

## FORTY-EIGHTH DAY

Monday, April 9, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 10:10 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Captain Steven M. Torgerson, Fifteenth Air Base, Hickam Air Force Base, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

Senator A. Kobayashi introduced to the members of the Senate a group of students from Lutheran High School who were seated in the gallery, accompanied by Mr. Mark Kemps, their teacher.

## ORDER OF THE DAY

## STANDING COMMITTEE REPORTS

MATTERS DEFERRED FROM  
FRIDAY, APRIL 6, 1990

Stand. Com. Rep. No. 2946 (S.R. No. 28, S.D. 1):

On motion by Senator Hagino, seconded by Senator Reed and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ISSUE A REQUEST FOR PROPOSALS TO REINSTITUTE IN-HOME COUNSELING SERVICES TO HELP ELIGIBLE PERSONS QUALIFY FOR MEDICAID BENEFITS, SHIP, VETERANS PROGRAMS, AND OTHER THIRD-PARTY REIMBURSEMENT PROGRAMS," was adopted.

Stand. Com. Rep. No. 2978 (S.C.R. No. 251, S.D. 1):

On motion by Senator Hagino, seconded by Senator Reed and carried, the report of the Committee was adopted and S.C.R. No. 251, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN OFFICE OF CULTURAL AFFAIRS," was adopted.

Stand. Com. Rep. No. 2979 (S.R. No. 236, S.D. 1):

Senator Hagino moved that Stand. Com. Rep. No. 2979 be adopted and S.R. No. 236, S.D. 1, be referred to the Committee on Legislative Management, seconded by Senator Reed.

Senator Solomon, in support of the resolution, said:

"Mr. President, I do have some concerns, but I will be voting in favor of the resolution requesting the study. I have been advised by the chairman of the Culture Committee that she will be sending my concerns to the Legislative Management Committee in the form of a memorandum. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 236, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING AN OFFICE OF CULTURAL AFFAIRS," was referred to the Committee on Legislative Management.

## AGREE/DISAGREE

MATTERS DEFERRED FROM  
FRIDAY, APRIL 6, 1990

S.B. No. 973, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 973, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Thursday, April 12, 1990.

S.B. No. 2252, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2252, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Thursday, April 12, 1990.

S.B. No. 2475, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 2475, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, April 12, 1990.

S.B. No. 2617, H.D. 1:

By unanimous consent, action on S.B. No. 2617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION AGAINST SPOUSAL IMPOVERISHMENT," was deferred until Thursday, April 12, 1990.

S.B. No. 3166, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3166, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Thursday, April 12, 1990.

S.B. No. 3334, H.D. 1:

By unanimous consent, action on S.B. No. 3334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," was deferred until Thursday, April 12, 1990.

S.B. No. 3013, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3013, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Thursday, April 12, 1990.

S.B. No. 3165, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 3165, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE MOTOR CARRIER SAFETY OFFICER, HIGHWAYS SPECIAL SERVICES SUPERVISOR, HIGHWAY LIGHTING WORKER, AND HIGHWAY LIGHTING SUPERVISOR CLASSES IN THE STATE EXECUTIVE BRANCH," was deferred until Thursday, April 12, 1990.

S.B. No. 3327, H.D. 1:

By unanimous consent, action on S.B. No. 3327, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL INSPECTION," was deferred until Thursday, April 12, 1990.

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 2938 (Gov. Msg. No. 132):

Senator McMurdo moved that Stand. Com. Rep. No. 2938 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator McMurdo then moved that the Senate advise and consent to the nomination of Jacob "Jake" Manegdeg to the Criminal Injuries Compensation Commission, term to expire June 30, 1994, seconded by Senator Yamasaki.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2939 (Gov. Msg. No. 189):

Senator McMurdo moved that Stand. Com. Rep. No. 2939 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator McMurdo then moved that the Senate advise and consent to the nominations of Lorraine Therese Frenza, Liane Y. Mikami, Lois A. Sugai and Robert W. Low to the Child Abuse and Neglect Secondary Prevention Advisory Committee, terms to expire June 30, 1993, seconded by Senator Yamasaki.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2940 (Gov. Msg. No. 190):

Senator McMurdo moved that Stand. Com. Rep. No. 2940 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator McMurdo then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elderly Affairs of the following:

Henry Kaimiaina Kaalekahi, Sr., term to expire June 30, 1993; and

Mary I. Ventura, term to expire June 30, 1991,

seconded by Senator Yamasaki.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2941 (Gov. Msg. No. 130):

Senator Levin moved that Stand. Com. Rep. No. 2941 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of Melvin K. Kumasaka to the Drug Product Selection Board, term to expire June 30, 1994, seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2942 (Gov. Msg. No. 185):

Senator Levin moved that Stand. Com. Rep. No. 2942 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Levin then moved that the Senate advise and consent to the nominations to the Commission on Persons with Disabilities of the following:

Judith L. Ishimoto, Stephen A. Scher, Gladys Coelho Baisa and Lundsford Dole Phillips, terms to expire June 30, 1994; and

Myron M. Yamauchi, term to expire June 30, 1992,

seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2943 (Gov. Msg. No. 186):

Senator Levin moved that Stand. Com. Rep. No. 2943 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of Donna R. Ching, Ph.D., Catherine L. Cotton, Alan Jay Spain, M.D., and Gwen Sumie Naguwa, M.D., to the Emergency Medical Services Advisory Committee, terms to expire June 30, 1994, seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2944 (Gov. Msg. No. 187):

Senator Levin moved that Stand. Com. Rep. No. 2944 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Levin then moved that the Senate advise and consent to the nominations to the State Council on Mental Health and Substance Abuse of the following:

Fredda Sullam, term to expire June 30, 1993; and

James Cook, term to expire June 30, 1992,

seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2945 (Gov. Msg. No. 188):

Senator Levin moved that Stand. Com. Rep. No. 2945 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of Kathy Fogarty and Fred K. Funamoto to the Board of Radiologic Technologists, terms to expire June 30, 1994, seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2962 (Gov. Msg. No. 239):

Senator Menor moved that Stand. Com. Rep. No. 2962 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nominations to the Civil Rights Commission of the following:

Daphne E. Barbee, term to expire June 30, 1991;

Jackie Mahi Erickson and Richard J. Port, terms to expire June 30, 1992; and

Amefil Agbayani, Ph.D., and Josephine G. Epstein, terms to expire June 30, 1993,

seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2963 (Gov. Msg. No. 240):

Senator Menor moved that Stand. Com. Rep. No. 2963 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nominations of Robyn Ululani Au and Lynn Higashi Hiatt to the Defender Council, terms to expire June 30, 1994, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2964 (Gov. Msg. No. 241):

Senator Menor moved that Stand. Com. Rep. No. 2964 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of Tirrell B. McGruder to the Board of Registration, Island of Oahu, term to expire June 30, 1994, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2965 (Gov. Msg. No. 242):

Senator Menor moved that Stand. Com. Rep. No. 2965 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of Mabel Ishii to the Board of Registration, Island of Hawaii, term to expire June 30, 1994, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2966 (Gov. Msg. No. 243):

Senator Menor moved that Stand. Com. Rep. No. 2966 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of Martha A. Evans to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to expire June 30, 1994, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2967 (Gov. Msg. No. 244):

Senator Menor moved that Stand. Com. Rep. No. 2967 be received and placed on file, seconded by Senator Levin and carried.

Senator Menor then moved that the Senate advise and consent to the nomination of Malcolm Y. Doi to the Board of Registration, Kauai and Niihau, term to expire June 30, 1994, seconded by Senator Levin.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2968 (Gov. Msg. No. 197):

Senator Ikeda moved that Stand. Com. Rep. No. 2968 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nomination of Tamotsu Kitagawa to the Governor's Agriculture Coordinating Committee, term to expire June 30, 1994, seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2969 (Gov. Msg. No. 198):

Senator Ikeda moved that Stand. Com. Rep. No. 2969 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nominations of Lani Stemmermann, Ph.D., and Kost A. Pankiwiskij, Ph.D., to the Natural Area Reserves System Commission, terms to expire June 30, 1994, seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2970 (Gov. Msg. No. 199):

Senator Ikeda moved that Stand. Com. Rep. No. 2970 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nominations to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, of the following:

Leighton Almeida and Edwin A. Ebisui, Jr., terms to expire June 30, 1994; and

Raymond Tamaribuchi, term to expire June 30, 1991,  
seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2971 (Gov. Msg. No. 200):

Senator Ikeda moved that Stand. Com. Rep. No. 2971 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nominations of Henry Ota and Clyde E. Beaudet to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, terms to expire June 30, 1994, seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2972 (Gov. Msg. No. 201):

Senator Ikeda moved that Stand. Com. Rep. No. 2972 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nominations of Roland Kaopuiki, J. Leolani Abdul Killion and Irvin L. Sarsona to the Aquatic Life and Wildlife Advisory Committee, County of Maui, terms to expire June 30, 1994, seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

Stand. Com. Rep. No. 2973 (Gov. Msg. No. 202):

Senator Ikeda moved that Stand. Com. Rep. No. 2973 be received and placed on file, seconded by Senator Solomon and carried.

Senator Ikeda then moved that the Senate advise and consent to the nominations of William L. Curammeng, Sr., and Arthur K. DeFries to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, terms to expire June 30, 1994, seconded by Senator Solomon.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Blair, Chang).

At 10:23 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock a.m.

At this time, the Chair informed the members of the Senate that, on request of the governor and the chairman of the Committee on Ways and Means, H.B. No. 2164, H.D. 1, S.D. 1, will be taken out of order and acted upon at this time.

### THIRD READING

H.B. No. 2164, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 2164, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator Mizuguchi's statement in support of the measure is follows:

"Mr. President, I support H.B. No. 2164, H.D. 1, S.D. 1, authorizing special purpose revenue bonds to assist health care facilities serving the general public. Specifically, this bill would authorize special purpose revenue bonds to be issued on behalf of Kapiolani Health Care System or Pali Momi Medical Center to refinance acquisition and purchase of facilities or to finance or refinance renovations or new construction.

"This is a purpose specifically authorized and provided for by the State Constitution and encouraged by the income tax laws of the federal government. Because the interest on special purpose revenue bonds are exempt from federal and state taxation, the bonds would bring about lower interest costs on long-term financing for Kapiolani and Pali Momi, which is a much needed facility serving Aiea and neighboring communities.

"The authorization and issuance of these bonds would promote the state's interest in reducing the rate of increase of medical costs. Through these bonds, there would be savings of some \$2 to \$2.5 million per year over the life of the bonds. These are significant cost savings which would otherwise have to be borne through patient charges.

"Because the bonds would help to control medical costs, I urge support for this bill."

The motion was put by the Chair and carried and H.B. No. 2164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

### THIRD READING

### MATTERS DEFERRED FROM FRIDAY, APRIL 6, 1990

H.B. No. 1261, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1261, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2879, S.D. 1:

By unanimous consent, action on H.B. No. 2879, S.D. 1 was deferred to the end of the calendar.

### THIRD READING

H.B. No. 2183, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2183, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2820, H.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2820, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2842, H.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2842, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

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

The Senate reconvened at 10:26 o'clock a.m.

H.B. No. 3083, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 3083, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 3110, H.D. 2, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 3110, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2169, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Levin and carried, H.B. No. 2169, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2527, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2527, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANTITRUST PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2532, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2532, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ikeda). Excused, 1 (Chang).

H.B. No. 3121, H.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 3121, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3380, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 3380, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2913 (H.B. No. 1251, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2913 was adopted and H.B. No. 1251, H.D. 1, S.D. 2, entitled: "A FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3103, H.D. 1, S.D. 1:

On motion by Senator Crozier, seconded by Senator Fernandes Salling and carried, H.B. No. 3103, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDEMNATION OF LEASEHOLD REAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Levin). Excused, 1 (Chang).

H.B. No. 2994, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ikeda and carried, H.B. No. 2994, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3440, H.D. 1, S.D. 1:

On motion by Senator Tungpalan, seconded by Senator Hagino and carried, H.B. No. 3440, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2531, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator McCartney and carried, H.B. No. 2531, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTEL LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2918 (H.B. No. 839, S.D. 2):

On motion by Senator Blair, seconded by Senator Hagino and carried, Stand. Com. Rep. No. 2918 was adopted and H.B. No. 839, S.D. 2, entitled: "A FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2131, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2131, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2294, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2394:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2394, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2411, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2411, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING REQUIREMENTS FOR MOTOR VEHICLE INDUSTRY LICENSEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2516:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2516, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3176, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 3176, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 256, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2926 (H.B. No. 1660, H.D. 1, S.D. 2):

On motion by Senator Menor, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2926 was adopted and H.B. No. 1660, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2022, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2022, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2088:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2088, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2112, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2112, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2206, H.D. 1

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2931 (H.B. No. 2301, S.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2931 was adopted and H.B. No. 2301, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE BOARD OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Fernandes Salling, Solomon). Excused, 1 (Chang).

H.B. No. 2611, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2817, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3183, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 3183, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SYMBOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2935 (H.B. No. 3265, S.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Stand. Com. Rep. No. 2935 was adopted and H.B. No. 3265, S.D. 1, entitled: "A FOR AN ACT RELATING TO NOTICE OF ESCAPE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3410, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 3410, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION LISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (McMurdo). Excused, 1 (Chang).

H.B. No. 3428, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 3428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2637, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator B. Kobayashi and carried, H.B. No. 2637, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPERSAL REVIEW COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2664, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2664, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2903:

Senator Levin moved that H.B. No. 2903, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Koki rose to speak against the measure as follows:

"Mr. President, I rise to speak in opposition to this bill.

"We don't have a legalized drug program in America, and methadone comes the closest or is really a legalized drug program. In fact, a person that I know who has been a former drug addict has told me that it is a legal drug program; it doesn't work and it enslaves most of the people on it for life. It is more addictive than heroin. This would expand the ability for the state to give out more and more methadone. It really is not a way to handle the drug problem.

"We don't have alcoholics and give them an in-between drug so that they don't have to either get off of alcohol or not. We don't allow them to have an intermediary step, which could even be possibly even more addictive than alcohol. Yet, this is what we are doing with opiates.

"I encourage that we vote 'no' on this bill. Thank you."

The motion was put by the Chair and carried, H.B. No. 2903, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Koki). Excused, 1 (Chang).

H.B. No. 2894, H.D. 1, S.D. 1:

On motion by Senator McMurdo, seconded by Senator Yamasaki and carried, H.B. No. 2894, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANT, SUBSIDY, AND PURCHASE OF SERVICE CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2669, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2669, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2699, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 2699, H.D. 2, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2051, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2051, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTIONS 2 AND 3, AND ARTICLE IV, SECTION 4, OF THE HAWAII CONSTITUTION, TO MAKE VARIABLE THE NUMBER OF SENATORS AND REPRESENTATIVES TO BE ELECTED FROM RESPECTIVE SENATORIAL AND REPRESENTATIVE DISTRICTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2052, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2052, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2174, S.D. 1:

On motion by Senator Holt, seconded by Senator Ikeda and carried, H.B. No. 2174, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATEWIDE TRAIL AND ACCESS SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2878, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Solomon and carried, H.B. No. 2878, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2002, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2002, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2014, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2014, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2160:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2160, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2571, H.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2571, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROOF OF FINANCIAL RESPONSIBILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3081, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 3081, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Blair, Kobayashi, B., McCartney, McMurdo). Excused, 1 (Chang).

H.B. No. 2752, S.D. 1:

On motion by Senator Hagino, seconded by Senator Aki and carried, H.B. No. 2752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3302, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Menor and carried, H.B. No. 3302, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR LITTERING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3256, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 3256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS AND SURGEONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2295, H.D. 1, S.D. 1:

On motion by Senator Blair, seconded by Senator Hagino and carried, H.B. No. 2295, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Koki). Excused, 1 (Chang).

H.B. No. 2008, H.D. 1, S.D. 1:



On motion by Senator B. Kobayashi, seconded by Senator Fernandes Salling and carried, H.B. No. 2008, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2428, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Fernandes Salling and carried, H.B. No. 2428, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3149, H.D. 1, S.D. 1:

Senator Matsuura moved that H.B. No. 3149, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Crozier.

Senator McMurdo, in support of the measure, said:

"Mr. President, I had planned on voting against this bill, but the good Senator, chairman of the Committee on Energy and Natural Resources, has assured me that my objections will be worked out in conference. So, I will be voting 'yes.' Thank you."

Senator Aki, also in support of the measure, stated as follows:

"Mr. President, I speak in support of H.B. 3149. This issue has been a long standing one and has become complicated and very controversial. It pits environmental issues against economic issues.

"I share the ecological concern, as do most of the residents of Kauai, and agree that an environmental impact statement (EIS) is necessary. But I also see this visitor attraction as an integral part of what the Island of Kauai has to offer in the way of visitor amenities. Without this important industry, the unspoiled natural beauty of the Na Pali Coast will not be accessible for the vast majority of our visitors.

"H.B. 3149 allows boaters to continue their present level of operation. At the moment there are approximately 15 permittees, down considerably from 40 or more two years ago. I also will strongly urge the Department of Transportation to not issue any more permits until an EIS and carrying capacity study are done on the estuary.

"I received letters and phone calls that the boating issue on the North Shore of Kauai is vital to maintaining the tourist industry on the island. This is a special, unique activity to that part of the island, along with its beautiful scenery. I have also received testimonies from many individuals, including Wai Ola, in opposition to this bill.

"However, while I am concerned with the environmental matter, I believe that there should be a way to allow this activity to continue at the present level in harmony with the environment.

"To this effect, efforts were made to effectuate a compromise. The following points were discussed:

1. Na Pali Zodiac (Clancy Greff) will immediately cease operations from Tunnels Beach (makua) at

Haena, and relocate all operations out of the S.M.A. permitted boat yard at the Hanalei River.

2. The Ad Hoc Committee recommendations as to numbers and carrying capacities will be followed by all interested parties, effective immediately.

3. All permitted boat companies will immediately begin putting 4 percent of their gross revenues into an account that will pay for the modification of the existing environmental assessment to an Environmental Impact Study by Wilson, Okamoto and Associates.

4. There will be a maximum agreed to time limit to complete the EIS that it will not take longer than two years from the date of this understanding.

5. This 4 percent gross revenue fee from the boaters will, after paying for the EIS, then be used for any environmental modification as may be necessary to assure maximum compliance with existing environmental laws and concerns that are scientific and actually detectable and can be mitigated. This fund will be used for park acquisition on the North Shore.

6. The commercial tour boat operators agree that the passenger number will not exceed the current operating numbers, plus the inclusion of Captain Zodiac's permitted carrying capacities.

"I am of the opinion that the County of Kauai is treating the North Shore boating industry unfairly by requiring them to develop an EIS while not giving them the opportunity to continue to operate, and generate sufficient cash flow to sponsor an EIS. The EIS is expected to cost at least \$150,000 and possibly more; with no assurance that it will be acceptable to the county or any groups or individuals.

"Mr. President, I have considered the concern of both sides on this issue and have come to the decision that H.B. 3149 is the best way at the present time to untangle this long standing controversial issue. I urge all members to vote in favor of this bill."

The motion was put by the Chair and carried, H.B. No. 3149, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Crozier). Excused, 1 (Chang).

H.B. No. 3282, H.D. 1, S.D. 1:

On motion by Senator Matsuura, seconded by Senator Crozier and carried, H.B. No. 3282, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3286, H.D. 1, S.D. 1:

On motion by Senator Matsuura, seconded by Senator Crozier and carried, H.B. No. 3286, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATERSHED MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2424, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2424, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2457, H.D. 2, S.D. 1:

On motion by Senator Crozier, seconded by Senator Fernandes Salling and carried, H.B. No. 2457, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2546, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator B. Kobayashi and carried, H.B. No. 2546, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 726, H.D. 1, S.D. 1:

On motion by Senator Matsuura, seconded by Senator Crozier and carried, H.B. No. 726, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Levin). Excused, 1 (Chang).

H.B. No. 2011, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2011, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2430, H.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 2430, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 3128, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, H.B. No. 3128, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2992 (H.B. No. 1490, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2992 was adopted and H.B. No. 1490, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2993 (H.B. No. 1807, H.D. 1, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 2993 and H.B. No. 1807, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 2994 (H.B. No. 2287, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2994 was adopted and H.B. No. 2287, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO A FINANCIAL MALL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chang, McMurdo).

Stand. Com. Rep. No. 2995 (H.B. No. 2288, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2995 was adopted and H.B. No. 2288, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO HIGH TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Chang, McMurdo).

Stand. Com. Rep. No. 2996 (H.B. No. 2290, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2996 was adopted and H.B. No. 2290, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2997 (H.B. No. 2919, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2997 was adopted and H.B. No. 2919, H.D. 1, S.D. 2, entitled: "A FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused, 1 (Chang).

Stand. Com. Rep. No. 2998 (H.B. No. 2986, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 2998 was adopted and H.B. No. 2986, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR LINGUATRON (USA) LIMITED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused, 1 (Chang).

Stand. Com. Rep. No. 2999 (H.B. No. 2293, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 2999 be adopted and H.B. No. 2293, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator Cobb, in support of the bill, said:

"Mr. President, I will be voting for this measure. My only caveat or reservation is, since the financial institutions, particularly banks, are making record profits it would be nice to have them pay for the review, much as the insurance industry did when we had a review of that industry a few years ago. I hope that matter is addressed in conference. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 2999 was adopted and H.B. No. 2293, H.D. 2, S.D. 2, entitled: "A FOR AN ACT MAKING AN APPROPRIATION TO REVIEW THE LAWS RELATING TO FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3000 (H.B. No. 2358, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3000 was adopted and H.B. No. 2358, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3001 (H.B. No. 3356, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3001 was adopted and H.B. No. 3356, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO CORRECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3002 (H.B. No. 2967, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3002 was adopted and H.B. No. 2967, H.D. 1, S.D. 2, entitled: "A FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3003 (H.B. No. 2273, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3003 was adopted and H.B. No. 2273, H.D. 2, S.D. 2, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII PUBLIC TELEVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3004 (H.B. No. 3296, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3004 was adopted and H.B. No. 3296, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO BURIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3005 (H.B. No. 2787, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3005 was adopted and H.B. No. 2787, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3006 (H.B. No. 3403, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3006 was adopted and H.B. No. 3403, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO FOREST RESERVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3007 (H.B. No. 2868, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3007 was adopted and H.B. No. 2868, S.D. 1, entitled: "A FOR AN ACT RELATING TO ACCOUNTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3008 (H.B. No. 2268, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3008 was adopted and H.B. No. 2268, S.D. 1, entitled: "A FOR AN ACT RELATING TO A SATELLITE STATE OFFICE PILOT PROJECT," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3009 (H.B. No. 2302, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3009 was adopted and H.B. No. 2302, H.D. 1, S.D. 2, entitled: "A FOR AN ACT RELATING TO COUNTY GRANTS-IN-AIDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3010 (H.B. No. 1492, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3010 was adopted and H.B. No. 1492, S.D. 2, entitled: "A FOR AN ACT RELATING TO HAWAIIAN GENEALOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3011 (H.B. No. 2645, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3011 was adopted and H.B. No. 2645, H.D. 2, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAMS FOR FAMILIES OF MENTALLY ILL PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3012 (H.B. No. 2208, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3012 was adopted and H.B. No. 2208, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO ALTERNATIVE TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3013 (H.B. No. 2458, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3013 was adopted and H.B. No. 2458, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO A RENTAL HOUSING TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3014 (H.B. No. 2888, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3014 was adopted and H.B. No. 2888, H.D. 2, S.D. 2,

entitled: "A FOR AN ACT RELATING TO ELDERLY HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3015 (H.B. No. 2909, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3015 was adopted and H.B. No. 2909, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3016 (H.B. No. 3111, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3016 was adopted and H.B. No. 3111, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO COOPERATIVE HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3017 (H.B. No. 3171, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3017 was adopted and H.B. No. 3171, H.D. 1, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR A LOAN PROGRAM FOR PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3018 (H.B. No. 2092, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3018 was adopted and H.B. No. 2092, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO A SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3019 (H.B. No. 69, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3019 was adopted and H.B. No. 69, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3020 (H.B. No. 2046, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3020

was adopted and H.B. No. 2046, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3021 (H.B. No. 2281, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3021 was adopted and H.B. No. 2281, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO FAMILY SUPPORT CENTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3022 (H.B. No. 2381, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3022 was adopted and H.B. No. 2381, H.D. 1, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, DEVELOPMENT, AND COORDINATION OF A STATEWIDE PROGRAM FOR THE PROVISION OF SERVICES TO CONTROL VIOLENT BEHAVIOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Reed). Excused, 1 (Chang).

Stand. Com. Rep. No. 3023 (H.B. No. 2582, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3023 was adopted and H.B. No. 2582, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO THE HOMELESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3024 (H.B. No. 2603, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3024 was adopted and H.B. No. 2603, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3025 (H.B. No. 2904, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3025 was adopted and H.B. No. 2904, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3026 (H.B. No. 3109, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3026 was adopted and H.B. No. 3109, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO FAMILY VIOLENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3027 (H.B. No. 3355, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3027 was adopted and H.B. No. 3355, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO PROTECTIVE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3028 (H.B. No. 3357, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3028 was adopted and H.B. No. 3357, H.D. 2, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3029 (H.B. No. 3385, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3029 was adopted and H.B. No. 3385, S.D. 1, entitled: "A FOR AN ACT RELATING TO LITERACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3030 (H.B. No. 2057, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3030 was adopted and H.B. No. 2057, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3031 (H.B. No. 2258, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3031 was adopted and H.B. No. 2258, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3032 (H.B. No. 2259, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3032 was adopted and H.B. No. 2259, H.D. 2, S.D. 2, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVED PUBLIC ACCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3033 (H.B. No. 2308, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3033 was adopted and H.B. No. 2308, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO YOUTH GANGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3034 (H.B. No. 2871, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3034 was adopted and H.B. No. 2871, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3035 (H.B. No. 2489, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3035 was adopted and H.B. No. 2489, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3036 (H.B. No. 2884, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3036 was adopted and H.B. No. 2884, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3037 (H.B. No. 2929, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3037 was adopted and H.B. No. 2929, H.D. 1, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE SECRETARY, PRIVATE SECRETARY AND SCHOOL ADMINISTRATIVE SERVICES ASSISTANT CLASSES IN THE STATE EXECUTIVE BRANCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3038 (H.B. No. 2932, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3038 was adopted and H.B. No. 2932, H.D. 1, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING CIVIL SERVICE ADULT CORRECTIONS OFFICER, YOUTH CORRECTIONS OFFICER, REGISTERED PROFESSIONAL NURSE AND ANESTHETIST CLASSES IN THE STATE EXECUTIVE BRANCH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3039 (H.B. No. 2296, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3039 was adopted and H.B. No. 2296, H.D. 2, S.D. 1, entitled: "A FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused, 1 (Chang).

Stand. Com. Rep. No. 3040 (H.B. No. 3095, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3040 was adopted and H.B. No. 3095, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3041 (H.B. No. 3114, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3041 was adopted and H.B. No. 3114, H.D. 2, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI BEAUTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3042 (H.B. No. 2950, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3042 was adopted and H.B. No. 2950, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3043 (H.B. No. 2960, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3043 was adopted and H.B. No. 2960, H.D. 1, S.D. 2, entitled: "A FOR AN ACT RELATING TO

TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (George). Excused, 1 (Chang).

H.B. No. 1576, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 1576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2069, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2069, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2864, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2864, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2865, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2865, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2895, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2895, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2908, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2908, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2949, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 2949, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator McMurdo spoke in support of the measure as follows:

"Mr. President, as you know, when the Senate bill went out with the half percent in it for mass transit, I voted against it because I'm against regressive taxes. At this point, this bill has all blanks and will be going to the conference committee, so, I will be voting in favor of this bill."

By unanimous consent, action on H.B. No. 2949, H.D. 2, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2990, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2990, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 1693, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 1693, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INVESTIGATIVE POWERS OF THE ATTORNEY GENERAL AND THE COUNTY PROSECUTING ATTORNEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3054 (H.B. No. 2044, H.D. 2, S.D. 2):

On motion by Senator Menor, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3054 was adopted and H.B. No. 2044, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO A PILOT PROGRAM TO REDUCE THE TRANSMISSION OF INFECTIOUS AND COMMUNICABLE DISEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (George, Reed). Excused, 1 (Chang).

H.B. No. 2053, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2053, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTIONS 4, 5, AND 6, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REVISE THE LAWS REGARDING APPORTIONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2089, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2089, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2184, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2184, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2191, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2191, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WEAPONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2398, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2398, H.D. 1, S.D. 1 was deferred to the end of the calendar.

H.B. No. 2400, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3061 (H.B. No. 2536, S.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Stand. Com. Rep. No. 3061 was adopted and H.B. No. 2536, S.D. 1, entitled: "A FOR AN ACT RELATING TO FOREIGN-MONEY CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2827, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2827, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 2876, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2876, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2965, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Levin and carried, H.B. No. 2965, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2388, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Solomon and carried, H.B. No. 2388, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 1275, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1275, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 2984, H.D. 1, S.D. 1:

On motion by Senator Crozier, seconded by Senator Fernandes Salling and carried, H.B. No. 2984, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAWAHINE LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3068 (H.B. No. 2751, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3068 was adopted and H.B. No. 2751, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3069 (H.B. No. 3299, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3069 was adopted and H.B. No. 3299, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO ENERGY CONSERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3070 (H.B. No. 2299, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3070 was adopted and H.B. No. 2299, H.D. 1, S.D. 2, entitled: "A FOR AN ACT RELATING TO AN AFTER-SCHOOL PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 1148, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 1148, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3072 (H.B. No. 2985, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3072 was adopted and H.B. No. 2985, H.D. 2, S.D. 1, entitled: "A FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH



SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3073 (H.B. No. 2896, H.D. 3, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3073 was adopted and H.B. No. 2896, H.D. 3, S.D. 2, entitled: "A FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3074 (H.B. No. 2789, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3074 was adopted and H.B. No. 2789, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO PENSIONERS' BONUS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3075 (H.B. No. 2891, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3075 was adopted and H.B. No. 2891, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3076 (H.B. No. 2737, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3076 was adopted and H.B. No. 2737, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO LEGISLATIVE INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2265, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2265, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN-RELATED ACTIVITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3078 (H.B. No. 2608, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3078 was adopted and H.B. No. 2608, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO JUDICIARY,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3079 (H.B. No. 2229, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3079 was adopted and H.B. No. 2229, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO THE SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2500, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3081 (H.B. No. 2418, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3081 was adopted and H.B. No. 2418, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3082 (H.B. No. 2649, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3082 was adopted and H.B. No. 2649, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO A COMMUNITY-BASED TEENAGE HEALTH CLINIC DEMONSTRATION PROJECT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Koki). Excused, 1 (Chang).

Stand. Com. Rep. No. 3083 (H.B. No. 2280, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3083 was adopted and H.B. No. 2280, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO PERINATAL CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 3084 (H.B. No. 1144, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3084 was adopted and H.B. No. 1144, H.D. 2, S.D. 2, entitled: "A FOR AN ACT RELATING TO SMALL

BUSINESS INCUBATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2356, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2356, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was recommitted to the Committee on Consumer Protection and Commerce.

Stand. Com. Rep. No. 3086 (H.B. No. 2103, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3086 was adopted and H.B. No. 2103, H.D. 1, S.D. 1, entitled: "A FOR AN ACT RELATING TO ZIP CODES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2059, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 2059, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," was recommitted to the Committee on Ways and Means.

H.B. No. 3098, H.D. 2, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 3098, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM TRAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

H.B. No. 2947, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2947, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 3090 (H.B. No. 1900, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3090 was adopted and H.B. No. 1900, S.D. 1, entitled: "A FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Blair). Excused, 1 (Chang).

At 11:05 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

#### **MATTERS DEFERRED FROM EARLIER ON THE CALENDAR**

#### **THIRD READING**

H.B. No. 1261, H.D. 1, S.D. 1:

On motion by Senator Matsuura, seconded by Senator Crozier and carried, H.B. No. 1261, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Cobb, Fernandes Salling, Levin, McMurdo, Solomon).

H.B. No. 2879, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Solomon and carried, H.B. No. 2879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF THE AGRICULTURAL PARK PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Koki).

H.B. No. 3083, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 3083, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," was recommitted to the Committee on Judiciary.

H.B. No. 2664, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTROMAGNETIC RADIATION," was recommitted to the Committee on Health.

H.B. No. 2669, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2669, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," was recommitted to the Committee on Health.

H.B. No. 2699, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 2699, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," was recommitted to the Committee on Health.

H.B. No. 2949, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 2949, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator Cobb rose to speak against the measure and said:

"Mr. President, I'm going to be voting against this bill even though the amounts are blank, and I think it's appropriate to share with the members exactly why because I do not necessarily disagree with the desire of flexibility in a conference committee environment by having a bill with blank amounts. But in no case do I see any attempt at consideration of alternatives in a serious vein anywhere in this bill. In fact, the entire bill is structured with blank amounts for an increase in the general excise tax, presumably from 4 to 4-1/2 percent that I recognize very clearly that it's to be a matter to be discussed and hammered out in a conference committee environment.

"Mr. President, we've been hearing from a number of people on the subject of an excise tax increase, and I'm sorry to say that, at least to date, there has not been serious consideration of viable alternatives in the Senate.

"During the first debate on the first crossover on this particular measure, a statement was read on the floor from a member of our congressional delegation saying

that it was necessary to have the excise tax increase as the source of guaranteed funding. Since that time, Mr. President, United States Congresswoman Patricia Saiki has stated publicly, and her aide has confirmed, that UMTA will recognize other sources of funding other than an excise tax as long as that is a dedicated and guaranteed source of funding.

"In fact, Mr. President, we missed our chance. You've missed your chance. We could have funded this with a lottery and with bingo, among other things ... too bad. That would have been a viable, dedicated source, however controversial.

"Earmarking a portion or all of the tourist tax revenues would be a viable, dedicated source. Granting the counties some of the exemptions they've been seeking for years would also be viable, dedicated sources recognized and approved by UMTA.

"I, for one, Mr. President, disagree with the scare tactics that are being used by some property management companies in their lobbying against the excise tax increase. I don't think it's a function of property management, but rather of greed. When we receive a bulletin that says, 'Rent increase is going to be passed on due to the tax increase.' And on March 21st we received a notice from Johnson Property Management, Inc. stating exactly that.

"The message behind this, Mr. President, is a disturbing one. Not only does an excise tax fall most heavily on those who can least afford it, but they are the ones that are going to be asked to pay for this increase. Mr. President, if one property management company is saying this in writing, you can bet your sweet petootie that at least a hundred are planning to do it, even though they are not going to say it publicly.

"Already today, rents in Honolulu are in the \$700 to \$900 range for a studio or one-bedroom apartment, and in the thousand-dollar-plus range for two bedrooms. In short, an inordinate amount of money is being spent by our citizenry just for basic shelter. This kind of measure is not going to help the situation one bit.

"I note that in the first crossover, the Chamber of Commerce of Hawaii had testified in favor of the excise tax increase. But since that time, Mr. President, both the Chamber of Commerce Government Affairs Council and the Tax Committee of the Hawaii Chamber of Commerce have come out in opposition to the tax increase. So has the Maui Chamber of Commerce. And rather than read their entire statement, I would merely like to ask consent and insert it into the record. (The Chair, so ordered.) (Attachment "A")

"In addition, Mr. President, Mr. Lowell Kalapa on March 6, 1990 presented a paper to the Hawaii Business Roundtable called 'A Probe of Mass Transit Financing - A Presentation to the Hawaii Business Roundtable' on the subject, 'Is a tax increase necessary?'" He concluded, in a document of over ten pages, that it was not. That if the present taxing system continued we would have by fiscal year 1996 a one billion dollar surplus. I would like to read just a portion of that because it is a long document and ask consent to insert the rest of it into the record. (The Chair, so ordered.) (Attachment "B")

"He addresses the question of biting the bullet:

'... it should be pointed out that the claim is being made to wit that the state is helping to build mass transit, but note that not one dime of state tax revenue is going toward the construction of the system. It appears that the state has overlooked the fact that the

same people who will pay for the 0.5% increase are those who pay current state taxes.

'If nothing else, the proposal to increase the general excise tax rates reflects the' (same) 'lack of good budgeting practice by the state. If the mass transit system and traffic congestion problem is of top priority to the state, then it ought to put its money where its mouth is.

'We are being told that "the time has come to bite the bullet" and to get on with mass transit. Flush with cash, the state has gone on a spending spree, funding every and any program or project. This is the direct opposite of what we had to do during the Seventies when cash was tight and we bit the bullet and counted the pennies to make do with what we had.

'Given the tremendous money machine the state now sits upon, it is once more a time to bite the bullet and get some priorities in our spending. It must be realized that the capacity of the taxpayer is limited and to use those tax dollars wisely. If mass transit is a wise use of those tax dollars, then we need to bite the spending bullet in other lesser priority areas and channel the available cash toward this project.

'Hawaii has already been recognized as a high tax state. Each year we provide this or that proposal to provide tax incentives to attract business to Hawaii. These proposals would not be necessary if Hawaii enjoyed an overall tax climate that was attractive to all businesses both existing and potential.

'To endorse a tax increase of this magnitude is a condoning of our state's spending practices and the belief that the taxpayer, both individuals and businesses, have not been squeezed enough. Yes, it is time to bite the bullet, but in this case it is the bullet of spending. Rather than being the starship drifting aimlessly through space, we need to turn up our booster rockets and direct our state into the future with the rocket fuel that we already have.'

"Mr. President, if I had seen in this bill or in writing a serious analysis of alternative financing of this project with the City and County of Honolulu, as well as for the infrastructure improvements of the neighbor islands, I might not feel as strongly as I do, but everything in this bill and in its attendant digest is geared only toward an increase in the excise tax, the primary difference being in this bill for now, the amounts are blank.

"The irony, Mr. President, is, I recall, that the committee from which this came, just a few days ago, filed a bill relating to an anti-speculation tax, at least partially on the grounds that such a bill was anti-business. Mr. President, this tax increase is much more anti-business. If we're looking to attract business to Hawaii, passing a tax increase is not the way to do it.

"If we are serious about helping those people who are on low and moderate income, passing a tax increase is not the way to do it.

"Unfortunately, to date we've yet to see a compilation of alternative financing in writing presented to this Senate. Everything has been in the direction of an excise tax -- nothing else, despite the fact that both Mr. Kalapa and others in this body, as well as in the community, have presented concrete proposals for alternative methods of financing where we do not have to raise our taxes.

"Apparently, Mr. President, it strikes me that the legacy of this session, if we would have passed this tax increase, would be as follows. At a year when we have a

surplus of between \$250 million and \$300 million, and in a year when we are talking about only a token rebate to the taxpayers of Hawaii of approximately \$1, we would be at the same time passing a tax increase. That, Mr. President, is not the kind of legacy I think our taxpayers or our citizens deserve.

"For those reasons, I'm going to be voting 'no.'"

"Mr. President, I would like to request that the Small Business Hawaii publication on the Honolulu Fixed Rail Transit, The Expectation Versus the Reality, also be inserted into the Journal. (The Chair, so ordered.) (Attachment "C")

"Thank you."

Senator Tungpalan rose to support the measure and said:

"Mr. President, I rise to speak in favor of this measure.

"As a Senator from the Leeward district, I fully recognize that a fixed guideway rapid transit system is probably the best alternative to meet our transit needs, especially on the Leeward side where 33,600 needed new homes will be built by the year 2010, resulting in a population increase of 132,800.

"I am definitely in favor of a Honolulu Rapid Transit System and extend my gratitude to the chairs of the Government Operations, Transportation and, especially, the Ways and Means, Committees for the current bill before us.

"The bill before us is really a shell. As a child, I enjoyed playing the shell game as I sought the penny that was under one particular shell. Likewise, the chairs overseeing this measure are also looking for money to fund this transit project.

"This morning, I heard Mayor Fasi say during a radio program that we currently give a \$50 million subsidy to finance our bus system and with the current labor settlement another \$6.5 million will be needed.

"I believe the subsidies are needed as it keeps the bus fare low and affordable -- thereby increasing the capacity on our roads and highways.

"Since the citizens of Oahu will be needing to pay \$56.5 million yearly to subsidize the buses, it is my hope that a mass transit could be developed through private funding by giving the mass transit developer the development rights around the transit station. That developer could build shops, park-and-ride lots, child care centers, medical offices and other needed facilities in the adjoining areas.

"In an effort to draw people to this center, the mass transit developer would keep fares low. Mass transit would be a 'loss leader' to draw people into the shops.

"In closing, I hope those involved with making mass transit a reality, including our City and County leaders, will seriously consider private funding coupled with development rights. In so doing, I think they would have picked the right shell! Thank you."

Senator Reed spoke against the bill and remarked:

"Mr. President, I will be voting 'no' on this bill. While I agree with the previous speaker that Honolulu certainly needs mass transit, I do not believe those who are telling us that we must increase the general excise tax

in order to fund mass transit. We're being told by both the governor and the mayor and others 'no excise tax increase, no mass transit.' I simply do not believe it.

"There are other ways that this could be funded that would be acceptable to the federal government and it is irresponsible for the governor and the mayor to be pushing this general excise tax increase without considering those alternatives. I say, 'Yes mass transit, no tax increase.'"

Senator Yamasaki rose to speak in support of the measure and said:

"Mr. President, House Bill 2949, H.D. 2, S.D. 1, relating to taxation, which contains provisions of Senate Bill 3128, S.D. 2, permits each county, except the County of Kalawao, to establish a general excise tax and use tax surcharge of blank percent.

"It provides that the general excise and use tax surcharge shall be established by ordinance adopted before 'a blank' date which shall take effect on January 1, 1991 and remain in effect for ten years, until December 31, year 2000.

"It requires the City and County of Honolulu to use the surcharges for the purposes of financing design and construction costs relating to the development of a fixed guideway mass transit system.

"It also requires the counties of Hawaii, Kauai and Maui to use the surcharges for public transportation systems, including mass transit, sewage, water development, and parks, including park operation, maintenance, and infrastructure.

"The bill further requires the City and County of Honolulu to submit to the Legislature for review, twenty days before the 1991 Regular Session, a plan for a fixed guideway mass transit system. And, if no plan is submitted to the Legislature or the Legislature disapproves the plan by the adoption of a concurrent resolution during the 1991 Regular Session, then the provisions of the Act shall be in effect only until December 31, 1991.

"Mr. President, on March 28, 1990, we have received for our review a copy of an Alternatives Analysis/Draft Environmental Statement for the Honolulu Rapid Transit Development Project which was prepared pursuant to the National Environmental Policy Act, 42 U.S. Code, 4332 (2) C, and Chapter 343, Hawaii Revised Statutes.

"The statement was approved on March 19, 1990, by Louis F. Murray Jr., Western Area director for Urban Mass Transportation Administration and for the City and County of Honolulu by Joseph M. Magaldi Jr., deputy director, Department of Transportation Services.

"This document includes an Executive Summary, Chapter 1, including Purpose and Need; Chapter 2, Alternatives Considered; Chapter 3, Affected Environment; Chapter 4, Transportation Impacts; Chapter 5, Environmental Impacts; Chapter 6, Financial Analysis and Evaluation of Alternatives and Appendices.

"The Urban Mass Transportation Administration has approved the documents following an extensive review process and UMTA's approval indicates that the documents have met all federal requirements.

"The Honolulu Rapid Transit program is now in high gear and it is now the Legislature's support that is needed in resolving the capital financing needs by establishing a dedicated source of funding, and it is claimed that this

excise tax increase for mass transit on Oahu, which is the only feasible source, will be our most significant accomplishment of the 1990 session.

"A difficult decision must be made in the affirmative and I urge the members of this body to approve this bill so that it can be discussed further in conference to see if other options can be pursued.

"Mr. President, I would like to submit for the journal the letter received from Governor John Waihee and Mayor Frank Fasi dated March 6, 1990, and, also, a joint letter received from Senator Daniel K. Inouye, Senator Spark Matsunaga and U.S. Representative Daniel Akaka dated March 20, 1990, in support of the bill. (The Chair, so ordered.) (Attachments "1" and "2")

"Thank you."

Senator Matsuura also supported the measure and said:

"Mr. President, I totally agree with the chairman of Ways and Means.

"Let me mention just one thing about the mass transit. Being the chairman of the Energy Committee, I don't know who will be occupying this seat 20 years from now, but that body 20 years from now is going to thank the legislators that are presently sitting on the floor for taking a very bold action in getting mass transit started.

"I believe we have about 40 years left as far as fossil fuel supply is concerned. However, within the next 20 years you will actually see the beginning of the fuel crisis, and fuel is going to be very, very expensive.

"If this island does not have rapid transit in the next seven years, we are going to miss the boat. I believe, future legislators are going to thank us for the cable that's going to bring electricity from the Big Island to this island to run the electric train.

"Unfortunately, we don't have too much time -- maybe seven years at the most to get this mass transit system operating. So I agree with the chairman of Ways and Means that it's time that we stop talking and just do it! Thank you very much."

Senator Blair's remarks in opposition to the measure is as follows:

"Mr. President, I rise to speak against this bill. I am not voting against the proposed rapid transit system, although its impact on traffic congestion has been exaggerated by the proponents so that the reality will probably be a disappointment to the general public.

"I am against this bill because it raises taxes. We don't need to raise taxes. We need to be more prudent in our spending. We can dedicate existing revenues, to meet the federal requirement.

"Life in Hawaii is already too expensive. Our citizens are burdened with outrageous housing costs and inflated prices for virtually every product they buy. They do not need for government to add to that burden by imposing additional taxes."

Senator McMurdo, in support of the measure, said:

"Mr. President, I do want to reiterate that although I am in favor of mass transit, I'm not in favor of the half percent increase in the excise tax. But, I am going to vote 'yes' as a vote of confidence for the chair of the Ways and Means Committee to go into conference and come out with something that is acceptable to all of us."

Senator Menor, also in support of the bill, remarked:

"Mr. President, I want to have Senator McMurdo's comments incorporated as my own. Thank you."

The motion was put by the Chair and carried, H.B. No. 2949, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Blair, Cobb, Nakasato, Reed).

H.B. No. 2184, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 2184, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator A. Kobayashi.

Senator Cobb rose to speak against the measure and said:

"Another one, Mr. President, that I will be voting 'no' on.

"Unfortunately, this bill has the net effect of leaving Las Vegas for those who can afford it. I recall taking an airplane flight on a foreign flag carrier recently where gambling was allowed once international waters were reached. All this bill does, in effect, is that if you've got money and can afford to go to Las Vegas, do it, and over 300,000 Hawaii residents each year do exactly that. But for the working stiff who can't afford that or doesn't have the time, resources or the commitment to go off to Las Vegas, that poor individual can't even go on a ship now, even if the ship were to go in international waters.

"A few of the members of this body, and I concur with their sentiments, indicated this reflects a missionary mentality. And I'm sorry to see it come because there are so many loopholes as it exists now. The Queen Mary comes to Honolulu and it has gambling equipment. Once it gets into international waters, you can gamble. And when it puts into port, of course the gambling equipment is locked up. The Maxim Gorky from Murmansk was in Honolulu two and a half years ago with a large contingent of East Germans, Poles and Hungarians. Even though that's a Soviet ship, there's gambling equipment on board, and as soon as they got into international waters they went right back to gambling.

"It's okay for the Queen Mary and the Maxim Gorky, but it's not okay for a locally based ship, even in international waters. I think that's disservice to our own people, Mr. President. For that reason, I'm going to be voting 'no.'"

Senator Menor spoke in support of the measure and said:

"Mr. President, I rise to speak in favor of House Bill 2184, H.D. 1, S.D. 1.

"In response to the previous speaker's remarks that this bill would deprive the little guy being able to participate in gambling activities, I seriously doubt that even if this bill were not to pass and Hawaii cruise ships were to be permitted to conduct gambling operations, that getting a ticket and being able to engage in that kind of gambling activity on a cruise ship would be affordable to the individuals, residents to whom Senator Cobb has referred.

"Basically, I take a somewhat different view of this bill than the previous speaker does, and I think that some

qualifying remarks are needed in light of the previous statements that have been made about this bill.

"Basically, this bill will qualify that under Hawaii law it's going to be illegal for the owner and operator of a ship which operates out of Hawaii to circumvent our state gambling laws by transporting passengers beyond state waters to conduct gambling operations. I believe that this bill is justified as a matter of fundamental fairness. By closing a possible loophole in our gambling laws, under which Hawaii's ships can get around these laws, what this bill is basically saying is that the wealthy owner or operator of the cruise ship must comply with those laws just like everyone else.

"Now, whether or not we agree with our state gambling laws, the fact of the matter is that they are in existence, and the prohibitions against gambling apply to residents and local entrepreneurs alike. So if our gambling laws apply to all of the residents of our state, I do not believe that the Legislature should be tolerating an exemption from those laws for the owner or operator of a cruise ship. In that respect, the enactment of this particular bill will insure that such an exemption will not be made.

"Regarding some concerns that have been expressed that perhaps this bill is creating a more favorable status or an exemption for ships which originate from the mainland and foreign countries, I think that a careful reading of this bill would indicate that such an exception is not being made from the general provisions of this bill. Again, what the bill is intended to do is to prohibit a Hawaii company from conducting gambling activities when the ship leaves port from Hawaii, goes out beyond state/interstate waters to conduct gambling activities and then returns to port to drop off passengers. If a mainland or foreign ship were to engage in this kind of activity, they would also be in violation of the provisions of this bill. Moreover, a mainland or foreign ship could also be subjected to criminal penalties if they conducted gambling activities within state waters just as a local cruise ship would also face those kinds of penalties.

"I also need to clarify subsection 3 of the bill to which a number of concerns have been raised about possible exemption for ships that originate from mainland or foreign countries. It merely clarifies that ships from the mainland or foreign countries that are passing from one point of destination enroute to another point of destination would not be in automatic violation of this bill because they had on board locked down gambling equipment. However, the owners and operators of these ships could still be prosecuted and face the same kinds of criminal penalties as a Hawaii cruise ship if they violated the specific provisions of this bill.

"So based on these clarifying remarks, I strongly encourage my fellow colleagues, irrespective of whatever your views may be on the issue of gambling, to vote in favor of this bill. Thank you."

The motion was put by the Chair and carried, H.B. No. 2184, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING ABOARD SHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Cobb, Fernandes Salling, McMurdo, Nakasato, Solomon).

H.B. No. 2398, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2398, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was recommitted to the Committee on Judiciary.

H.B. No. 2827, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2827, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS INVOLVING A HEALTH CARE PROVIDER," was recommitted to the Committee on Judiciary.

At 12:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:58 o'clock p.m.

H.B. No. 1275, H.D. 1, S.D. 1:

Senator Crozier moved that H.B. No. 1275, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fernandes Salling.

Senator Crozier's statement in support of the measure is as follows:

"Mr. President, in support of this measure, I wish to acknowledge the valuable assistance of both Senator McMurdo and her long-time legislative aide George Neroutsos in the eventual passage of House Bill 1275, H.D.1, S.D.1, relating to real property leases.

"This bill establishes that in future condominium rent renegotiations the current zoning in place will be used in factoring future lease rents. Senator McMurdo is particularly mindful of the plight of many in our state concerning this issue. She helped lead an initiative drive for residents of Date-Laaui in 1982 to bring statewide attention to this issue."

The motion was put by the Chair and carried, H.B. No. 1275, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2947, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2947, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX WITHHOLDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### ADJOURNMENT

At 1:01 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 10:00 o'clock a.m., Thursday, April 12, 1990.

**ATTACHMENT "A"****MAUI CHAMBER OF COMMERCE**Memorandum  
(undated)

To: Tom Metrano, Chairman, Government Affairs Council

From: Sheila Ludwick, Executive Director, and Teena Rasmussen,  
President, Maui Chamber of Commerce

Subject: Friday, March 30 Meeting to Examine the Board's Position to Determine  
If Different Policy Recommendations Are Appropriate

Please accept this memorandum as our input on the above mentioned subject. The Maui Chamber of Commerce strongly opposes the Chamber of Hawaii's position regarding support for the proposed general excise tax increase.

We believe that this position was made without consultation of the full board and is in opposition of the Tax Committee's positions on tax increases.

We do support mass transit for Oahu, but we believe that there are other revenue sources that could be earmarked for this purpose. Because a small committee of the State chamber endorsed the increase, the Governor's office has used the statement that 'Big Business supports a tax increase.' We have also run into a problem in that the State Chamber has been referred to on the news as the 'Chamber.' and our members have been concerned that we support the tax increase.

We believe that if the small committee of the State Chamber wishes to endorse the tax increase, this should be qualified to the media. The Board of the Maui Chamber of Commerce has stated categorically, that in this instance we strongly oppose the Chamber of Commerce of Hawaii's position, and believe that this position was taken without regard for the majority of members.

Thank you for your attention.

**ATTACHMENT "B"**

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**IS A TAX INCREASE NECESSARY?: A Probe of Mass Transit Financing**  
A Presentation to the Hawaii Business Roundtable  
by Lowell L. Kalapa, Director  
Tax Foundation of Hawaii  
March 6, 1990

**INTRODUCTION**

This presentation accepts as its basis the cost estimates of the consultants to the City & County's Department of Transportation Services (DTS) and although there are a variety of routes under consideration, which in turn drive the actual price tag of the system, it is also accepted that the cost will be in the neighborhood of \$1.4 billion.

We have had the opportunity to review the consultant study on the financing of the mass transit system and have drawn the conclusion, (erroneous or not) that the consultants were only asked to determine how much a Mass Transit Tax (sales tax add-on) rate would be needed to build the system. Thus, the only alternative that has been discussed to date is the proposal to increase the general excise tax rate by 0.5% for a period of ten years.

The 0.5% scenario is based on the assumption that the federal government will participate on a 30% basis or about \$360 million and that bonds will be used to finance the initial construction costs with the tax collections being used to repay the debt service on those bonds.

**THE NUMBERS GAME**

The issuance of debt is a curious statement made by DTS as it has also stated that if the rate were a full 1%, the collections would permit a pay as you go program providing sufficient revenues and cash flow to allow the City to avoid borrowing. It has been stated that with the 1%, and assuming no federal participation, the tax would have to be in effect for six years and with the 30% federal participation, the tax would have to be imposed for only four years.

The City has stated that under the 0.5% scenario, the City would be able to bank on \$93 million (and growing), for the ten year period. If such is the case and it is assumed that those collections will grow, in ten years the City will realize more than a \$1 billion in cash, enough to build the system.

It has been argued the 0.5% scenario presumes the issuance of debt up front because of the expensive acquisition of capital equipment for the construction of the project. This argument is hardly acceptable as it presumes that construction will go full bore from day one. Further, it is hardly conceivable that there are sufficient resources, i.e., manpower, available to undertake more than \$100 million worth of construction activity in any one year, given the other major capital projects both public and private which are either underway or are about to come on-line. For example, the construction of H-3 will take several more years, the Aloha Tower Development, completion of Kakaako redevelopment, the international arrival facilities at Honolulu International Airport, and the redevelopment of Honolulu's waterfront to name but a few of the public projects.

If it can be accepted that raising the rate to a full percentage point will double the collections, then the 1% rate will generate \$200 million annually. As noted above, the City has stated that a 1% additional rate would allow the avoidance of issuing debt and that if there was no federal participation, the tax would have to be imposed for 6 years for a total tax take of roughly \$1.2 billion. In the alternative, if there is federal participation of 30% or \$360 million, the tax would have to be imposed for only four years for a tax take of \$800 million.

Thus, it appears that the cash price tag for the system is \$1.2 billion. It appears that if the six-year all cash plan were followed and it is accepted that it will take seven years to build the system, the city plans on spending roughly \$200 million a year to construct the system.

Conversely, if there is federal participation, and the cash price is \$1.2 billion, only \$840 million has to be raised by the City for the pay-as-you-go plan. Thus, this seems to be the logic behind the four-year estimate. However, this raises some serious questions as to how much is being financed by debt under the 0.5% scenario currently on the table and whether or not the ten years will be sufficient to cover the mix of cash financing and debt inferred by the consultants.

### IS THE MONEY ALREADY THERE?

Unfortunately the mass transit financing proposal was based on past experience that the City has had in dealing with the state administration and the legislature in their requests for financial assistance. Assuming that none was forthcoming for such a massive project such as mass transit, the assumption was made that there was not enough money in the till to assist the City with this project. Therefore an increase in taxes appeared necessary.

Nothing could be further from reality although the legislature and the public is being told that by the state administration. The claim has been made that one should not look at the state surplus and assume that the system can be financed from the surplus dollars or for that matter whether or not UMTA would accept the surplus as the "assured source of revenues."

First, one should examine the adequacy of state revenues to fund on going state programs. The attached pages (designated by color) tell the story that given existing parameters, there is more than enough money in the state treasury to assist in the City in building the mass transit system.

The yellow attachment is the general fund financial plan proposed by the state administration. Estimated revenues and expenditures are outlined for the current and next five fiscal years. The estimates of revenue are prepared by the official revenue estimating body of the state called the Council on Revenues. It should be noted that when compared with the Council's estimates (shown on the white page) used to construct this financial plan, the administration has incorporated the transfer of the Transient Accommodations Tax (TAT) into its tax revenue line beginning with fiscal year 1991. This follows the Governor's endorsement of transferring the tax to the counties.

Please also note that the tax revenue line is also absent the \$90 million from general excise tax revenues which has been earmarked for the school facilities special fund.

Looking at the bottom line, the carryover balance indicates that there should be a cumulative balance by the end of fiscal year 1995 of nearly \$1.8 billion. Note well the number in parentheses of \$120 million for 1990. That amount is a "loan" from the general fund to the Housing Finance Development Corporation (HFDC) for the state's affordable housing program. The money was never appropriated but represents an advance to the HFDC. However, since the money is not in the general fund, it does not show up in the cumulative surplus. If it had not been "borrowed," the surplus at the end of this current fiscal year might have been nearly \$370 million.

The other day, a representative from the HFDC noted that it anticipated that the "loan" would be repaid by sometime in 1994 or 1995 when the revenue bonds have been issued for loans to new home buyers which in turn would be used to pay back the general fund. If that is the case, then by the end of fiscal year 1995, the cumulative surplus could be as high as \$1.9 billion.

A very similar presentation was made to the Tax Review Commission last summer. At that time, the commission gave the Budget Department the benefit of the doubt, believing that the farther out estimates of expenditures were a bit "soft" and rather conservative. The commission searched for a way to give the financial plan a little more credence and in doing so hit upon a very logical answer.

Under the state constitution, general fund expenditures are allowed to grow as fast as the growth in the state's economy which is defined by statute as the growth in the total state personal income. While it was not designed as a constraint, the spending limit is a barometer of how much the state should be spending relative to the health of the economy.

The pink attachment is drawn from the Commission's report and compares what the Budget director presented to the commission and the commission's reconstruction of the financial plan using the state general fund spending limit as the measure of expenditures. Note that the spending limit approach allows the state \$1 billion more in spending than the official Budget Department's estimates, yet at the end of fiscal year 1995 there is still a surplus of nearly \$900 million. It should be noted that both tables include the TAT collections as the administration at that juncture had not bought into the transfer of the tax.

The other (pink) page is also taken from the Commission's report and we would draw your attention to the reference to "Administration Study." During last summer, the administration had a consultant look at the state income tax and general excise tax collections under various economic scenarios. These two taxes were chosen because they make up nearly 80% of the general fund.

The consultants were asked to project collections for these taxes under three scenarios: (1) global recession, (2) decline of the dollar against the yen (which would therefore affect eastbound visitor counts), (3) appreciation of the dollar.



The Commission compared these forecasts against the Council on Revenues' estimates which it had used in reconstruction of the general fund financial plan and found that under the worst case scenario of the dollar rising against the yen, the consultants estimated that collections would be \$439 million less than the Council's over the six-year period from 1990 to 1995. Under the global recession scenario, the Council's estimates are only \$28 million less than the consultant's forecast for the same six-year period. Finally, if the dollar fell against the yen, the state would realize \$941 million more than what the Council is estimating for the same period.

It is interesting to note that the Council is conservative in its outlook by comparison to the consultants whose baseline forecast is \$271 million more than the Council's. What this means is that if the Council's numbers are indeed conservative and barring no major economic disruption, the Tax Review Commission's estimate of cumulative general fund surplus is also understated.

It should be noted that the Council on Revenues at its most recent meeting held in January, increased their forecasts for general fund tax revenues (see blue sheet).

The point to be made here is that absent any major changes in the tax laws and rates, the state should continue to enjoy general fund surpluses. The argument that there is or will be no surplus is an admission that the state administration plans to consistently go over the spending ceiling. If the state adheres to the ceiling, there should be more than sufficient revenues to assist in the funding of the mass transit construction.

### THE ALTERNATIVES

Part of the current 4% tax. The foregoing discussion spotlights one alternative, that is for the state to share some of its tax largesse with the counties without having to increase taxes. Certainly, one does not pledge the surplus, but there is a difference in going up one half of one percent than designating that one half of one percent of the current 4% rate should go toward the building of the mass transit system.

Part of 4% for mass transit and TAT for neighbor island counties. In the alternative, the legislature could designate that 10% of all the general excise tax collections be designated for the construction of mass transit. In this scenario, the neighbor island could be given 60% of the TAT collections (the equivalent of three percentage points of the 5% tax) for their infrastructure needs. The remaining 40% would be left in the state treasury as intended originally for the construction of a convention center and visitor promotion.

Exempt hotel rentals from GET and increase TAT rate for counties' use. This is an alternative that was suggested by the Tax Review Commission. In order to make it a clear delineation, the taxing of hotel rentals should be a responsibility of one level of government, it suggested that the whole ball of wax be turned over to the counties with the possibility of setting a ceiling on the rate so that there was no tax increase for the hotels. This would generate more than \$110 million for the City & County alone. Further, unlike the 0.5% proposal, it would be a permanent source of funding for the counties.

Rather than dictating to Honolulu that the money be used for mass transit, the state could then set the carrot in the form of a matching grant, challenging the City to use the money for mass transit by dangling a categorical grant to be matched by own source revenues. It would then be up to the City to designate the assured revenue source needed to convince UMTA of the City's sincerity to build the system.

Increase property tax with state funded tax relief. It has been argued that increasing the property tax is an unacceptable means of financing the mass transit because property taxpayers have been "tapped out" with high property taxes. In truth, the feeling that property taxes are too high stems from the fact that the level of taxes is too high and indeed the state accounts for the bulk of the taxes levied in Hawaii.

Given that the real property tax is already available to the counties, why should it not be used to finance this project?

If the argument is that visitors pay the general excise tax, a recent study shows that only 21.94% of the GET burden is borne by visitors. On the other hand, a greater percentage of the real property tax is exported, that is paid by other persons than residents, than the general excise tax. This is due largely to the fact that the real property tax, like the income tax, remains deductible against the federal income tax while the GET is no longer deductible.

If on the other hand, the complaint is that the poor and elderly on fixed incomes cannot afford big property tax bills, the state can step in to assist these particular taxpayers by providing tax relief based on ability to pay. This concept, called the "circuit breaker" is currently used by nearly thirty states as a means of providing tax relief. This would allow to the City to undertake the political courage of raising property taxes and being accountable for raising the money to build mass transit without unduly burdening those who can least afford the tax increase. The state would be indirectly assisting the county in the financing of the mass transit system but at the same time taking the credit for providing the tax relief to those property taxpayers who cannot afford the higher taxes on their homesteads.

If the argument is that it is not an "assured source of revenues" for UMTA, the Council could, by ordinance, designate the first \$100 million or whatever it takes of property taxes to be paid toward the mass transit project for the ten year period. Thus, the first dollar after that earmarked amount would then go for other city services. An ordinance of that nature, earmarking the first \$100 million of property taxes might just be acceptable to UMTA.

Other possible sources. The 1980 Ernst & Whinney study of alternatives to finance a mass transit system looked at a variety of sources including the real property tax, the fuel tax, the weight tax and the public utility franchise tax as well as new sources such as an automobile ownership tax. These sources should be explored as well.

Another alternative is to examine parking fees and assessment of parking facilities subject to the real property tax. The recent closing of the Richards Street municipal parking lot sent tenants in other municipal lots scrambling for whatever space was available. This is an indicator that the demand exceeds supply of parking and the potential of raising revenue from those who continue to congest city streets exists.

It is ironic to note that the public players in this charade, that is state and county government, contribute the most to traffic congestion by "encouraging" their employees to drive to work. While most private parking fees in the downtown area average between \$90 and \$150 a month, state and county employees are charged between \$30 and \$50 a month for covered parking. Parking at NBC is below \$20 and it is accompanied with a free bus pass to get to and from the municipal building. Public employee parking rates are a potential source of additional funds for the mass transit system.

Finally, the consultant appeared to have overlooked the potential for aligning the routes along a course where the landowner wanted the location of the stations. The potential increase in traffic and therefore dollar sales with the location adjacent to a part of an existing business should be worth something to the landowner. This approach would be in addition to the concession fees which the consultants are counting on for operating revenues.

#### DON'T BLINK YOU MAY MISS THE MONEY

Although revenue adequacy was discussed earlier, there is another issue which should be considered in the total financial picture of the state and what funds can be made available for mass transit. Unfortunately, what has happened over the past three years and continues even so in the current session is the hiding of general fund revenues so the casual observer will not see it. Such action was discussed earlier with the school facilities special fund which earmarks \$90 million in general excise tax revenues. These funds used to go into the general fund but no longer will, at least for the next six years.

Worthy as that cause may be, what that action did was to set a precedent for lawmakers and spawned even more creative ways to hide general fund revenues. Moving through this year's legislature are measures which mimic that procedure. These include earmarking general excise tax revenues to the tune of: \$80 million for the state highway fund, \$75 million for a waste treatment fund, and \$50 million for a mass transit fund.

In addition, the HFDC wants another \$50 million to borrow from the general fund for its affordable housing program. it should be noted that no interest is due on this "borrowing."

The Foundation discussed the proliferation of special funds into which general funds were being dumped and which will forever be hidden from scrutiny and competition with other programs and projects which are underwritten by general funds. The Foundation's discussion of this proliferation follows:

The 1989 legislature approved a number of bills which establish numerous new special and revolving funds. Nearly all are funded by earmarking of current general fund revenues or by one-time or annual general fund appropriations. Examples include the establishment of a strategic development fund, historic preservation fund, educational facilities improvement special fund, and the water pollution control revolving fund; these four funds alone, will divert \$147 million from general funds or from sources that formerly were general fund receipts in FY 1990.

Other funds established to "shelter" or earmark money include a works of art special fund, state libraries special fund, UH library special fund, and high technology special fund. In all, the legislature created a dozen new special and revolving funds, funds which will be outside of the general fund review process.

Unlike general funds, special fund appropriations do not receive the same degree of review due in part to the enterprise-like nature of special fund programs. These funds are established primarily to collect moneys, such as user fees or taxes, generated from income-producing activities which are then funded from these sources. A drawback of this type of funding is that there is no guarantee the earmarked moneys will be sufficient to fund the activity.

Also, special fund appropriations do not lapse at the end of the fiscal period but will be available for that program in future years. This is in contrast to general funds which, if the money is not expended or encumbered, lapses after a certain period, thus returning the money to the treasury. Should the general fund program again require funding, it would have to compete with all the other priorities for funding. However, in the case of special funds, the money would go back into the fund; since only one program benefits from the special fund, the funds will be readily available because of a lack of competing programs. Finally, the general fund approach forces a reappraisal of priorities to a greater degree. Should one program become obsolete or fail to fulfill its objectives, it would be less likely to receive new or additional funding under the annual review of requests for general funds.

More than three decades ago, the state reduced the number of special funds as a means of bringing all state programs back under legislative review in the biennial budgeting process. it appears that this year's proliferation of special funds is a step back to those days when each fund represented a fiefdom unto its own and a constituency of limited interest.

Finally, it should be remembered that in many cases, these new funds will be underwritten by revenues that were formerly general fund receipts or are a diversion of general funds. To the extent that the state general funds will be reduced by the diverted amounts while continuing to fund ongoing programs will, in the future, create the illusion that revenues from general fund taxes are insufficient to meet the program demands of the fund. This, in turn, will give rationale for any tax increase proposal.

Further, as the amount of revenues to the general fund will be reduced, any excess or cash balance will be reduced by a similar amount. Inasmuch as the constitutional mandated tax refund is contingent upon how much is left in the general fund at the close of the fiscal year, the prospects for any substantial refund will be reduced as a result of carving out new special funds as this year's legislature did.

In the end, the taxpayers of Hawaii will end up footing an ever-growing tab for tax revenues. It appears that the state administration together with the 1989 legislature did not exercise fiscal prudence in the interest of the taxpayer.

The table below enumerates the new special and revolving funds which were created and approved by the 1989 legislature together with the sources of funding for these new funds. While it is clear for some of the measures that the funding source is to be general fund financing, others indicated the collection of fees or charges that either were formerly or would have otherwise been designated for the state general fund. In so carving out these formerly general fund revenues, the legislature is setting precedent of placing the designated programs before all others.

Should overall general fund revenues decline and the demand for current levels of services persist, the convenient alternative will be to raise taxes. If this year's action is the first of many in the proliferation of special funds, the taxpayer should justifiably be concerned.

Newly Created Special and Revolving Funds  
Funding Sources

SB 370 CD-1	Condominium management education fund
Source:	Fees on apartment assn., developers
SB 1140 CD-2	Works of art special fund
Source:	1% of state CIP used for construction, renovation
HB 9 CD-1	Hawaii strategic development fund
Source:	\$6,000,000 from general funds in FY 1990
HB 30 CD-1	Historic preservation special fund
Source:	\$1,000,000 from general funds in FY 1990
HB 64 CD-1	Long term care service development fund
Source:	\$800,000 from general funds in FY 1990
HB 672 CD-1	Libraries special fund
Source:	Library fines for overdue books, lost book charges
HB 1826 CD-1	State educational facilities improvement fund
Source:	\$90,000,000 each year until FY 1995 from general excise tax collections
HB 1842 CD-1	Transportation use special fund
Source:	Surplus funds from airports, harbors, or highways special funds
HB 1850 CD-1	Water pollution control revolving fund
Source:	\$50,000,000 from general funds in FY 1990
HB 1860 CD-1	High technology special fund
Source:	High technology development corporation tenants
HB 1905 SD-2	Special funds for rev. bond undertaking
Source:	Revenues from projects financed by revenue bonds
HB 1912 SD-1	University of Hawaii library special fund
Source:	Library fines, fees, other revenues from operations

Unfortunately, the tradition continues with all sorts of new special funds being established. There is a plethora of these measures making their way through this year's legislature. Again, what is important to note is that the general fund is being eroded. What was formerly general fund resources are being tucked away into these special funds. While it is argued that the legislature still has oversight over how these funds are to be spent, they will no longer have those funds available to fund other needs.

It is interesting to note that the state legislature wants to avoid the political heat of having to raise highway user taxes such as the state fuel tax and motor vehicle weight fees and instead is preferring to transfer general excise tax revenues to the highway fund to keep it afloat.

Unfortunately, this action only masks the problem that the earmarked taxes are set at rates insufficient to fund the system. A delay or postponement that this transfer represents merely will make it more difficult in the future when general fund revenues cannot continue to bail out the fund to raise those earmarked tax rates.

**ATTACHMENT "C"**

Small Business Hawaii

Honolulu Fixed Rail Transit:  
The Expectation... Vs. The Reality

<u>Expectation</u>	<u>The Reality</u>
1. "The General Excise Tax <u>MUST</u> be increased to gain Federal transit funds."	Both the Federal (UMTA) and State have said this is not true. A "dedicated" source of revenues only is required and this could come from existing Hawaii taxes---#1 in the U.S.!
2. "Rail transit will reduce congestion."	The City's Managing Director, Jeremy Harris admits that it will not reduce traffic congestion beyond current levels.
3. "Rail transit will be faster."	It will average 20 miles per hour due to deceleration and acceleration between stops. For the average commuter with transfers between bus and rail, it will be slower than a car commute.
4. "Mass transit ridership will increase by about 40%."	Transit ridership in 8 major cities failed to meet expected numbers by an average of 66%. Indeed, in 3 of the cities the combined bus and rail ridership was <u>actually less</u> than the bus ridership before the rail was built.
5. "Stations and elevated structures will enhance the environment."	Massive concrete structures will obstruct views, eliminate traffic lanes, and diminish Hawaii's tropical atmosphere.
6. "Rail is the <u>best</u> means of solving Oahu's traffic problems."	How many alternatives have we tried? More public buses and a private bus/van system similar to the door to door operations which have been successful in other cities could provide less expensive solutions than a <u>\$1.4+ billion rail system that could bankrupt us.</u>

**ATTACHMENT "1"**

OFFICE OF THE MAYOR  
City and County of Honolulu  
Honolulu, Hawaii 96813 - Area code 808 - 523-4141

March 6, 1990

The Honorable Mamoru Yamasaki  
The Senate  
The Fifteenth Legislature  
State of Hawaii  
State Capitol, Room 211  
Honolulu, Hawaii 96813

Dear Senator Yamasaki:

We are writing to urge your support for Senate Bill 3128, S.D. 2.

The fixed guideway rapid transit project is a vital component in our goal of providing Honolulu with an efficient, balanced, and flexible mass transportation system. Further, there simply are no other practical alternatives in terms of providing sufficient capacity to meet our mass transit requirements into the 21st century.

Our recent discussions in Washington with the Secretary of Transportation and the Urban Mass Transportation Administrator confirmed our beliefs in the merits of Honolulu's rapid transit project and the validity of the findings of the City's study effort. Our meetings with Congressional leaders also indicated an outstanding level of commitment for our project in the Congressional appropriations process. Considering the extreme competition for limited federal "new start"

funds, the unabashed enthusiasm and support from Federal officials and Congressional leaders for Honolulu's rapid transit project was most gratifying and encouraging.

The federal support, however, is totally contingent on our ability to provide a dedicated source of funding for the local share. Likewise, assured funding is necessary to enable the City to solicit formal proposals and to conduct meaningful negotiations with transit suppliers. This is why we need 1/2% excise tax surcharge authority for the counties.

Having achieved this momentum and degree of advocacy at the national level, we need to visibly demonstrate our local commitment to improving our mass transportation infrastructure. We, therefore, urge your support and vote for Senate Bill 3128, S.D. 2.

Sincerely,

/s/ Frank F. Fasi  
FRANK F. FASI, Mayor  
City and County of Honolulu

/s/ John Waihee  
JOHN WAIHEE, Governor  
State of Hawaii

#### ATTACHMENT "2"

UNITED STATES SENATE  
Suite 722, Hart Senate Building  
Washington, DC 20510  
(202) 224-3934  
fax (202) 224-6747

March 20, 1990

Dear Senator:

We understand that you and your colleagues in the Legislature are carefully considering various proposals to provide local funding for the Honolulu Rapid Transit Development Project. We are writing to urge your support for Senate Bill 3128, S.D. 2, which will, among others, provide a dedicated and secure source of funding for construction of the proposed Honolulu Rapid Transit System.

Three weeks ago, Governor Waihee and Mayor Fasi, together with our Hawaii delegation, met with members of Congress responsible for transportation programs and officials of the U.S. Department of Transportation regarding both the technical and financial plan for the Honolulu Rapid Transit Project. After hearing of our plan each member of Congress as well as the Secretary of Transportation applauded the project in terms of the strong local support and technical innovation. In fact, U.S. Department of Transportation officials have begun extolling the Honolulu Project as a mass transit model for other urban cities to follow.

Honolulu is poised to initiate a premier rapid transit system which is likely to become the model upon which all new transit systems will be built in our country. A key component to our system is strong local financial support. Governor Waihee's legislative proposal which provides county authority to raise the general excise tax by 0.5 percent is critical to the success of this project, and our ability to secure a congressional appropriation.

Please be assured that we will work to obtain the maximum level of federal funding for the transit system. However, in all candor, our success will be highly dependent on our ability to demonstrate the financial commitment of the State of Hawaii and the City and County of Honolulu.

We urge your support of Senate Bill 3128, S.D. 2.

Sincerely,

/s/ Daniel K. Inouye  
DANIEL K. INOUE  
United States Senator

/s/ Spark Matsunaga  
SPARK MATSUNAGA  
United States Senator

/s/ Daniel K. Akaka  
DANIEL AKAKA  
U.S. Representative