As of this date, there are eight pending cases in which families of the deceased veterans are waiting for burial reimbursement under this bill.

"In the meantime, Mr. Speaker, the bereaved families or friends of these veterans must pay for all funerals and related expenses up front and wait for reimbursement. Unfortunately, many do not have the financial means to pay for these costs in advance, and thus are forced to seek short-term loans with high interest rates. There were occasions in the past, Mr. Speaker, where the bodies of deceased veterans have to 'sit on ice', so to speak - often for weeks until the necessary funds are raised.

"House Bill 645, SD 2, CD 1 will ensure that World War II Filipino Veterans will not have to wait to receive honorable and proper burial that they deserve. Our Filipino Veterans, who are now well into the twilight of their years, would be honored by the passage of this bill.

"I would like to take this opportunity to show my appreciation to leadership, particularly you, Mr. Speaker, and the Senate President Norman Mizuguchi for your help while funding was being jeopardized. I would also like to thank committee chairs Representative Garcia and Sen. Kawamoto; Filipino legislators of this House, Representatives Abinsay, Espero, Menor, Pendleton and my brother Representative Herkes, and I guess you're laughing, he was born in the Philippines. And also the help of my good friend, Representative Ezra Kanoho.

"I also thank all members of the House and Senate for your sensitivity, hopefully voting for the passage of this bill. I assure you that the Filipino-American community, particularly the Filipino veterans and their relatives, owe all of you their gratitude.

"For these reasons, I urge all the members to please support this bill."

Representative Abinsay then rose in support of the measure, and asked that the remarks of Representative Cachola be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"As a proud member of the First Philippine Infantry Regiment of the VFW, I have to say that there is no doubt that these people deserve this benefit and right. So I would like to show my support. Thank you."

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

"It is important that we recognize and understand that the Filipino Veterans were significant partners of ours in World War II. In 1942, when General McArthur left the shores of the Philippines, he promised, 'I shall return.' The cost of fulfilling General McArthur's promise was dramatically reduced by our Filipino partners in that war. I think it is a small token of our

appreciation to spend and provide this small amount for their benefit. 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. 645, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 156 and H.B. No. 2023, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2023, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"I remember when we heard this bill in Committee and the Department of Taxation opposed it because they said there were going to be tax losses to the State. I wasn't sure that I understood it so I asked one of the testifiers to come to the table so that I could ask him some questions.

"I said, 'As I understand this, there is a prolonged drought. I believe it was up in Kula, Upcountry Maui. Because of that drought the cattle were dying off. And so the ranchers were having to lay off cowboys because there is no cattle to sell and they can't sustain them. The farmers can't grow crops because there is no water, and they can't hire people to harvest the crops and so the farmers are losing money. Because these people aren't being employed they can't take care of their families.' He said, 'That's right.'

"I said, 'Now as I understand it, this tax credit is going to make it economically feasible to go out and build water reservoirs.' He said, 'Yeah.' So I asked him, 'Then when you get the money and you hire a contractor that would be new work for that contractor isn't it?' He said, 'Yeah.' 'And that contractor is going to be paying taxes. Then he can hire people to work that job. Those people are going to be supporting their families and they are going to be buying groceries and paying taxes. The person selling the bricks, the pipe and the electricity that's new business for them isn't it?' And he responded, 'Well, yeah.'

"So I said, 'So suddenly, there is a whole lot of people working building this reservoir and they're all paying taxes?' And, he said, 'Well that's right.' So I continued, 'Well after this reservoir is built and you got this water, then suddenly you can feed all of the cattle. There is more cattle and they hire ranchers who sell the cattle and the ranchers make money and the cowboys are supporting their families. The farmer's crops grow and they hire people to harvest those crops. Now the farmers are happy and the State is happy and everybody wins.' He said, 'Yeah that's right.' So I asked him, 'Well then what am I missing?' He said, 'You're not missing anything.'

"You know, Speaker, that sounds exactly like SB 2409, the hotel renovation tax credit bill. That's an exact duplicate of that bill. Maybe what we ought to do is call hotel rooms 'tax reservoirs'. Thank you."

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

Representative Abinsay's remarks are as follows:

"Mr. Speaker, I rise to speak in strong support of Standing Committee Report No. 156, House Bill No. 2023, HD 2, SD 2, CD 1 -- Relating to Agriculture Infrastructure Tax Credit and Drought Mitigating Water Storage Facility Tax Credit.

"Mr. Speaker and members of the House, the phasing out of sugar operations has provided an opportunity for the expansion of diversified agriculture on former sugar lands with an already valuable infrastructure support systems in place such as roads, irrigation ditches, and drainage systems. At today's high cost, these systems would be impossible to build.

"H.B. 2023, HD 2, SD 2, CD 1 has a dual purpose. One is to provide a tax credit equal to 10 percent for any improvements made over \$200,000 on agricultural infrastructures. Secondly, it gives a tax credit of also 10 percent of the cost of construction of a new water storage system, and reconstruction or repair of existing water storage facilities.

"Agricultural operation cannot thrive without an adequate and steady supply of water. In prolonged droughts, which occur regularly on all islands, farmers and ranchers experience declines in production and consequently, economic losses.

"Mr. Speaker, what we are trying to accomplish here is to find ways to preserve valuable agricultural infrastructures, which I am convinced is vital to the continuing development and expansion of diversified agriculture in Hawai'i.

"With the availability of these incentive tax credits, private owners and investors would be encouraged to build or improve these infrastructures. These agricultural assets will serve to benefit Hawai'i's agriculture industry for the long term. Therefore, Mr. Speaker and members of the House, I am asking you to please support passage of HB 2023, HD 2, SD 2, CD 1 for Final Reading. 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. 2023, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INFRASTRUCTURE," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 157 and H.B. No. 2793, HD 1, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 2793, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 158 and H.B. No. 1956, HD 1, SD 2, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1956, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

Conf. Com. Rep. No. 159 and H.B. No. 1969, HD 2, SD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and H.B. No. 1969, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed Final Reading by a vote of 46 ayes, with Representatives Kahikina, Okamura, Souki, Whalen and Yoshinaga being excused.

The Chair directed the Clerk to note that H.B. Nos. 2151, 1759, 2835, 2062, 3016, 645, 2023, 2793, 1956 and 1969 had passed Final Reading at 8:14 o'clock p.m.

Conf. Com. Rep. No. 160 and H.B. No. 1632, HD 3, SD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 1632, HD 3, SD 1, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"Mr. Speaker, the purpose of this bill comes in two parts. First, it calls for appropriation of funds to finance the major sugar cane operation on the Island of Kauai. And second, it appropriates funds to control the papaya ringspot virus from the Island of Hawai'i, which we hope, Mr. Speaker, would eventually lead to the eradication of the virus.

"First, Mr. Speaker and members of the House, despite the phasing out of sugar plantations in the State, the sugar cane industry is still a vital component of Kauai's economic foundation. However, its operation is struggling to survive and it is in urgent need of financial support from the State in order to continue to survive.

"This measure is one of economic development as it is agriculture because if we don't act and allow the sugar plantation operation on Kauai to shutdown, one can only imagine the impact it would create on the island and its economy. It is estimated that if sugar plantation operations on Kauai were to close, it would cost the State directly in the range of about \$4.7 million to \$8.8 million for the first year alone, with as many as 700 employees who would lose their jobs as a result.

"Mr. Speaker and members, it is important that we provide immediate financial assistance to the sugar operations on Kauai to maintain its viability and prevent the adverse effect on families caused by loss of jobs and income.

"Secondly, Mr. Speaker and members, the papaya ringspot virus or PRV has greatly impacted the papaya industry on the Island of Hawai'i. While the genetically engineered papaya is allowed entry into the Asian markets, most particularly in Japan, most consumers do not favor these products. Therefore, the State of Hawai'i must take a strong lead to control and eventually eradicate the virus and restore the Kapoho solo papaya variety.

"The restoration of this type of papaya would be achieved by severely reducing or eradicating the PRV. However, this monumental task is possible only through a cooperative effort between the industry, the farmers, the landowners and the State.

"Mr. Speaker, I have personally attended two meetings in Hilo and Keaau where discussions among these groups were conducted on this issue. This is a first big step and the result has been very, very positive. The majority feels that action must be taken to ensure that Hawai'i papaya, particularly the Kapoho solo variety, recovers its share of local and foreign markets.

"Mr. Speaker and members, House Bill 1632, HD 3, SD 1, CD 1, is a very important measure, both from the economic development perspective as well as for the benefit of agriculture. Thank you, Mr. Speaker."

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

"No words could possibly describe how important and critical this measure is to Kauai's overall economy and the contingent employment of about 750 workers. Essentially the

\$5 million loan will enable Gay and Robinson's Olokele Sugar Company to plant on State lands presently utilized by Kekaha Sugar, an Amfac subsidiary.

"To address some of the concerns expressed by members, I would like to offer the following. There will be sufficient collateral, primarily the value of the cane, that would far exceed the loan amount, thereby insuring a payback. Gay and Robinson have demonstrated, beyond any question, through the Robinson family, its commitment to Kauai and its people. Olokele Sugar in partnership with Worldwide Energy Group, will be proceeding with the construction of an ethanol plant. We have already passed legislation in SCR 11 earlier today.

"This Senate Concurrent Resolution authorizes the \$50 million special purpose revenue bond. In connection with that activity, we also approved an ethanol investment tax credit. Upon expiration of Olokele's contract with C&H for the processing of sugar, they will be doing it on their own. It is no exaggeration that this bill is critically important to Kauai. Thank you."

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

"This seems like *deja vu*. About 10 years ago, the Legislature also made a loan to Hamakua, I can't remember exactly what the amount was, around \$8 million. Of course, Hamakua closed and there was quite a lot of land involved and the State was the recipient of some of that land in lieu of getting their money back. I am somewhat concerned with Gay and Robinson planting this crop on land that they don't own. It may be too optimistic to think that the crop will be worth enough to cover the loan because of the volatile price of sugar, and the world market causing sugar to be planted at a far less cost in other parts of the world.

"I certainly hope everything will work out, but I feel a responsibility, I think we all have a great responsibility, for using our tax dollars, and we certainly don't want to see this go under. Thank you, Mr. Speaker."

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

"I wanted to respond to the previous speaker's comments. In the Hamakua Sugar situation, clearly the collateral was the key to protect the State's interest. I believe that in this situation, also, the Board of Agriculture will not move forward unless it secures adequate collateral to protect the State's interest. But I wanted to talk beyond that because in the Hamakua Sugar situation, bankruptcy was a result and that is the worst case scenario.

"Hopefully, in this case, it will not get to that point. But what you are getting in terms of investing in this is a transitional period. Should the worst case scenario occur, and I think that there are indications to think that it won't occur, but should the worst case scenario occur, the community has an opportunity to transition. You won't have the impact in terms of welfare and you won't have the impact in terms of adverse unemployment insurance cost.

"All of this is an additional cost to the State that we would have to address should the worst case scenario occur. Therefore, I think, in this case, that this is an investment. Hopefully, creating some hope that you can avoid that. But if not, the smoother transition will not only provide economic benefits, but hopefully not have any crushing blows to working families and the community. 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. 1632, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 49 yeas, with Representatives Okamura and Whalen being excused.

Conf. Com. Rep. No. 161 and H.B. No. 2901, HD 2, SD 2, CD 1:

Representative Case moved that the report of the Committee be adopted and H.B. No. 2901, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Yonamine.

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

"The opening of this bill, HB 2901, says that the new economy is an economy where risk, uncertainty, and constant change are the rule rather than the exception. Those are pretty terrifying words to a status quo Majority aren't they, Mr. Speaker. But fortunately, this bill devises a strategy to keep the old economy basically on top of things. That old economy is one in which the government is in charge and where the government wraps its friendly embrace around every new idea, and basically smothers it.

"This bill does it two ways. First, through government tax credits that get all this new business saying, 'Thank you Mr. Governor.' And the second way is by creating a new government authority. I want to speak a little bit to that second point.

"First, we're going to increase the powers of something we already have in law called the Governor's Special Advisory Council for Technology Development. It's not going to be subject to the requirements regarding the selection in terms of members of the board or commissions that limit most boards and commissions.

"Second, it's going to be able to develop and establish its own ethics and conflict of interest guidelines. That's putting the 'fox in charge of the hen house', if I may refer to something I seldom refer to. And third, it is exempt from the financial disclosure requirements provided that council members aren't otherwise subject to a sub-section so they are free of financial disclosure requirements.

"Mr. Speaker, we're setting up a group that probably could very comfortably sit down in the Hemmeter Center and feel right at home. They get additional powers because these are brought to the group through the expanded powers of a High Technology Development Corporation, which I am afraid this Legislature has only postponed for being under the direct thumb of the new czar of technology, Mr. Blanco. But you know we can see that coming in the next phase.

"Okay, so what does the High Tech Development Corporation get? It gets additional authority to develop and encourage industrial parks, including participating with the private sector in such development. Second, it gets to promote the expenditure of funds for protocol purposes at the discretion of the board. This is a very important power. This essentially allows the group to spend money any way it wants to. If you have the right to spend money for protocol purposes, that allows you to procure country club memberships, to do all entertaining at all levels that you want to do. It can be all justified in the name of protocol purposes.

"Third, it is allowed to consent to the modification with respect to rate of interest, time of payment of any installment of principal or interest of any other terms or any contract or agreement of any kind to which the Corporation is a party. That gives you a sense of the overriding power this group has. Even to override contracts that are already signed.

"And finally, it is exempt from the standards of procurement that we have adopted to control the leasing of contracts. Again, a set of powers well suited to a nice set of offices set up in the Hemmeter Center.

"Mr. Speaker, I am afraid that I'm not alone in thinking that this kind of approach is not the way to nurture high technology. I would like to quote from one of the people we have in Hawai'i who is struggling in the high tech business.

"Toru Ko, President of Ad Tech Inc., wrote in the paper yesterday: 'Hawai'i currently ranks 42nd in the United States for high tech jobs. We have a long way to go before our State becomes the preferred destination for high technology. We would need to vastly improve our public schools and University system; reduce the burdensome cost and taxes incurred by local companies and develop a culture of progress, innovation and risk taking.' By the way, all of these changes would be constructive improvements and should be encouraged and not feared. Thank you, Mr. Speaker."

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

"We have been in a 10 year or so recession and many people have lost their jobs or have had to move away, close their business, filed bankruptcy or had their businesses foreclosed on. It's been a depression. This body really didn't understand how the old economy worked. I can't fathom how they think they are going to deal with a new economy in high tech. As the previous speaker pointed out, we are ill-equipped to deal with this because we haven't got a good track record and we are taxing people to death. We're burdening government with enormous regulations.

"So, once we figure out that maybe we ought to engage in entrepreneurial activity or free enterprise to educate our children and open up the door of competition, believe me the new economy will emerge, but no government program is going to do it for you. Thank you, Mr. Speaker."

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

"Let me start by quoting from the State New Economy Index: 'Today a new economy is clearly emerging. It is a knowledge and idea based economy where the keys to wealth and job creation are the extent to which ideas, innovation and technology are embedded in all sectors of the economy. Policies that promote technological innovation and improve education can boost the State's innovative capacity and create a more dynamic and productive workforce.'

"That is the premise of everything that we have tried here not only in this bill, but in the budget bill. We have setup a progressive tax structure, one of the more progressive tax structures in the country for technology industries. The new economy is about change. It's not only addressed in this bill. It is addressed in many ways, in many bills that we have here before us that are about change. It empowers the High Technology Development Corporation because we need a unit that is able to move and move quickly.

"The protocol funds that were spoken about, those are things that the University of Hawai'i powers have as well as developing parks. Those are powers that were vested in the Corporation before we did this bill. What we did was add the ability to work with the private sector because that is what we need to do. We encourage without mandating the ERS and individuals to invest in venture capital. Along with appropriations within the budget, which are about \$3 to \$4

million for higher education in the areas that we need to advance this economy.

"We also add into this bill E-Academy money for expansion of that program as well and the laptop program we have added. We also provide the HTA and HTDC to do cooperative marketing efforts and that is something that they are already doing. Many of these proposals in here came from the private sector. Derrick Hoak is one of the people that we have been working with very closely in the private sector to form some of these changes and we have been taking their advice. BIO, which is a national industry organization that had a conference in Boston most recently, is one of the promoters of these types. We took their ideas.

"Mr. Speaker, you have asked us to search far and wide for ideas and we have done that. The idea for royalty exemptions came from Ireland, and the net operating losses came from New Jersey. It is hard to believe that this Legislature is actually on the cutting edge of anything, but we are on the cutting edge of technology as far as legislation is concerned. That doesn't mean to say that we don't have problems and obstacles to overcome. But those obstacles are things that we have inherent in us. We are not a big place, but we do have a special niche that we can fill in this new economy.

"With this bill, I think, it just opens the door to that special niche. We are trying to define a new base of economy not just expand opportunities for business. But this could be a new base because like agriculture and tourism, if we can establish this base in any form, then we can be successful. It provides new opportunities for our students and our children. Not just new opportunities, but new educated opportunities that provide good paying quality jobs and that's what this effort is about.

"All we can do is do our best as legislators to create an environment that encourages this new economy that encourages technology. I think we have stepped forward with this proposal. One of the ideas in working with HTA, in fact, is to bring one of the leading edge conference, the BIO Conference, to Hawai'i. The BIO 2000 Conference had 8000 attendees in Boston and is expecting to come to Hawai'i with an attendance of 20,000. At that time, we hope we can make an impression on them. The global economy, the new economy, whatever you want to call it, whatever has been in the press is a worldwide economy and it is happening. The only question is whether Hawai'i can be a part of it. I am proud to say that we are taking steps to being a strong part of that economy. Thank you, Mr. Speaker."

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

"There were two questions that was asked earlier and the first question was: What are we doing about reducing taxes? This bill does exactly that. It reduces taxes and provides tax credits for high tech companies. What are we doing about improving workforce development to make sure that our kids are educated in the high tech industry? This bill does exactly that. It provides funding in E-Academies, the University system and it provides funding for our Department of Education.

"Currently, we have a partnership with Cisco Systems which educates about 670 students statewide and trains them in the high tech industry. To think that we can expand on that and to make sure that we decrease the digital divide so that kids who cannot afford a laptop can get a laptop, high tech education and training is an exciting concept. We, as government, can just sit back and let the private sector do what they need to do and just wish that it would happen, or we can take an aggressive approach and do something about it. Thank you."

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

"This bill is a great bill. This bill is going to take Hawai'i into the future. This bill is setting the path for the next 100 years. It gives us hope. It gives our children hope and I guess, Mr. Speaker, when you are not part of the solution it is easy to criticize this bill. Thank you."

Representative Rath then rose to speak in rebuttal, stating:

"I happen to trust the private sector a lot more than I trust government initiatives. I would like to point out something to you. Almost everybody I know, and I am sure everybody that you know, has a personal computer, e-mail and use them in their homes. Most people have cell phones and all these gadgets of the new technology. There is no government program that caused that revolution, that caused everybody to buy a personal computer, to get on the web and the like. It was because it was the technology of the day, that it was there and we all went out and we bought it.

"Business is the same way. Business people aren't stupid, they look around and they see how you treat the people who are here and who have been here all their lives and vested, worked, slaved and started businesses and we're taxing them to death. If that's how you treat the people who were born and raised here and have a lifetime vested in Hawai'i, they know darn well they won't stand a chance if they come over here and invest their capital.

"So what we have to look at is treating the people who are already here, who have put a lifetime of service into this State -- individuals who have vested, worked, slaved in small stores, entrepreneurial activity and small businesses -- and when we serve those people, the taxpayers, the residents, and the citizens, then other people will say, 'Hey you know, those guys, they treat their people well. They treat their taxpayers and citizens well. I want to do business there because that's where the quality of life is. They educate them. They don't tax them. They respect and treat them well.'

"That's how we are judged. Not by new fangled, new economy rhetoric and tax breaks for individual industries. Business people aren't stupid, Mr. Speaker, and that's what they look at. That's what the world is looking at in Hawai'i. That's why Forbes calls us the 'People's Republic.' That's why business magazines mock us for our socialist type of tendencies.

"So if you want to get on to the new economy and the Majority is really serious about it, let's look at treating the people who live here now, the way we say we're going to treat the people who may come with money. Thank you."

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

"First of all, I want to stand on the floor here and repeat two things that I heard my colleagues say, because I just want to be able to say them myself and before the Legislature ends. First, this is a 'cutting edge' bill. Second, this is a great bill. It feels really good to say both of those things.

"Let me talk about the process by which this bill and related bills in the New Economy Package came about. I've spoken about process twice on other bills today: once on the Community Fireworks Coalition and its contribution to the fireworks solution; and once on the educational reform efforts where, basically, we reached out to the Senate and the private sector and the educational community to arrive at good solid solutions. It is no accident then in the case of fireworks and in the case of the educational reform package, that although those were highly difficult efforts, the result was one in which I think we can justifiably be proud. That is because we were inclusive. That is because we got away from these old cliches about House versus Senate, Legislature verses Governor, government verses private sector, what Party you are in, and any number of

other divisions that have existed in our society. In both of those prior cases, those divisions fell away.

"The same was true with the development of the New Economy bill. This bill came about because we did not worry about any of this stuff. We just sat down and got it done. Nobody we worked with in the private sector was worried about whether they were Republicans or Democrats. Nobody was worried about getting credit between the House, Senate, Governor, or the private sector or anybody else in the world. We just wanted to get the job done. It is no accident that we are standing here today justifiably proud of this bill and the package that we have put together. That doesn't happen by accident and that's illustrative of what we are going to need to do as we go into the future and tackle some of the other tough bills. If we can get away from the divisions with those, I think we will have just as good a result. Thank you, Mr. Speaker.

"Mr. Speaker, if I may be given leave, I have some additional remarks that I would like inserted into the Journal," and the Chair "so ordered."

Representative Case's additional remarks are as follows:

"Our state's economy, Mr. Speaker, is undergoing the same transformation as the rest of the nation, and indeed, the world. The New Economy, described by the Progressive Policy Institute as 'a knowledge and idea-based economy where the keys to job creation and higher standards of living are innovative ideas and technology imbedded in services and manufactured products.' PPI goes on to say that 'while economic reality is fundamentally changing, much of our public policy framework remains rooted in the past.'

"Mr. Speaker, I agree with PPI that Hawai'i's public policy framework remains rooted in assumptions about economic activity which can no longer be justified. I believe, Mr. Speaker, that our collective mission is to change that framework to accelerate rather than obstruct the New Economy's fruition here. We have such an opportunity here. Hawai'i's global orientation, education infrastructure and workforce skills position our state for full participation in new economic activity. Yet, our government, tax, regulatory and personnel systems are antiquated, venture capital is virtually nonexistent, and the necessary synergy between education and economic vitality has not emerged. We cannot afford to miss this wave.

"Our efforts commenced with enactment last year of Act 178, which provided a broad range of incentives for further development of our nascent high technology industry. I urge my colleagues to continue along this path and support HB 2901, which provides a broader and more integrated approach than Act 178. This measure includes among other things, significant tax incentives, improves venture capital availability, appropriates funds to expand computer literacy for our children, and give the High Technology Development Corporation necessary autonomy and flexibility to fulfill its mission. HB 2901, in addition to our regulatory reforms, Dr. Paul LeMahieu's educational accountability reforms, UH autonomy and funding efforts, and eventual comprehensive government reform will lay a strong foundation for our future.

"I wish especially to recognize my colleague from Upcountry Maui for taking the lead on this bill. I also commend the efforts of your committees on Economic Development, Higher Education and Finance for their work on this measure.

"I look forward to building on the base provided by HB 2901 long overdue reforms in related areas, including government operation, regulation and lower and higher education. I urge my colleagues to support this bill."

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

"I can understand the bill and I can understand the need for giving incentives since we are so low on the ladder as far as the new economy or high technology goes. What bothers me in the bill is the ability of companies that are not even here yet. Being able to sell their losses that they haven't even received yet. Why I find that bothersome, even though they considered that an incentive in some other State, is because I think every member here has or knows a business or businessman who have losses or have lost businesses in the last 10 years.

"I find it bothersome that we are offering this incentive to people that are not even here yet and yet we have businesses right here that could use it. Thank you, Mr. Speaker."

Representative Takai then rose to speak in support of the measure, and asked that the remarks of Representative Morihara be entered into the Journal as his own, and the Chair "so ordered". (By reference only.)

Representative Takai continued, stating:

"A few hours ago, we talked a little about the Tobacco Settlement Fund and the actions we took last year, as well as this year, as being the legacy of this Legislature in regards to health and health promotion for many years to come. As those measures were the legacy in that area, I believe that these measures for the New Economy, both the ones that we have discussed this year as well as the one that we completed last year, are going to be the legacy of this Legislature.

"It will, in fact, be the legacy of some of our members here in the Legislature for really pushing forward these measures and really pushing the envelope. I did want to talk about a couple of things. First of all, to address the concern from the other side of the aisle with regard to not focusing on our residents here in the islands. If you don't know, there is what they call a digital divide. This is where the 'haves' and the 'have nots' are splitting. Believe it or not there are families in Hawai'i that don't have access to computers and don't have computers at home and don't have access to the internet.

"If you take a look at this bill it provides, within the E-Academy's provisions, an opportunity for families who can't afford a laptop computer with the ability to receive them. I think this is very important because we are going to take care of the people that we have here and we are going to educate the people who are eventually going to become a part of a major part of this new economy.

"In addition to that, Mr. Speaker, we have heard from many people, both here as well as in the mainland, residents that have been displaced, so to speak, because the jobs are not here. Those people, those 'ex-patriots' are looking forward to coming back to Hawai'i and we have to really think about them.

"The final thing I would like to say is that I believe everybody will benefit when the economy grows. The new economy is one sector that we have not tapped into nearly as much as we can. We grow this economy \$100 million more or \$1 billion more and everybody will benefit. The educational system will definitely benefit and our people and our businesses will benefit as well. So I stand in strong support of this measure. Thank you."

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

"If you look at the provision of the bill, part three appropriates \$800,000 for fiscal year 2000-2001 and appropriates \$200,000 for fiscal 2000-2001 to the Department of Business, Economic Development and Tourism for marketing and promotion of high technology development by the Hawai'i Tourism Development Corporation. Part five of the bill will allow the Hawai'i Tourism Authority to enter into agreements to promote Hawai'i in a coordinated statewide effort as a place to do high technology business.

"My fear is that if we are going to use marketing and promotional dollars as well as have the HTA to coordinate this, then they might not get off the ground because they might require an EA that leads to an EIS and you now how long those things will take. Hopefully, the future Legislature will look at this as a deterrent to the progress of this new economy. That, Mr. Speaker, is my concern, but I strongly support this bill. Thank you."

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

"Part eight of the bill exempts members of the Governor's Special Advisory Council for Technology Development from Senate confirmation and from the need to file disclosure of financial interest with the State Ethics Commission, and that's my reservations, Mr. Speaker."

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

"This is just a response to the comrade from the Big Island. I represent a district that doesn't quite have the means that perhaps he has in his district.

"Mr. Speaker, if you take Waipahu Elementary School for example, over one-third of the kids there get free lunches. I can assure you that they do not have computers in their home or access to the internet. The paradox of the Information Age is that unless you have access to that information the gap between the 'haves' and the 'have nots,' as it was pointed out earlier, will grow wider. This bill, and any bill that constructs on-ramps onto that information super highway, I will support. Thank you, Mr. Speaker."

At this point, Representative Rath rose to speak and the Chair stated: "Representative Rath, I believe this is your third time speaking on this measure."

Representative Rath responded: "This is in direct rebuttal to Representative Takumi."

The Chair responded: "No, this is your third time. Your time is up so I believe you can't..."

Representative Rath then rose on a point of personal privilege, stating: "I am not his comrade, Mr. Speaker."

The Chair responded: "You are his colleague."

Representative Rath responded: "Colleague yes, comrade no."

The Chair responded: "That was interpreted to mean colleague."

Representative Rath then remarked:

"I wonder where we are going to store the mainframes for the confiscated computer equipment. 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. 2901, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NEW ECONOMY," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Meyer and Rath voting no and Representatives Okamura and Whalen being excused.

The Chair directed the Clerk to note that H.B. Nos. 1632 and 2901 had passed Final Reading at 8:41 o'clock p.m.

Conf. Com. Rep. No. 127 and S.C.R. No. 204, HD 1, CD 1:

Representative Case moved that the report of the Committee be adopted and S.C.R. No. 204, HD 1, CD 1, be adopted, seconded by Representative Yonamine.

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

"When you purchase a home as a family or an individual you have a right to know that the neighborhood is clean and contamination free from any past actions or any previous industries or employers. The residents of Village Park and West Loch Fairways are asking this Legislature to assist them in their health and safety concerns. I urge this Legislature to support this Resolution. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 204, HD 1, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was Finally adopted, with Representatives Okamura and Whalen being excused.

Conf. Com. Rep. No. 162 and S.C.R. No. 129, SD 1, HD 1, CD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.C.R. No. 129, SD 1, HD 1, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK, A STUDY OF ABOVE GROUND CHEMICAL STORAGE TANKS, AND A STUDY OF THE DEPARTMENT OF HEALTH ENVIRONMENTAL HOTLINES," was Finally adopted, with Representatives Okamura and Whalen being excused.

Stand. Com. Rep. No. 1617-00 and S.B. No. 2499, SD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, the report of the Committee was adopted and S.B. No. 2499, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," passed Third Reading by a vote of 49 ayes, with Representatives Okamura and Whalen being excused.

The Chair directed the Clerk to note that S.B. No. 2499 had passed Third Reading at 8:43 o'clock p.m.

THIRD READING

S.B. No. 2927, SD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 2927, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," passed Third Reading by a vote of 49 ayes, with Representatives Okamura and Whalen being excused.

S.B. No. 2112, SD 1:

Representative Case moved that S.B. No. 2112, SD 1, pass Third Reading, seconded by Representative Yonamine.

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

Representative Kahikina's remarks are as follows:

"I stand in support of this measure as it enables the community to continue in its efforts to develop the economy for

our Waianae Coast and to improve the quality of life of our residents."

The motion was put to vote by the Chair and carried, and S.B. No. 2112, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT," passed Third Reading by a vote of 49 ayes, with Representatives Okamura and Whalen being excused.

S.B. No. 2939, SD 1:

On motion by Representative Case, seconded by Representative Yonamine and carried, S.B. No. 2939, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Okamura and Whalen being excused.

The Chair directed the Clerk to note that S.B. Nos. 2927, 2112 and 2939 had passed Third Reading at 8:47 o'clock p.m.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Case moved to agree to the amendments made by the Senate to H.B. Nos. 101, HD 1 (SD 1); 286, HD 2 (SD 2); 750, HD 1 (SD 1); 755, HD 2 (SD 2); 1457, (SD 1); 1893, HD 1 (SD 1); 1905, HD 2 (SD 1); 1939, HD 1 (SD 1); 1946, HD 2 (SD 1); 2060, HD 2 (SD 1); 2213 (SD 1); 2218, HD 1 (SD 1); 2309, HD 1 (SD 1); 2423 (SD 1); 2432, HD 1 (SD 1); 2446 (SD 1); 2468, HD1 (SD 1); 2481, HD 1 (SD 1); 2483, HD 1 (SD 1); 2501, HD 2 (SD 1); 2513, HD 1 (SD 1); 2559, HD 1 (SD 2); 2573, HD 1 (SD 1); 2576, HD 1 (SD 1); 2624, HD 1 (SD 1); 2820, HD 1 (SD 1); 2906, HD 1 (SD 1); 3018 (SD 1); and 3021, HD 1 (SD 1), seconded by Representative Marumoto and carried. (Representatives Hiraki, Kahikina, Okamura, Oshiro, Stegmaier and Whalen were excused.)

At 8:50 o'clock p.m., Representative Garcia asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:51 o'clock p.m.

Representative Thielen then rose questioning:

"Mr. Speaker is this just discussion on just the motion? Then we are going to go bill by bill?"

The Chair responded: "Yes, that is correct."

At 8:51 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 8:52 o'clock p.m.

At this point, the Chair asked the Clerk:

"Madame Clerk, are you in receipt of the Record of Vote forms for the above-referenced House Bills?"

The Clerk responded: "Yes, Mr. Speaker. I am in receipt of the Record of Vote forms for the above-referenced House Bills."

The Chair then asked Representative Case to "please proceed" with the motion.

H.B. No. 101, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 101, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM MEMBERSHIP SERVICE CREDIT," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 286, HD 2, SD 2:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 286, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SPEEDING," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 750, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 750, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND SYMBOLS," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 755, HD 2, SD 2:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 755, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 1457, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1457, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 1893, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1893, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 1905, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1905, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL FEES," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 1939, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1939, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 1946, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 1946, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," passed Final Reading by a vote

of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2060, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2060, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 45 ayes 3 noes, with Representatives Luke, Nakasone and Yamane voting no and Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2213, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2213, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BINDING ARBITRATION AWARDS," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2218, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2218, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2309, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2309, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2423, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2423, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS REPORT," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2432, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2432, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDIT," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2446, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2446, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2468, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2468, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2481, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2481, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2483, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2483, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2501, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2501, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2513, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2513, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED CORPSES," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2559, HD 1, SD 2:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2559, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2573, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2573, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

At 9:00 o'clock p.m., Representative Morita asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:01 o'clock p.m.

H.B. No. 2576, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2576, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WATER RESOURCE MANAGEMENT FUND," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2624, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2624, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote

of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2820, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2820, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 2906, HD 1, SD 1:

Representative Case moved that H.B. No. 2906, HD 1, SD 1, pass Final Reading, seconded by Representative Yonamine.

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

"This is one of the other bills that really hurt the consumer. The bill is relating to towing companies. There are some good measures in it. The bill is going to require towing companies to put signs on their trucks showing that the vehicle is owned by a towing company and it also will require the telephone number of the towing company be placed on the side of the truck. The bill also will require the towing company to maintain insurance so if they bash someone's car when they are towing it away to the tow lot, at least the damages will be covered by insurance.

"However, the defect is shown on page three of the bill. Before I point out that defect let me just point to another section of the bill on the bottom of page five and the top of page six. When you go to a tow company's lot to recover your car, you can pay those towing and storage charges by credit card or if they have an ATM on the lot you can pay by cash with that ATM. That makes sense because people don't walk around generally with large sums of money in their pocket.

"The problem is for the consumer on page three. It states that 'the towing company shall unhook the vehicle upon payment by the owner of an "unhooking" fee of not more than \$50.' It goes on stating that 'if the owner is unwilling or unable to pay the "unhooking" fee, the vehicle may be towed.' The difficulty comes when you park a few minutes too long in a spot and you run in to get something at a market or to do something else, come out to get your car and it is being hooked up.

"Mr. Speaker, I don't know if you walk around with \$50 in your pocket, but I would gather that a lot of people in this room do not. So you are there with a credit card saying please unhook my car. They will say to you, sorry the law that you all passed in the Legislature says, pay me cash or you don't get your car. You are now going to have to pay additional fees because it is being towed to the lot and there will be storage fees on top of that. Too bad. Go take a taxi and go home. And a taxi probably would take a credit card. So we're not helping consumers with this.

"People sometimes inadvertently park a few minutes longer than they should in a tow away zone. Some of those tow ways happen to be in front of City Hall on King Street. You see it periodically when you are driving by. Someone runs out to get to their car, they're not going to be allowed to pay by credit card. If we really cared about the consumer and cared about the towing company getting their unhooking fee, we would mandate them to accept a credit card as we do later on in the bill when you go to the lot.

"So it doesn't make sense that we mandate the towing company to accept a credit card at the lot, but we don't do the same requirement when they're towing away the car and someone wants to come up and wants to pay that unhooking fee on the spot. So it's not a consumer friendly bill. I know that the Chair of another committee is going to pop up and say, wait a

minute, the language was put together in a compromise with the Office of Consumer Protection participating.

"Well, too bad. The Office of Consumer Protection hasn't protected the consumer in this instance. Thank you."

At 9:07 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 9:08 o'clock p.m.

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

"I could support everything else in this bill. It's a fine bill as far as the signage and the numbers and everything else. But I think people ought to be able to use a credit card because you are not walking around with \$50 in your pocket. Thank you."

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

"I think there is a point that has been missed here. I agree with the previous speaker's observations, but the point being overlooked here is that the car that is about to be towed is going to be towed because there is a problem, I presume. Now if the car owner pays the \$50 to get his car back, that car is going to move. The problem with that car being there is going away whether the tow truck hauls it away or the owner of the car drives it away.

"At that point where the tow truck and the owner of the car meet, the problem of the car being there is going to be solved whether it is the tow truck taking it away or the owner of the car taking it away. In this situation, if the tow truck insists on taking the car, the problem with the car being there is gone. However, the tow truck company has just run up charges unnecessarily. The tow truck company is going to charge extra for leaving the car hooked up, drive it to their lot and now it is going to cost the consumer more. No additional benefit was conferred.

"In fact, I would think from a consumer point of view there is more harm because the owner of the car doesn't have his car available to him and it is now a make work project for him to get his car. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2906, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES," passed Final Reading by a vote of 40 ayes 8 noes, with Representatives Fox, Halford, Leong, McDermott, Moses, Pendleton, Rath and Thielen voting no and Representatives Okamura, Souki and Whalen being excused.

H.B. No. 3018, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 3018, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

H.B. No. 3021, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 3021, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE," passed Final Reading by a vote of 48 ayes, with Representatives Okamura, Souki and Whalen being excused.

The Chair directed the Clerk to note that H.B. Nos. 101, 286, 750, 755, 1457, 1893, 1905, 1939, 1946, 2060, 2213, 2218, 2309, 2423, 2432, 2446, 2468, 2481, 2483, 2501, 2513, 2559,

2573, 2576, 2624, 2820, 2906, 3018 and 3021 had passed Final Reading at 9:12 o'clock p.m.

The Chair then announced: "The Chair, at this time, is discharging all of the House conferees previously appointed to House Bills returned to the House with Senate Drafts during the Twentieth Legislature, Regular Sessions of 1999 and 2000.

"All House Bills returned to the House with Senate Drafts during the Twentieth Legislature, Regular Sessions of 1999 and 2000 are hereby returned to this Chamber from the Conference Committees for possible further disposition by this body."

SUSPENSION OF RULES

On motion by Representative Case, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken. (Representatives Okamura, Souki and Whalen were excused.)

RECONSIDERATION OF ACTION PREVIOUSLY TAKEN

Representative Case moved that the House reconsider its action taken on April 13, 2000, in disagreeing to the amendments proposed by the Senate and to agree to said amendments to H.B. Nos. 2534, HD 2 (SD 1); 2539, HD 2 (SD 1); and 2643, HD 1 (SD 2), seconded by Representative Marumoto and carried. (Representatives Okamura, Rath, Souki and Whalen were excused.)

FINAL READING

H.B. No. 2534, HD 2, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, H.B. No. 2534, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ACCESS HOSPITALS," passed Final Reading by a vote of 47 ayes, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.B. No. 2539, HD 2, SD 1:

Representative Case moved that H.B. No. 2539, HD 2, SD 1, pass Final Reading, seconded by Representative Marumoto.

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

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

"This is expanding the use of the Environmental Response Revolving Fund to unspecified -- I'm sorry I am reading what is on the yellow action sheet and it is talking about what is incorporated in the house draft. I don't have the bill in front of us and so it is a little hard to remember what was in the Senate Draft. But just the fact that it is expanding the uses. This Fund was created to take care of oil spills and other hazardous spills.

"When we start expanding the use of that Fund we are opening the door to increasing that Fund and there with reservations has been many efforts to do that. I think that it should be specifically used for what it was created for. Thank you, Mr. Speaker."

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

"I am primarily expressing concerns over a nexus. Although the expanded intentions serve a meaningful purpose, I don't believe it fulfills the original intent of this Fund. Thank you."

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

"The reason I will be voting no is because there is no nexus. These are worthy causes that we wish to expand the use of the funds for, but that is not what the Fund is created for. Thank you, Mr. Speaker."

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

"I just wanted to bring to this body's attention that approximately 15 percent of the monies in the fund is generated from fines and penalties and not the oil tax. However, there is somewhat of a nexus, for example, in monitoring water and non-point source pollution, considering the run-off of oil or gasoline into our water systems that is derived from petroleum products.

"While it is not directly attributed to the oil tax it does come from pollution caused by oil. So, they are related subjects, but again, I just wanted to point out that 15 percent of the monies are generated from fines and penalties and not the oil tax."

The motion was put to vote by the Chair and carried and H.B. No. 2539, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND," passed Final Reading by a vote of 41 ayes to 6 noes, with Representatives Fox, Halford, Marumoto, McDermott, Meyer and Moses voting no and Representatives Okamura, Rath, Souki and Whalen being excused.

At 9:18 o'clock p.m., Representative Takai asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:23 o'clock p.m.

H.B. No. 2643, HD 1, SD 2:

Representative Case moved that H.B. No. 2643, HD 1, SD 2, pass Final Reading, seconded by Representative Marumoto.

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

"I recall last year when we first ran this thing through it was \$2 and now it is going up to \$5 and I think that is just a little too fast in two years. I believe the House version was \$3, but I am not sure."

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

Representative Kahikina's remarks are as follows:

"I stand in support of this measure as a means to address the abandoned vehicle and tire dumping situation not only in Waianae where there is an insurmountable amount of illegal dumping in vacant areas but also to address other areas in our State."

The motion was put to vote by the Chair and carried and H.B. No. 2643, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED MOTOR VEHICLES," passed Final Reading by a vote of 40 ayes to 7 noes, with Representatives Fox, Halford, Leong, McDermott, Meyer, Moses and Pendleton voting no and Representatives Okamura, Rath, Souki and Whalen being excused.

The Chair directed the Clerk to note that H.B. Nos. 2534, 2539 and 2643 had passed Final Reading at 9:25 o'clock p.m.

**DISPOSITION OF MATTERS
PLACED ON THE CLERK'S DESK**

H.C.R. No. 24, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 24, HD 1, and H.C.R. No. 24, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII FARMER'S MARKET," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 62, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 62, HD 1, and H.C.R. No. 62, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO COMPILE DATA ON THE NUMBER AND PERCENTAGE OF EMPLOYEES OF PRIVATE COMPANIES ON CONTRACT WITH THE STATE WHO MAY BE AFFECTED BY THE IMPLEMENTATION OF A LIVING WAGE LAW," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 66, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 66, and H.C.R. No. 66, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 93, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 93, and H.C.R. No. 93, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A CITY, STATE, AND COMMUNITY TASK FORCE TO DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO ROOSEVELT HIGH SCHOOL COMPLEX," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 103, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 103, HD 1, and H.C.R. No. 103, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT THAT COMMERCIAL MARINE MAMMAL WATCHING TOURS MAY HAVE ON COMMERCIAL FISHING IN WATERS OFF THE WAIANAE COAST OF OAHU," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 111, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the

amendments proposed by the Senate to H.C.R. No. 111, HD 1, and H.C.R. No. 111, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 123, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 123, HD 1, and H.C.R. No. 123, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGRICULTURE TO TAKE MEASURES TO MITIGATE THE INFESTATION OF FLIES, UNPLEASANT ODORS, INUNDATION BY DUST, AND SEVERE DRAINAGE PROBLEMS AT MAILI ELEMENTARY SCHOOL," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 163, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 163, HD 1, and H.C.R. No. 163, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CPR TRAINING IN HIGH SCHOOLS," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 165, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 165, HD 1, and H.C.R. No. 165, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.C.R. No. 196, HD 1, SD 1:

On motion by Representative Case, seconded by Representative Marumoto and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 196, HD 1, and H.C.R. No. 196, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE PLAN FOR PLACING QUALIFIED PERSONS WITH DISABILITIES IN THE MOST INTEGRATED SETTING POSSIBLE AND TO KEEP WAITING LISTS THAT MOVE AT A REASONABLE PACE," was Finally adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 194 through 198) were announced by the Clerk and the following actions taken:

H.R. No. 194, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO EXPEND SUCH SUMS TO COMPLETE THE WORK OF THE TWENTIETH LEGISLATURE, REGULAR SESSION OF 2000, INCLUDING THE CARRYING OUT OF ANY

OFFICIAL LEGISLATIVE BUSINESS IN THE INTERIM BETWEEN THE 2000 AND 2001 SESSIONS," was offered by Representatives Say, Oshiro, Case and Marumoto.

On motion by Representative Case, seconded by Representative Marumoto and carried, H.R. No. 194 was adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.R. No. 195, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO APPROVE THE JOURNAL OF THIS HOUSE OF ANY LEGISLATIVE DAY BEING COMPILED AS OF THE 60TH DAY," was offered by Representatives Say, Oshiro, Case and Marumoto.

On motion by Representative Case, seconded by Representative Marumoto and carried, H.R. No. 195 was adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.R. No. 196, entitled: "HOUSE RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE ON THE JOURNAL TO COMPILE AND PRINT THE JOURNAL OF THE HOUSE OF REPRESENTATIVES, REGULAR SESSION OF 2000," was offered by Representatives Say, Oshiro, Case and Marumoto.

On motion by Representative Case, seconded by Representative Marumoto and carried, H.R. No. 196 was adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.R. No. 197, entitled: "HOUSE RESOLUTION AUTHORIZING THE SPEAKER TO DESIGNATE WHICH OF THE EMPLOYEES AND OFFICERS OF THE HOUSE BE GIVEN ADDITIONAL EMPLOYMENT TO MEET THE WORK AFTER THE SESSION AND FURTHER AUTHORIZING THE SPEAKER TO DETERMINE THE PERIOD OF EMPLOYMENT," was offered by Representatives Say, Oshiro, Case and Marumoto.

On motion by Representative Case, seconded by Representative Marumoto and carried, H.R. No. 197 was adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

H.R. No. 198, entitled: "HOUSE RESOLUTION RELATING TO STANDING, INTERIM, AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 2000 AND THE CONVENING OF THE REGULAR SESSION OF 2001," was offered by Representative Say.

Representative Case moved that H.R. No. 198 be adopted, seconded by Representative Marumoto.

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

"There are some steadfast determinants of success of any Legislature and any session. As I have come to observe one of the primary determinants is interim work in advance of a legislative session.

"We are accustomed to interim work between two sessions of a specific Legislature, but we have under-utilized the period after a particular Legislature is over and before the next Legislature commences. As a result, sometimes we do not get that running start in the first session of the Legislature, which we very much need in order to do our work.

"So, although all of us are not sure if we will be back next year, we all remain Representatives until the day of the election, and we all remain responsible for preparing the next Legislature for its work. I think our debate tonight has

illustrated in spades that we will have a very hard session when we come back or when our successors come back in the year 2001. I am very much supportive of this resolution and I urge the Speaker's full use of it. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 198 was adopted, with Representatives Okamura, Rath, Souki and Whalen being excused.

At 9:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:33 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 721 through 731) were received and announced by the Clerk and were placed on file:

Sen. Com. No. 721 returning H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," which passed Third Reading in the Senate on May 2, 2000.

Sen. Com. No. 722 returning H.B. No. 2568, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," which passed Third Reading in the Senate on May 2, 2000.

Sen. Com. No. 723 returning H.B. No. 2569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," which passed Third Reading in the Senate on May 2, 2000.

Sen. Com. No. 724 transmitting S.R. No. 107, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," which was adopted by the Senate on May 2, 2000.

Sen. Com. No. 725, informing the House that the following bills passed Final Reading in the Senate on May 2, 2000:

H.B. No. 1900, HD 1, SD 1, CD 1, entitled: "RELATING TO THE STATE BUDGET";

H.B. No. 2514, SD 2, CD 1, entitled: "RELATING TO PUBLIC ASSISTANCE";

H.B. No. 1955, HD 2, SD 1, CD 1, entitled: "RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION";

H.B. No. 1947, HD 2, SD 2, CD 1, entitled: "RELATING TO FISHERIES";

H.B. No. 2530, HD 1, SD 1, CD 1, entitled: "RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION";

H.B. No. 2406, HD 1, SD 1, CD 1, entitled: "RELATING TO AGRICULTURE";

H.B. No. 1902, HD 1, SD 1, CD 1, entitled: "RELATING TO THE STATE WATER CODE";

H.B. No. 1773, HD 1, SD 1, CD 1, entitled: "RELATING TO THE MOTOR CARRIER LAW";

H.B. No. 2521, SD 1, CD 1, entitled: "RELATING TO SCHOOL HEALTH REQUIREMENTS";

H.B. No. 2469, HD 1, SD 1, CD 1, entitled: "RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";

H.B. No. 2701, HD 3, SD 1, CD 1, entitled: "RELATING TO PUBLIC SCHOOLS";

H.B. No. 1984, HD 1, SD 2, CD 1, entitled: "RELATING TO ELECTIONS";

H.B. No. 2480, HD 1, SD 1, CD 1, entitled: "RELATING TO LIMITED LIABILITY PARTNERSHIPS";

H.B. No. 2484, SD 1, CD 1, entitled: "RELATING TO THE CORPORATIONS";

H.B. No. 2797, HD 1, SD 1, CD 1, entitled: "RELATING TO INSURANCE CODE";

H.B. No. 284, HD 1, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

H.B. No. 2092, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

H.B. No. 2095, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

H.B. No. 2490, HD 1, SD 1, CD 1, entitled: "RELATING TO THE HAWAII TEACHER STANDARDS BOARD";

H.B. No. 2491, HD 1, SD 1, CD 1, entitled: "RELATING TO SCHOOL LUNCH";

H.B. No. 2574, HD 1, SD 1, CD 1, entitled: "RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND";

H.B. No. 2405, HD 2, SD 1, CD 1, entitled: "RELATING TO PESTICIDES";

H.B. No. 1763, HD 2, SD 2, CD 1, entitled: "RELATING TO BICYCLES";

H.B. No. 1881, HD 2, SD 2, CD 1, entitled: "RELATING TO USE OF INTOXICANTS";

H.B. No. 2572, HD 1, SD 2, CD 1, entitled: "RELATING TO KANEOHE BAY";

H.B. No. 749, HD 3, SD 2, CD 1, entitled: "RELATING TO DIETITIANS";

H.B. No. 2160, HD 2, SD 2, CD 1, entitled: "RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND";

H.B. No. 1983, HD 1, SD 2, CD 1, entitled: "RELATING TO THE LAND COURT";

H.B. No. 1938, HD 1, SD 1, CD 1, entitled: "RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE 9--SECURED TRANSACTIONS";

H.B. No. 2472, HD 2, SD 2, CD 1, entitled: "RELATING TO INSURANCE";

H.B. No. 2585, HD 1, SD 1, CD 1, entitled: "RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT";

H.B. No. 1874, HD 1, SD 2, CD 1, entitled: "RELATING TO EDUCATIONAL ACCOUNTABILITY";

H.B. No. 1925, SD 1, CD 1, entitled: "RELATING TO ELECTIONS";

H.B. No. 1912, HD 1, SD 1, CD 1, entitled: "RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY";

H.B. No. 2017, HD 1, SD 1, CD 1, entitled: "RELATING TO COLLECTION AGENCIES";

H.B. No. 2476, HD 1, SD 2, CD 1, entitled: "RELATING TO INSURANCE";

H.B. No. 2774, SD 1, CD 1, entitled: "RELATING TO DISCRIMINATION IN PUBLIC PLACES";

H.B. No. 2418, SD 1, CD 1, entitled: "RELATING TO CERTIFICATES OF IDENTIFICATION";

H.B. No. 2653, HD 2, SD 1, CD 1, entitled: "RELATING TO THE JUDICIARY";

H.B. No. 2429, HD 2, SD 2, CD 1, entitled: "RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII";

H.B. No. 2506, HD 1, SD 2, CD 1, entitled: "RELATING TO PROSPECTIVE ADOPTIVE PARENTS";

H.B. No. 2098, HD 2, SD 1, CD 1, entitled: "RELATING TO CRIMINAL HISTORY";

H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "RELATING TO EDUCATION";

S.B. No. 2513, SD 1, HD 1, CD 1, entitled: "RELATING TO CONVEYANCE TAX";

S.B. No. 185, SD 2, HD 1, CD 1, entitled: "RELATING TO EDUCATION";

S.B. No. 2837, SD 1, HD 2, CD 1, entitled: "RELATING TO EDUCATIONAL ACCOUNTABILITY";

S.B. No. 2480, SD 1, HD 1, CD 1, entitled: "RELATING TO ANNULMENT, DIVORCE, AND SEPARATION";

S.B. No. 3073, SD 2, HD 1, CD 1, entitled: "RELATING TO IMPAIRED DRIVING";

S.B. No. 3038, SD 1, HD 1, CD 1, entitled: "RELATING TO EDUCATION";

S.B. No. 2779, SD 1, HD 2, CD 1, entitled: "RELATING TO STATE ENTERPRISE ZONES";

S.B. No. 2121, SD 1, HD 1, CD 1, entitled: "RELATING TO OBSOLETE LAWS";

S.B. No. 2982, SD 1, HD 1, CD 1, entitled: "RELATING TO CHILD SUPPORT";

S.B. No. 680, SD 1, HD 2, CD 1, entitled: "RELATING TO FIREWORKS";

S.B. No. 2254, SD 1, HD 2, CD 1, entitled: "RELATING TO PRIVACY OF HEALTH CARE INFORMATION";

S.B. No. 2655, SD 2, HD 2, CD 1, entitled: "RELATING TO HEALTH";

S.B. No. 2850, SD 1, HD 2, CD 1, entitled: "RELATING TO KINSHIP CARE";

S.B. No. 2154, SD 1, HD 1, CD 1, entitled: "RELATING TO PROTECTIVE ORDERS";

S.B. No. 2711, SD 1, HD 1, CD 1, entitled: "RELATING TO ADMINISTRATIVE PROCEDURE";

- S.B. No. 2151, SD 1, HD 1, CD 1, entitled: "RELATING TO FIREARMS";
- S.B. No. 3133, SD 1, HD 1, CD 1, entitled: "RELATING TO CRIME";
- S.B. No. 2722, SD 1, HD 2, CD 1, entitled: "RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM";
- S.B. No. 2741, HD 2, CD 1, entitled: "RELATING TO THE STATE WATER CODE";
- S.B. No. 2843, HD 2, CD 1, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";
- S.B. No. 2283, SD 1, HD 1, CD 1, entitled: "RELATING TO THE PUBLIC UTILITIES COMMISSION";
- S.B. No. 2729, SD 1, HD 2, CD 1, entitled: "RELATING TO SERVICE CONTRACTS";
- S.B. No. 2819, SD 1, HD 1, CD 1, entitled: "RELATING TO INSURANCE";
- S.B. No. 3190, SD 1, HD 1, CD 1, entitled: "RELATING TO CAPTIVE INSURANCE";
- S.B. No. 2467, SD 2, HD 1, CD 1, entitled: "RELATING TO UNLICENSED CONTRACTORS";
- S.B. No. 2152, SD 1, HD 1, CD 1, entitled: "RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS";
- S.B. No. 2115, SD 1, HD 2, CD 1, entitled: "RELATING TO FALSE CLAIMS";
- S.B. No. 2879, SD 2, HD 2, CD 1, entitled: "RELATING TO MOTOR VEHICLE TIRES";
- S.B. No. 3045, SD 1, HD 2, CD 1, entitled: "RELATING TO THE AUDITOR";
- S.B. No. 2021, SD 2, HD 1, CD 1, entitled: "RELATING TO HOUSING";
- S.B. No. 2056, SD 1, HD 1, CD 1, entitled: "RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS";
- S.B. No. 2074, SD 2, HD 2, CD 1, entitled: "RELATING TO CORRECTIONS";
- S.B. No. 2533, SD 1, HD 2, CD 1, entitled: "RELATING TO CRIME VICTIM COMPENSATION";
- S.B. No. 2692, SD 2, HD 2, CD 1, entitled: "RELATING TO SALARIES";
- S.B. No. 2988, SD 2, HD 2, CD 1, entitled: "RELATING TO PUBLIC CONTRACTS AND PROCUREMENT";
- S.B. No. 1276, SD 1, HD 2, CD 1, entitled: "RELATING TO THE SUPERINTENDENT OF EDUCATION";
- S.B. No. 2448, SD 2, HD 2, CD 1, entitled: "RELATING TO AUTISM";
- S.B. No. 2490, SD 2, HD 1, CD 1, entitled: "RELATING TO LONG-TERM RESIDENTIAL CARE";
- S.B. No. 2987, SD 1, HD 2, CD 1, entitled: "RELATING TO PUBLIC CONTRACTS";
- S.B. No. 2576, SD 2, HD 1, CD 1, entitled: "RELATING TO STATE OWNED PUBLIC HOUSING";
- S.B. No. 3160, SD 2, HD 2, CD 1, entitled: "RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS";
- S.B. No. 3179, HD 3, CD 1, entitled: "RELATING TO TOBACCO";
- S.B. No. 2716, SD 1, HD 1, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2946, SD 1, HD 1, CD 1, entitled: "RELATING TO TAXATION APPEALS";
- S.B. No. 2706, SD 1, HD 2, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 539, SD 1, HD 1, CD 1, entitled: "PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY";
- S.B. No. 2221, SD 1, HD 2, CD 1, entitled: "RELATING TO ETHANOL";
- S.B. No. 2781, SD 2, HD 2, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2521, SD 1, HD 1, CD 1, entitled: "RELATING TO PROFESSIONAL SERVICE CONTRACTS";
- S.B. No. 2409, SD 1, HD 2, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2303, SD 2, HD 2, CD 1, entitled: "RELATING TO HARBORS";
- S.B. No. 2218, SD 1, HD 2, CD 1, entitled: "RELATING TO NEW CENTURY CHARTER SCHOOLS";
- S.B. No. 2475, SD 1, HD 3, CD 1, entitled: "RELATING TO GENDER EQUITY IN SPORTS";
- H.B. No. 2314, HD 1, SD 2, CD 1, entitled: "RELATING TO INSURANCE";
- H.B. No. 2556, HD 1, SD 1, CD 1, entitled: "RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT";
- H.B. No. 139, HD 1, SD 2, CD 1, entitled: "RELATING TO FEDERAL CONSTRUCTION";
- H.B. No. 2458, SD 1, CD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";
- H.B. No. 2062, HD 2, SD 1, CD 2, entitled: "RELATING TO HIGHER EDUCATION";
- H.B. No. 2023, HD 2, SD 2, CD 1, entitled: "RELATING TO AGRICULTURAL INFRASTRUCTURE";
- H.B. No. 2183, HD 1, SD 1, CD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES";
- H.B. No. 2410, HD 1, SD 2, CD 1, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";
- H.B. No. 540, HD 2, SD 1, CD 1, entitled: "RELATING TO HUMAN SERVICES";

- H.B. No. 2273, HD 2, SD 1, CD 1, entitled: "RELATING TO THE HAWAII CHILDREN'S TRUST FUND";
- H.B. No. 2648, HD 2, SD 2, CD 1, entitled: "RELATING TO PROBATION";
- H.B. No. 2354, HD 2, SD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION";
- H.B. No. 37, HD 1, SD 2, CD 1, entitled: "RELATING TO FILM PRODUCTION FUNDING";
- S.B. No. 2411, SD 1, HD 1, CD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";
- S.B. No. 2530, SD 1, HD 1, CD 1, entitled: "RELATING TO AGRICULTURE";
- S.B. No. 3199, SD 1, HD 2, CD 1, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";
- S.B. No. 2062, SD 1, HD 3, CD 1, entitled: "RELATING TO LONG-TERM CARE";
- S.B. No. 2863, SD 1, HD 2, CD 1, entitled: "RELATING TO ADVANCE HEALTH-CARE DIRECTIVES";
- S.B. No. 2186, SD 2, HD 2, CD 1, entitled: "RELATING TO INSURANCE";
- S.B. No. 3043, SD 2, HD 1, CD 1, entitled: "RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION";
- S.B. No. 2427, SD 1, HD 1, CD 1, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS";
- S.B. No. 2354, SD 1, HD 2, CD 1, entitled: "RELATING TO PUBLIC ACCESS";
- S.B. No. 2961, SD 2, HD 1, CD 1, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR";
- S.B. No. 2486, SD 2, HD 2, CD 1, entitled: "RELATING TO TAXATION";
- S.B. No. 2872, SD 1, HD 1, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION";
- S.B. No. 2108, SD 2, HD 2, CD 1, entitled: "RELATING TO THE PUBLIC LAND TRUST";
- S.B. No. 2579, SD 1, HD 2, CD 1, entitled: "RELATING TO HOUSING";
- S.B. No. 2873, SD 1, HD 2, CD 1, entitled: "RELATING TO HAWAII HEALTH SYSTEMS CORPORATION";
- S.B. No. 3123, SD 2, HD 2, CD 1, entitled: "RELATING TO POST-SECONDARY EDUCATION";
- S.B. No. 2420, SD 2, HD 2, CD 1, entitled: "RELATING TO TECHNOLOGY";
- S.B. No. 2838, SD 1, HD 1, CD 1, entitled: "RELATING TO THE STATE INTERNET PORTAL";
- S.B. No. 2859, SD 1, HD 1, CD 1, entitled: "RELATING TO PUBLIC EMPLOYMENT";
- S.B. No. 3026, SD 1, HD 1, CD 1, entitled: "RELATING TO SCHOOL FACILITIES";
- S.B. No. 2312, SD 1, HD 1, CD 1, entitled: "RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND";
- S.B. No. 2134, SD 1, HD 2, CD 1, entitled: "RELATING TO AGRICULTURE AND ANIMALS";
- S.B. No. 2433, SD 2, HD 2, CD 1, entitled: "RELATING TO PRISONS";
- H.B. No. 2650, HD 1, SD 2, CD 1, entitled: "RELATING TO THE JUDICIARY";
- H.B. No. 2024, HD 1, SD 2, CD 1, entitled: "MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES";
- H.B. No. 2407, HD 1, SD 2, CD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE";
- H.B. No. 3014, HD 1, SD 1, CD 1, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";
- H.B. No. 2222, HD 1, SD 1, CD 1, entitled: "RELATING TO CONDOMINIUMS";
- H.B. No. 2277, HD 1, SD 1, CD 1, entitled: "RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND";
- H.B. No. 2392, HD 2, SD 1, CD 1, entitled: "RELATING TO HEALTH";
- H.B. No. 1873, HD 2, SD 1, CD 1, entitled: "RELATING TO EDUCATION";
- H.B. No. 2280, HD 2, SD 1, CD 1, entitled: "RELATING TO SCHOOL-TO-WORK";
- H.B. No. 1994, HD 2, SD 2, CD 1, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURE";
- H.B. No. 2801, HD 2, SD 2, CD 1, entitled: "RELATING TO AGRICULTURE";
- H.B. No. 2802, SD 1, CD 1, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES";
- H.B. No. 2151, HD 1, SD 1, CD 1, entitled: "RELATING TO STATE BONDS";
- H.B. No. 1759, HD 2, SD 2, CD 1, entitled: "RELATING TO TRAFFIC ENFORCEMENT";
- H.B. No. 2835, HD 2, SD 2, CD 1, entitled: "RELATING TO WATERSHED PROTECTION";
- H.B. No. 3016, HD 1, SD 1, CD 1, entitled: "RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS";
- H.B. No. 645, SD 2, CD 1, entitled: "RELATING TO VETERANS RIGHTS AND BENEFITS";
- H.B. No. 2793, HD 1, SD 1, CD 1, entitled: "RELATING TO AGRICULTURE";
- H.B. No. 1969, HD 2, SD 1, CD 1, entitled: "MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR

THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS";

H.B. No. 1956, HD 1, SD 2, CD 1, entitled: "RELATING TO SMALL BUSINESS";

H.B. No. 1632, HD 3, SD 1, CD 1, entitled: "RELATING TO AGRICULTURE"; and

H.B. No. 2901, HD 2, SD 2, CD 1, entitled: "RELATING TO THE NEW ECONOMY".

Sen. Com. No. 726, informing the House that the Senate reconsidered its action taken in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments. The Senate further informs the House that said bills have passed Final Reading on May 2, 2000:

S.B. No. 278, SD 2, HD 1, entitled: "RELATING TO HIGHER EDUCATION";

S.B. No. 568, SD 2, HD 3, entitled: "RELATING TO HISTORIC PRESERVATION";

S.B. No. 915, SD 1, HD 1, entitled: "RELATING TO CANDIDATE VACANCIES";

S.B. No. 2293, HD 1, entitled: "RELATING TO INSURANCE";

S.B. No. 2301, SD 2, HD 1, entitled: "RELATING TO HARBORS";

S.B. No. 2311, SD 1, HD 1, entitled: "RELATING TO MANDATORY USE OF SEATBELTS";

S.B. No. 2369, SD 1, HD 1, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

S.B. No. 2419, SD 1, HD 1, entitled: "RELATING TO CAPITAL ACCESS PROGRAM";

S.B. No. 2535, HD 1, entitled: "RELATING TO PROBATE";

S.B. No. 2574, SD 1, HD 1, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

S.B. No. 2607, SD 1, HD 3, entitled: "RELATING TO THE COMMISSION ON THE STATUS OF WOMEN";

S.B. No. 2621, SD 1, HD 2, entitled: "RELATING TO HEALTH";

S.B. No. 2667, HD 1, entitled: "RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE";

S.B. No. 2670, HD 1, entitled: "RELATING TO ELECTIONS";

S.B. No. 2731, SD 1, HD 2, entitled: "RELATING TO INSURANCE";

S.B. No. 2758, SD 1, HD 2, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

S.B. No. 2766, SD 1, HD 1, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

S.B. No. 2924, SD 1, HD 1, entitled: "RELATING TO OPEN MEETINGS";

S.B. No. 3079, HD 1, entitled: "RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE";

S.B. No. 3129, HD 2, entitled: "RELATING TO HAWAIIAN HEALING PRACTICES";

S.B. No. 3201, SD 1, HD 2, entitled: "RELATING TO A SCENIC HIGHWAYS SYSTEM";

S.B. No. 2061, SD 1, HD 2, entitled: "RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES";

S.B. No. 2432, SD 1, HD 1, entitled: "RELATING TO A SENTENCING SIMULATION MODEL";

S.B. No. 2545, HD 1, entitled: "RELATING TO GLASS RECOVERY";

S.B. No. 2736, SD 2, HD 1, entitled: "RELATING TO KIKALA-KEOKEA";

S.B. No. 2745, SD 1, HD 2, entitled: "RELATING TO AQUACULTURE";

S.B. No. 2808, HD 2, entitled: "RELATING TO THE CONSUMER ADVOCATE";

S.B. No. 2869, HD 1, entitled: "RELATING TO SAFE DRINKING WATER"; and

S.B. No. 2870, SD 1, HD 2, entitled: "RELATING TO SAFE DRINKING WATER".

Sen. Com. No. 727, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said resolutions were adopted in the Senate on May 2, 2000:

S.C.R. No. 60, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, WAIMEA CANYON STATE PARK, AND SURROUNDING FOREST RESERVES ON THE ISLAND OF KAUAI";

S.C.R. No. 77, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO WORK WITH SERVICE PROVIDERS AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE A REASONABLE RENTAL FEE TO IMPROVE INFRASTRUCTURE ON THE WAIMANO TRAINING SCHOOL AND HOSPITAL GROUNDS";

S.C.R. No. 123, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO COMPLY WITH EXISTING LAW AND REGULATIONS TO PREVENT THE EMPLOYMENT OF PERSONS WITH CRIMINAL CONVICTIONS IN POSITIONS WHICH PLACE THEM IN CLOSE PROXIMITY TO CHILDREN";

S.C.R. No. 143, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE PARK RESTROOM FACILITIES AND FUNDING FOR THE NATURAL AREA RESERVES SYSTEM";

S.C.R. No. 173, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADDRESS AND CONSIDER ADDITIONAL DEMAND SIDE MANAGEMENT ISSUES IN RELATED, PENDING, OR NEW COMMISSION DOCKETS"; and

S.C.R. No. 179, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES".

Sen. Com. No. 728, informing the House that the Senate reconsidered its action in disagreeing to the amendments proposed by the House to the following Senate bills and has moved to agree to the amendments. The Senate further informs the House that said bills have passed Final Reading on May 2, 2000:

S.B. No. 873, SD 1, HD 2, entitled: "RELATING TO REAL PROPERTY APPRAISALS";

S.B. No. 2160, SD 1, HD 1, entitled: "RELATING TO GENERAL EXCISE TAX";

S.B. No. 2166, HD 2, entitled: "RELATING TO WIND FARMS";

S.B. No. 2536, SD 1, HD 2, entitled: "RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT";

S.B. No. 2785, SD 1, HD 1, entitled: "RELATING TO UNCLAIMED PROPERTY";

S.B. No. 2791, HD 1, entitled: "MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT";

S.B. No. 2905, HD 2, entitled: "RELATING TO EMPLOYMENT SECURITY";

S.B. No. 2938, SD 1, HD 1, entitled: "RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE"; and

S.B. No. 2945, SD 1, HD 3, entitled: "RELATING TO TAXATION".

Sen. Com. No. 729 transmitting S.C.R. No. 204, HD 1, CD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," which was adopted by the Senate on May 2, 2000.

Sen. Com. No. 730 returning H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," which was adopted by the Senate on May 2, 2000.

Sen. Com. No. 731 returning H.C.R. No. 116, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO STUDY ISSUES RELATING TO ENCOURAGING AND ATTRACTING THE DEVELOPMENT OF PUBLIC AND PRIVATE HIGH TECHNOLOGY BIOSCIENCE RESEARCH IN THE STATE," which was adopted by the Senate on May 2, 2000.

ANNOUNCEMENTS

Representative Cachola rose and stated:

"Mr. Speaker, I am very honored to present this trophy to you, but before I do that I have to say that this might be my final speech on this House floor. However, I would like to

stress the word 'maybe' because it is subject to somebody else's action for me to make a decision.

"However, let me just introduce to you the members of the Hawai'i House of Representatives Golf Championship Team: Aside from me as the team Captain, I have Co-captain, Representative Herkes; Co-captain, Representative Ezra Kanoho; a great golfer, Representative Yamane; Representative Nakasone; Representative Abinsay; Representative Jerry Chang; Representative Whalen; Representative Morihara; and Representative Garcia.

"Mr. Speaker, last month we had a Riders Cup head-to-head match with the Senate and the results were a tie. Since we have been holding the trophy for the past six years, we will retain the trophy. Being the last day of this legislative session of our esteemed colleague, Representative Herkes, I will give him the honor to join me in presenting this cup to you."

Representative Herkes: "Mr. Speaker, before we do that, may I suggest that by acclamation that we permanently retire that cup in the possession of the House."

Representative Cachola: "Mr. Speaker, before Representative Herkes and myself present the trophy to you, in case I will be leaving this body, I would like everyone to agree that we designate the next captain of this House Golf Team to be Representative Brian Yamane and Representative Ezra Kanoho. I think he is a very astute member of the House and I think he will be able to negotiate with the Senate and come up with a good match. Brian don't say no."

Representative Kaho'ohalahala then rose and stated:

"I would like to recognize the Representative from Kauai, Bertha Kawakami; the Representative from Kalihi, Lei Ahu Isa; the Representative from Waianae, Emily Auwae; the Representative from Nanakuli, Michael Kahikina; and our Representative and our good friend, Representative Alex Santiago, thank you very much for your assistance. These Representatives participated in the House versus Senate talent competition at Washington Place and walked away winners."

Representative Luke then rose and stated:

"Mr. Speaker, it is with regret that we see three fine members of this body leave us and it is my duty and honor to introduce one member. Representative Bob Herkes will you stand.

"I served as his Vice Chairperson in the Committee on Economic Development and it has been a pleasure. He has taught me a lot. He also taught me that I have a long way to go and that I have more to learn. But if you are familiar with the work that Representative Herkes has done, he has been the champion to not de-regulate, but provide competition for the telecommunication industry. He is also the champion of the movement for the Small Business Regulatory Flexibility Board, which is nationally renowned.

"He has championed many movements and he will be dearly missed. Depending who comes back in his seat, I will be calling on him to either criticize that he should come back or I will be calling on you to gain more guidance and support. At this point, we have a couple of gifts from the House of Representatives. From Representative Case, we have a gavel. From Representative Marumoto, she will be presenting you with a certificate on behalf of the entire House of Representatives. Could we all give him a round of applause once again."

Representative Herkes then rose and stated:

"Well I am really going to miss you all. When I look back, I have been involved in politics for some 40 years. Twelve of that would be in elected office and it has been a big part of my life and I think it is something that everybody that has

experienced getting involved in the political process learns. I think every one of us here has firm beliefs in what we do and work hard. I want to tell you that I am really going to miss you all. Aloha."

Representative Yamane then rose and stated:

"Thank you, Mr. Speaker, this is a surprise. I've worked with Representative Santiago for only two years. As his Vice Chair of Health, I think we've gotten along great. I have learned a lot and we both had the same mission as far as health care, not only for the State of Hawai'i, but over the next decade for the world in general.

"As you know, there are many major issues that have cost the State a lot of money now and will cost the State a lot of money in the future. The concern about the efficiency of spending that money and resources that we have to spend, Alex has been the stoic leader as far as that is concerned. I will miss him. We have both gotten along well and we have turned a few heads around, especially at Conference time. But Alex you are always welcome, even though you will be the former Health Chair, my door is always open. I've learned a great deal. Thank you very much. Representative Oshiro will be presenting Representative Santiago with his gavel and Representative Pendleton will be presenting you with the certificate."

Representative Santiago then rose and stated:

"Thank you, Mr. Speaker. It finally hit me. I am actually leaving this place. Earlier on, when I made the announcement about leaving, it seemed all fun at the time and I was so happy thinking that this was going to be coming to an end. But when it finally comes, I'm telling all of you that it is tough. It is hitting me and I hope I will get through this without getting emotional, so I won't look at you, Mr. Speaker.

"I wasn't going to say anything, but I jotted some things down thinking that I might have a chance so I have to say this. Mahalo first of all to my wife and my family for letting me do this for the past 10 years, it has not been easy. To my community for giving me this chance, I hope they are pleased with my efforts. I tried. To my supporters, who have been with me for 12 years now, and in my opinion this has been my greatest accomplishment, that I could keep people with me for 12 years and still have them believe in me.

"To my staff, Aileen, who is not here she had to be with her granddaughter, but I see two of my staffers up there. My wife is sleeping, I told her not to be here. To all the other people who have worked in my office, and to all the staff here in the House, you are great people and you are the ones who keep this place running and believe me we do appreciate the work that the staff does. To the people that I have come across and have come to know through this legislative process, the lobbyists, and others who have come to testify and who have now become my lifelong friends.

"Even to the media, thanks guys. I learned a lot from you guys. Most of all to all of you, my colleagues, I have grown so much and you've seen it, Mr. Speaker, and I wanted to say especially to you my greatest teacher, thanks. To this institution that I have come to respect, some people say they had a great day and some say they had a great year, but I've had a great decade. Thank you, Mr. Speaker. I thank all of you."

Representative Oshiro then rose and stated:

"Mr. Speaker, thank you for allowing me this opportunity to make some brief remarks regarding our colleague from Hawai'i Kai, Representative Dave Stegmaier.

"When I think about Representative Stegmaier, I think about a couple of things. First of all, I think about CSSS and I thank him for finally getting me to understand what CSSS means. In

fact, I am not sure if everyone in the Chamber right now knows what CSSS is, but it is the Comprehensive Student Support System. I believe that the history books will note that Representative Stegmaier is the principal founder and father of that system.

"Another thing that I think about when I think of Representative Stegmaier is the witness that he has been to his colleagues at the Wednesday luncheons. He has shared with us many of his personal thoughts and trials and tribulations and expressed another side of himself that many of us never got to experience. Mr. Speaker, I was fortunate to be there and learn about what a really deep and thoughtful person Representative Stegmaier really is. The courage that he has to go through the types of physical discomforts that we can only imagine, and yet he does it with a smile on his face or a kind disposition.

"I recently learned that he has polio and I have been here for 6 years, but it never dawned on me until he shared with me in one of these gatherings. He has truly been a witness to me and many other people. Dave as you leave this Chamber remember that your presence will be missed, your words of wisdom, demeanor and your character will be missed by all of us. We wish you well and hope to see you return to Hawai'i, for Hawai'i is your home. Thank you, Mr. Speaker."

Representative Stegmaier then rose and stated:

"I know it has been a long day and I have conserved my speaking time today for an opportunity to say a few words. In fact, I didn't give one speech all day long, which is a record for me as you know. I submitted comments to the Journal though. I didn't realize that I too would feel so emotionally caught up in this final event. I did want to spend a few minutes making some summary comments about my legislative experience over the last 12 years.

"I would like to share that I am thankful for having contributed to, in some small way, the following: Hawai'i has moved towards a more conservative fiscal posture, implementing tax cuts and tax incentives rather than tax increases. We've open up the process of legislating. The significant change at the committee level where all decisions are made by quorum vote and for public record. We've highlighted the importance of the Governor's role in supporting and encouraging our small businesses. We've kept ourselves from taking the easy way out of our fiscal roles by resisting the temptation to make organized gambling legal in Hawai'i.

"We've moved towards a greater emphasis on education as a path towards greater opportunity and independence. We have begun to move away from the continuation of programs and policies that keep people and families mired in dependence without hope or opportunity. Mr. Speaker, my major regret is that I have failed to lead my colleagues, and others in government, to a realization that an important role of government is to encourage the people of Hawai'i to be heroes in their work life and their home life.

"The best definition of hero that I have seen is, 'an ordinary person doing extraordinary things.' We have such a promising society, Mr. Speaker, our strength comes from our great diversity and our aloha for each other. The diversity of Hawai'i's population is a pre-cursor of such population diversity throughout the United States in the not so distant future. We have the opportunity to be a beacon of light for our country and the world, yet we are not presently that beacon of light because we do not have high expectations for ourselves. We are not calling upon ourselves to be heroes to do extraordinary things.

"Each one of us in Hawai'i can be a hero for our families, schools and communities. This regret of mine, colleagues, is your great opportunity in the future. I urge you to go back to the drawing boards before each session to determine how you can fashion our laws, appropriate funds and act as community

leaders to unleash the energy, creativity, initiative, dedication, courage and love of our people to make ourselves a beacon of light. A place to be reckoned with in the Pacific era of human history.

"Colleagues I ask you to remember Hawai'i's cultural tradition of sacrifice, sacrifice for the next generation. That tradition has been eroded over the years. We must revitalize this tradition before we lose it from our culture. We, as legislators, with an opportunity perhaps greater than any others to influence the values and traditions of our society, must take up this challenge.

"I am very grateful for the privilege of having represented the people of Hawai'i Kai and for having shared with my colleagues our mutual love for Hawai'i and the dreams about its future. I am especially appreciative of the many kindnesses shown to me by my colleagues including the willingness to forgive me after we do battle over our different views. Especially by the caring, competent and highly professional staff of the House. Whether they be from the Sergeant-of-Arms Office, the Clerk's Office, the Majority Research Office and the LRB.

"I also wish to acknowledge the outstanding service of my two office managers, Leinaala Davis and Linda Asato-Kaichi. Many good memories have to do with those weekly meetings as the Vice Speaker just pointed out and I do very, very, much appreciate your comments, Mr. Vice Speaker. To the fellowship group those whose numbers have expanded significantly since the early days from two or three to fifteen or twenty legislators today, including our very fine Speaker and Vice Speaker, who have become spiritual leaders as well as legislative leaders for us. The memories of all of us coming together putting our widely divergent political views aside and simply sharing our common belief in an experience of the holy spirit.

"There are other specific memories that I will take with me. Such as, the occasion where I had to speak in Japanese to a national audience of television viewers in Japan on behalf of the entire Hawai'i House of Representatives and all of my colleagues, who surrounded me on the House Floor that day, expressing our congratulations and best wishes to our own athlete from Waimanalo, and Kaiser High School graduate, Chad Rowen when he became Yokozuna Akebono.

"Perhaps most poignant for me, Mr. Speaker, was the time that our fellowship group did not materialize one day as scheduled. I was in dire need of some support as I prepared for a very difficult Education Committee hearing in the afternoon. I will always cherish the warmth, kindness and aloha of our colleague from Nanakuli, then freshman, Michael Kahikina, when I wandered into his office in the State Office Tower. He, sensing my need, readily invited me to sit down and pray. As he held my hands and we knelt together, the souls of two individuals representing very different communities and backgrounds became one and he prayed that I find peace, comfort and strength in that same god that we both believe in.

"Mr. Speaker, thank you, for this opportunity to share my concluding thoughts and feelings with you and my colleagues. Jane and I look forward to returning to Hawai'i nei, just as soon as the mainland family responsibilities we must tend to will allow. Thank you."

Representative Case then rose and stated:

"Mr. Speaker, we have come to the end, not just of this legislative session, but of a whole two year Legislature. For some, it is the first of many, and for others the second. For some of us, in that great class of 1994, our third. For others, the fourth or the tenth. For you, Mr. Speaker, I counted it this morning, it is the twelfth end of a Legislature, your twenty-fourth year of service. And for some it is the last. We bid our fondest aloha to those we know are leaving.

"Representative Alex Santiago, we will miss your passion. Representative David Stegmaier, we will miss your sincerity. And Representative Bob Herkes, we will definitely miss your candor. For those among us who will make their decisions known later or who will yield to the ultimate judgement of the voters, we can only say at this time, Godspeed, and may our paths cross again. And our continued prayers go out to Representative Tom Okamura for a full recovery.

"The thirty-nine members of your Majority are thankful, Mr. Speaker, for your leadership. You have demonstrated openness, stability, resolve and accommodation as and in the measure needed. For you, Mr. Speaker, we thank every member of the Majority for your incredibly hard work and your dedication to the people of Hawai'i. We thank the Minority for being our partners. You have been the loyal opposition, and both the process and the product have been better for it.

"We thank the Senate, the Governor, and all who testified, communicated and otherwise participated in our work. We could not have done it without you. We thank our loved ones who have given up so much that we may serve. But mostly we thank our bosses, the people of Hawai'i.

"Your Majority has tried to do the people's work, your work. We have tried to speak for the mainstream of Hawai'i, for you. This is your House: this living, breathing entity which will continue on long after any of us are here.

"We thank you, our bosses, the people, for your trust. And we now entrust this great House of Representatives back to your will. Aloha."

Representative Marumoto then rose and stated:

"We bid farewell to our colleagues. I am sure it is just temporary, some of us may even return here. But on behalf of the Minority, I would like to say Aloha to Representative Stegmaier, I have known you since Con-Con and I have watched you grow stronger over the years. I think I like you even better now that your views tend to be more conservative.

"To Alex Santiago, he has been the champion of the sick, the elderly and the young also. I think he has done a good job as the Health Chairman and please keep up the good work. To my old friend, Bob Herkes, I've known him in previous lives and previous wives for many, many years. He's been a champion for small business and deregulation and he knows how tough the job is. So I don't know why he is leaving us, now the job is going to be left undone.

"We bid aloha to our colleagues. We fought you really hard and played the watch dog role and we grated upon your nerves, but we were very sincere in our beliefs. We will be back next year to make sure that we continually battle for education improvement, a better business climate and controlling government growth. Our mission is great and we are compelled to come back and do the job and hopefully we are in larger numbers. We respect you, but we feel that we are right.

"We love you too, and we say aloha to some of you who may leave this House at a later date. Godspeed to you all and to you, Mr. Speaker, we will come back and finish the job. Thank you."

The Chair then stated:

"In closing remarks, let me state for all of you that on the Opening Day of this session I invited all of you to take a journey or a voyage of discovery with me. Now our journey has ended on this Sixtieth day of the Twentieth Legislature.

"Let me thank all of you for a fantastic voyage. It was not an easy journey. At times the waters were rough, full of critics and nay sayers. I think all of you realized that it is easy to

criticize, it is easy to complain, it is easy to point out mistakes. These critics and naysayers make no mistakes because they're only purpose is to criticize. It's doers like all of you with the boldness and the spirit of adventure who willingly tackled the challenges that faced. Knowing full well that not everyone would be satisfied and that mistakes could be made and happen along the way.

"It meant taking risks, venturing into new territories and making some very tough decisions. But our journey log shows our collective results, a balanced budget, educational accountability, public employment reform, a new prison, University autonomy, hotel and resort renovation tax credit, a Judicial pay raise, high technology incentives, tough fireworks regulations, the substance abuse treatment and firearms control and so much more.

"All of you here have done an admirable job for the people of the State of Hawai'i. You have worked to bring a better Hawai'i. It took tremendous work, long hours and personal sacrifices to get the people's work done in the few short months we had. Not only did we face tough issues, but we also dealt with the new procedural reforms. I thank the Chairs and Vice Chairs for tackling this Session's tough issues. I thank the leadership team for steering the House through these hard times. And I thank the Minority for being a very collaborative partner in all of this.

"To each and every member of the House, mahalo for your courage and wisdom. And finally, please let me also thank your staffs for their tremendous work and efforts during the last two weeks of session. On this final day of the Regular Session of the Twentieth Legislature, I also bid to three very remarkable men of vision, strength and honor who have announced their intentions to retire from elective office.

"To Representative David Stegmaier, did you know that he is the eldest statesman of the three retirees having served the House since 1988. David, you have represented your constituents in Hawai'i Kai with distinction for the past 12 years. Known for your forthrightness and strongly held beliefs, you have been a spokesman for a variety of issues. Even earning the Guardian of Small Business Award by the National Federation of Independent Business. And from your stint as the Chair of Education to the Committee of the Keiki Caucus you have always acted in the best interest of the students of Hawai'i.

"To Representative Alex Santiago, the middle child of the three retirees having served the House since 1990. As part of my leadership team, as Co-Majority Whip, you were the social conscience of the leadership team. Always mindful of the poor, elderly, oppressed and anyone else in need. I am happy that you shared your special insights, talents and knowledge you gained as a social worker to lead the way in the health care needs of our people. You will be sorely missed as the Chair of the Health Committee, but your replacement is going to do a very good job if it is Representative Brian Yamane, that's a joke.

"Finally, to Representative Bob Herkes, the youngster of three retirees having served in the House since 1992. I am glad that you corrected the errors of your youth and found your calling as a Democrat, Bob. Businesses in Hawai'i could not have found a better champion than you to further their cause at the Legislature. Your intelligence, your political savvy and your knowledge of the needs and concerns of business are legendary. As Chair of the Economic Development and Business Concerns Committee you have created a better business climate in Hawai'i.

"We all bid to all three of you a farewell, I know that each of your characters will have a way of continuing on in this State House or this institution. Finally, I thank you for the privilege for allowing me to serve as your Speaker of the House. It has been a tremendous learning experience for me, I found the

challenges to be invigorating, the friendships to be lifelong and the opportunities to be limitless. I would also like to acknowledge and I personally hope for all of us in this House, that one of our Chief Attorneys will not be leaving this House. Mr. Jimmy Funaki with all the years of public service from the days of Speaker Elmer Carvalho to myself here, please come back next year.

"Also to the House staff, the House Majority Staff Office, Linda and your staff for doing an excellent job in supporting all of the members of the Majority Caucus; the Clerk's Office, Pat and CJ and others who have been so supportive of all of you in getting your trips, per diems, et cetera, accounted for; the Sergeant-at-Arms, Kevin and Frank and the other staffers, thank you very much on behalf of the Members of the House and also the Printshop that did an excellent job in getting the bills out on time. So to all of you, good luck in all your future endeavors. Mahalo and Aloha."

ADJOURNMENT

Representative Case moved that the House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, adjourn Sine Die, seconded by Representative Marumoto and carried, with Representatives Nakasone, Okamura, Rath, Souki and Whalen being excused.

At 10:11 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twentieth Legislature of the State of Hawai'i, Regular Session of 2000, adjourned Sine Die.