

## SIXTIETH DAY

Monday, April 30, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 10:20 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Faith Jackson of Queen's Medical Center, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Ninth Day.

The following introductions were then made to the members of the Senate:

Senator Levin introduced Mr. Rick Scudder of the Conservation Council of Hawaii who was seated in the gallery and said: "Mr. Scudder is here both on his own right as an individual but also on behalf of the Conservation Council of Hawaii. I hope my colleagues know and, certainly, the public should know that the Conservation Council of Hawaii has been named the outstanding affiliate of the year by the National Wildlife Federation. The Senate has put a certificate together honoring the Council and will be presenting that to Mr. Scudder later on."

Senator Tungpalan introduced Mr. Eugene Tiwanek, "a good family friend," who was also seated in the gallery.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3474 (Gov. Msg. No. 267):

Senator Blair moved that Stand. Com. Rep. No. 3474 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nominations to the Real Estate Commission of the following:

Theo B. Butuyan, term to expire June 30, 1992; and

Yoshiko I. "Dimples" Kano and Carol Mon Lee, terms to expire June 30, 1994,

seconded by Senator Reed.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3475 (Gov. Msg. No. 278):

Senator Blair moved that Stand. Com. Rep. No. 3475 be received and placed on file, seconded by Senator Reed and carried.

Senator Blair then moved that the Senate advise and consent to the nominations to the Waikiki Convention Center Authority of the following:

Dae-Sook Suh, Ph.D., term to expire June 30, 1992; and

James H. Kamo and Al T. Harrington, terms to expire June 30, 1994,

seconded by Senator Reed.

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

Ayes, 25. Noes, none.

## STANDING COMMITTEE REPORTS

MATTERS DEFERRED FROM  
FRIDAY, APRIL 27, 1990

Stand. Com. Rep. No. 3477 (H.C.R. No. 62, H.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 62, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING A CONCERTED EFFORT TO OBTAIN FEDERAL LAND AND FEDERAL FUNDS TO BUILD MINIMUM SECURITY FACILITIES PRIMARILY FOR DRUG TREATMENT OFFENDERS," was adopted.

Stand. Com. Rep. No. 3478 (H.C.R. No. 164, H.D. 1, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 164, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE NECESSITY TO LICENSE RENTAL REFERRAL AGENTS AND RENT FINDERS," was adopted.

Stand. Com. Rep. No. 3479 (H.C.R. No. 264):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF PURCHASING LANDS IN WAIPIO VALLEY CURRENTLY OWNED BY BISHOP MUSEUM," was adopted.

Stand. Com. Rep. No. 3480 (H.C.R. No. 195, H.D. 1, S.D. 1):

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.C.R. No. 195, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF THE ATTORNEY GENERAL TO DETERMINE LEGAL STEPS AND RESOURCES THAT WOULD BE NECESSARY BEFORE INSTITUTING ROUTINE SCREENING IN HAWAII OF ALL IN-COMING AND OUT-GOING FIRST-CLASS MAIL FOR ILLEGAL DRUGS," was adopted.

At this time, the Chair interjected:

"Members of the Senate, before we begin voting on Third and Final Reading bills, if there be no objections, we will first take action on Conf. Com. Rep. No. 67 and H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1, relating to the state budget."

## FINAL READING

Conf. Com. Rep. No. 67 (H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 67 be adopted and H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1,

having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator Reed rose to speak in support of the measure as follows:

"Mr. President, I'll be voting for the budget with reservations. We keep hearing, 'We do have a budget surplus; we don't have a budget surplus.' The cavalier attitude that has become commonplace in annually exceeding the expenditure ceiling contributes to this confusion. This irresponsible spending, fueled by government's failure to prioritize, will eventually cause economic problems and tax increases. Therefore, I want to express my reservations."

Senator Cobb also supported the measure and said:

"Mr. President, I'll be voting for the budget with reservations and rather than detail all of the reservations, I would merely like to cite the imbalance of appropriations for Oahu contained not only in this but in a pattern from last year's budget, Act 316-89, and I would ask those figures inserted into the Journal." (Attachment "A")

Senator B. Kobayashi also rose to speak in support of the bill as follows:

"Mr. President, I'd like to speak in favor of the budget.

"As you know, education has had a fairly rough negotiation between the House and the Senate. Overall, I think, the education budget is a good budget. We all, of course, hoped that we could have done better, but I think that we have several items in the budget that are worthy of note.

"First of all, we have a class size improvement for grade 2. This lowers the ratio for grade 2 to 20 to 1 on what's called the resource allotment basis, which means that if, as in many cases, we do not have the classroom space to provide for a separate classroom or we cannot recruit teachers, that the resources would go to that school anyway, and that school would have the choice of using these resources in whatever manner the school deems desirable to reduce the effects of class size even though they might not have a separate classroom with a separate teacher.

"On this note, I would like to point out to members that, outside of the education budget, in the higher education budget there is a very significant item of \$1.5 million for the College of Education. The College of Education currently resides in facilities some of which predate World War II. The college lab school and the associated facilities of the College of Education are in dire need of improvement. This improvement is necessary in order that more teachers be produced.

"We can have all the classroom space we want, and we're currently short of classroom space, but without teachers, largely being produced in this state by U.H. Manoa, all the classrooms within the DOE system are useless.

"This appropriation of \$1.5 million will go a long way in speeding up the process of getting a new College of Education facility to help produce more teachers in the coming years. The current shortage of teachers is statewide and nationwide. We do not expect that this problem will be solved immediately but one year head start is certainly a great godsend.

"In addition to that, we have improvements for vice principals which are key to innovation and change in the classroom. We have a small educational innovation project which affects largely the Honolulu district middle school project, Castle High School, Campbell High School and several other neighbor island schools including Kapaa Elementary School, Hoonounau and Konawaena.

"In addition to that, there are two measures affecting improvements in social studies -- one having to do with Pacific and Asian studies and another one allowing for the upgrade of curriculum for the social studies area, generally.

"These are some of the highlights of the education budget and I think we have a good start in trying to develop an educational system that we eventually will be able to call second to none.

"Thank you."

Senator McCartney also supported the bill and said:

"Mr. President, I would like to commend our Ways and Means chairman for doing an excellent job in putting together this package.

"Also, I would like to refer to the education part of the budget. It's a budget that I think we can all be proud of. Mr. President, we not only need to decentralize our schools and make our schools the focal point of the community, giving local communities more flexibility and autonomy, but we need to provide additional resources to make sure that those schools can meet and identify their needs. I think this budget keeps us on the course and the path that we set last year on education that provides an additional \$21.3 million.

"We'll have to come back next year and work hard again, but at least this budget keeps us on track and I'd like to thank the Ways and Means Committee and the chairman for their hard work. It's a budget that I think we can all be proud of and support. Thank you."

The motion was put by the Chair and carried, the Conf. Com. Rep. No. 67 was adopted and H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:32 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

### THIRD READING

H.B. No. 1631, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 1631, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2477, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, H.B. No. 2477, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

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

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

Stand. Com. Rep. No. 3389 (H.B. No. 2459):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3389 was adopted and H.B. No. 2459, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3390 (H.B. No. 2869):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3390 was adopted and H.B. No. 2869, entitled: "A BILL FOR AN ACT RELATING TO A DEPARTMENT OF EDUCATION STOREROOM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3391 (H.B. No. 2889, H.D. 2):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3391 was adopted and H.B. No. 2889, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3392 (H.B. No. 2899):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3392 was adopted and H.B. No. 2899, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS FOR DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3393 (H.B. No. 2905):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3393 was adopted and H.B. No. 2905, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3394 (H.B. No. 2939):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3394 was adopted and H.B. No. 2939, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3395 (H.B. No. 2941, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3395 was adopted and H.B. No. 2941, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 3396 (H.B. No. 2956):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3396 was adopted and H.B. No. 2956, entitled: "A BILL FOR AN ACT RELATING TO HAZARD PAY FOR AIRCRAFT EMERGENCY RESCUE DUTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3397 (H.B. No. 2602):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3397 was adopted and H.B. No. 2602, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3398 (H.B. No. 2890, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3398 was adopted and H.B. No. 2890, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF BONDS FOR HOUSING PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3399 (H.B. No. 3239, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3399 was adopted and H.B. No. 3239, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MANUFACTURING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 3400 (H.B. No. 3349, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Stand. Com. Rep. No. 3400 was adopted and H.B. No. 3349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HONOLULU SYMPHONY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2914:

On motion by Senator Chang, seconded by Senator Tungpalan and carried, H.B. No. 2914, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2944, H.D. 1:

By unanimous consent, action on H.B. No. 2944, H.D. 1, was deferred to the end of the calendar.

#### FINAL READING

S.B. No. 2275, S.D. 1, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2275, S.D. 1, and S.B. No. 2275, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF THE OFFICE OF HAWAIIAN AFFAIRS OFFICERS AND EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2356, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Levin and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2356, S.D. 1, and S.B. No. 2356, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY RESPONSE TRAUMA PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2569, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2569, S.D. 2, and S.B. No. 2569, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2604, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2604, S.D. 2, and S.B. No. 2604, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE YEAR OF THE FAMILY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2706, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2706, and S.B. No. 2706, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 2838, S.D. 1, H.D. 1:

On motion by Senator Blair, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2838, S.D. 1, and S.B. No. 2838, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3079, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator McMurdo and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3079, and S.B. No. 3079, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3093, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3093, S.D. 2, and S.B. No. 3093, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOMES REVOLVING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3162, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Nakasato and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3162, S.D. 2, and S.B. No. 3162, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPRICING OF CERTAIN PROFESSIONAL AND SCIENTIFIC CLASSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Yamasaki, seconded by Senator Nakasato and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3165, S.D. 1, and 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," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3168, H.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3168, and S.B. No. 3168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF ABANDONED VESSELS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 3246, H.D. 2:

Senator Yamasaki moved that the Senate agree to the amendments proposed by House to S.B. No. 3246 and S.B. No. 3246, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator Blair rose to speak against the bill and said:

"Mr. President, I'll try to be brief.

"First of all, we must keep in mind what time sharing is. It's a prepaid vacation. It's a way to get the most bodies into our state with the least economic benefit to the state. But, for better or for worse, time sharing is with us.

"What this bill does is it says to the time sharers, 'you didn't pay your taxes for a long, long time, but we're going to forgive you and say you only have to pay your taxes in the future.' I wish that they would allow me the same prerogative, but I've always paid my taxes. If I ever failed to pay I couldn't count on such leniency.

"Another interesting thing about time sharing is they don't pay the general 5% transient accommodations tax. They should, but they don't. I think a lot of members of this body are probably not aware of that.

"Finally, Mr. President, I think we should keep in mind that this is going to generate losses to the state probably in the range of about \$6 million. Not losses in the sense that we ever collected it, but losses in the sense that we're saying, 'even though you owe it to us, we're not going to collect it from you.'

"The Department of Taxation testified against this bill.

"Finally, Mr. President, I think it's really interesting to note that our own taxpayers are going to get a dollar back from us. These people are going to get millions of dollars divided amongst a much, much smaller population. I think our priorities are badly misplaced. I'm aggrieved that under these circumstances we would treat these individuals who did not pay their taxes so much better than we treat our own citizens who do. I hope my colleagues would join me in voting 'no.'"

By unanimous consent, action on S.B. No. 3246, H.D. 2, was deferred to the end of the calendar.

S.B. No. 3287, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3287, S.D. 1, and S.B. No. 3287, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

## FINAL READING

Conf. Com. Rep. No. 1 (S.B. No. 103, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 103, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 2 (H.B. No. 2053, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 2053, H.D. 1, S.D. 1, C.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 Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 3 (S.B. No. 3341, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator McMurdo, seconded by Senator Levin and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 3341, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 4 (S.B. No. 973, S.D. 2, H.D. 1, C.D. 1):

Senator Crozier moved that Conf. Com. Rep. No. 4 be adopted and S.B. No. 973, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Solomon.

Senator Crozier rose to speak in favor of the measure and said:

"Mr. President, last year, the Legislature requested an audit to be done of the Office of Hawaiian Affairs by our auditors and the auditors did an excellent job. They came back with suggested recommendations so that we can make the Office of Hawaiian Affairs a more responsive body to both the Legislature and, also, to its constituents.

"The law that we are implementing here is, first, to have an executive type budget presented to us from the Office of Hawaiian Affairs. That will take care of the fiduciary responsibilities that the Office of Hawaiian Affairs has to present to the Legislature and to the state.

"The other aspect of this bill, which I think is as meaningful, is from now on the Office of Hawaiian Affairs, before they finalize their budget, they must take the budget to their constituents just as we in this Legislature present our budget to our constituents, and the different councils throughout the state have to present their budgets to their constituents, so too must the Office of Hawaiian Affairs do the same.

"Up until now, it's been often that the Office of Hawaiian Affairs has been often accused of acting as a state agency, and in some respects that's quite accurate because as they presented their budget for the Legislature, there's minimum contact with their constituents. With this bill passing, they now have to go back and act not as an agency, but as a policy-making body. I think the democracy that we have in our state government will also transcend into the Office of Hawaiian Affairs.

"You know, the trustees of the Office of Hawaiian Affairs like the legislators, like council people, have often been accused of shortcomings. We get it all the time. Most of our constituents like individual legislators but they cannot stand the rest of us guys. And the council is the same way. The people from the district will like their councilperson, but they don't like the council in general. And that's the same with the Office of Hawaiian Affairs. They have the same problem. The people that voted for individual members of the Office of Hawaiian Affairs like those individuals but they resent the whole body. I think that's reflective on politics in general, not directed only to the Office of Hawaiian Affairs, but it seems like because the Office of Hawaiian Affairs represents a smaller group of people, the pressure is more intense and sometimes more critical. Hopefully, with this bill passing, with their having more dialogue with the community, some of that can be alleviated.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 4 was adopted and S.B. No. 973, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 5 (S.B. No. 2699, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Crozier, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 5 was adopted and S.B. No. 2699, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 6 (H.B. No. 2233, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Matsuura, seconded by Senator Holt and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 2233, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MARINE WATERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 7 (H.B. No. 1023, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ikeda, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 1023, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 8 (H.B. No. 2368, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator McCartney and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 2368, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 9 (H.B. No. 2014, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 2014, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 10 (H.B. No. 3125, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 3125, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (H.B. No. 2131, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 2131, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 12 (H.B. No. 3256, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Chang and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 3256, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS AND SURGEONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (H.B. No. 2011, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 2011, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 14 (H.B. No. 2008, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 2008, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 15 (H.B. No. 2994, H.D. 1, S.D. 1, C.D. 1):

Senator Holt, moved that Conf. Com. Rep. No. 15 be adopted and H.B. No. 2994, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ikeda.

Senator Reed spoke in support of the measure as follows:

"Mr. President, I'm still in favor of a total year-round ban of thrillcraft and parasails, but I rise to speak in favor of this bill. It's a very positive step in the right direction.

"I'd like to thank the people of Maui who have spent the last four years testifying before this Legislature and calling and writing, lobbying for this kind of legislation. I also want to thank Senators Blair, Tungpalan and Ikeda, for two years ago going with me to Maui to go out on the water with the whales. Senator Ikeda did it even with the forewarning that she gets seasick even in the bathtub and, sure enough, the ladies and I fed the fish our breakfast. Senator Blair survived and made it through the day. They joined with me in seeing from the whales' perspective what the parasails and jet skis do, and that personal first-hand knowledge stayed with them and they also have been helpful in the passage of this legislation.

"And, probably most importantly, I'd like to thank the Senator of your Tourism Committee who took into account the special nature of the waters and the whale/calf habitat off the south and west shores of Maui and endured the intense lobbying of the parasailors and the jet skiers, to persevere and come through with a bill that is very definitely a positive step. Thank you."

Senator McCartney also supported the measure and said:

"Mr. President, I would like to thank the chairman of the Tourism Committee for taking a tough stand on protecting Hawaii's waters for Hawaii's people. I think this bill is very good public policy. It's a step in the right direction. It says that operating a commercial vehicle, recreational vehicle on public property, I think is a privilege rather than a right, and I think we took some steps to make sure that Hawaii's waters are treated as natural resources and protected and preserved for future generations to enjoy. This bill will ban all commercial activities on Sundays, starting January 1, 1991, and ban all commercial thrillcraft activities on weekends and holidays effective upon the approval of the bill.

"Again, I thank the chairman of the Tourism Committee for taking a tough stand and for helping to protect Hawaii's waters. Thank you."

Senator Ikeda also spoke in support of the bill as follows:

"Mr. President, I rise to speak in favor of this measure and in doing so echo the comments of the previous speaker. I am pleased, on behalf of the people who live around Maunaloa Bay, who swim in Maunaloa Bay and who use the bay on weekends and enjoy it as a natural resource, pleased to thank the chairman of the Tourism Committee for his very tough stand on this. It's a long time in coming and I welcome it with a sigh of relief."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 2994, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 16 (H.B. No. 2878, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ikeda, seconded by Senator Aki and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 2878, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEAT INSPECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17 (H.B. No. 1660, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 1660, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 18 (H.B. No. 3380, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 3380, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19 (H.B. No. 2295, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 2295, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20 (H.B. No. 3149, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20 and H.B. No. 3149, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 22 (H.B. No. 2294, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 2294, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (H.B. No. 2301, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 2301, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE BOARD OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Solomon, Fernandes Salling).

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

Conf. Com. Rep. No. 24 (H.B. No. 2258, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24 and H.B. No. 2258, S.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 25 (H.B. No. 1693, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1693, S.D. 1, C.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 Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 26 (H.B. No. 2202, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 2202, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT WORKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (H.B. No. 2184, H.D. 1, S.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 27 be adopted and H.B. No. 2184, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Cobb rose to speak against the measure and said:

"Mr. President, I'll be voting 'no' for reasons previously stated on the floor of the Senate. Seems to me, if you take Lufthansa (German Airlines) or any foreign flag carrier you're able to gamble in between, and if you take a large ship from either here or any other port in Honolulu and go on to a foreign destination, you're able to gamble as soon as you get outside Hawaiian waters; so I look forward to seeing one of the proponents or those who support this bill in Las Vegas in the future. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 2184, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING ABOARD SHIPS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 28 (H.B. No. 2843, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 2843, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29 (H.B. No. 2844, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 2844, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30 (H.B. No. 2112, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 2112, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 31 (H.B. No. 3183, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 3183, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SYMBOLS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 32 (H.B. No. 3265, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 32 was adopted



and H.B. No. 3265, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF ESCAPE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33 (H.B. No. 3428, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 3428, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (H.B. No. 2984, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 34 and H.B. No. 2984, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 36 (H.B. No. 403, H.D. 1, S.D. 1, C.D. 2):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 403, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS AGAINST THE STATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (H.B. No. 2967, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 2967, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 38 (H.B. No. 2204, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 2204, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER FRAUD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:24 o'clock p.m.

Conf. Com. Rep. No. 39 (H.B. No. 3176, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 3176, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND

DECEPTIVE TRADE PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 40 (H.B. No. 240, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 240, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PROCEDURE TO BREAK TIES IN ELECTION RESULTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 41 (H.B. No. 2207, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 2207, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHALLENGES TO CANDIDATE NOMINATION PAPERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 42 (H.B. No. 2052, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 2052, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 43 (H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 2183, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 44 (H.B. No. 3410, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 3410, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER REGISTRATION LISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (H.B. No. 2817, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 2817, H.D. 1, S.D. 1, C.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO PARENTAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (H.B. No. 256, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 47 was adopted and H.B. No. 256, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (H.B. No. 2103, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator McCartney and carried, Conf. Com. Rep. No. 49 was adopted and H.B. No. 2103, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ZIP CODES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 50 (H.B. No. 2299, H.D. 1, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 50 be adopted and H.B. No. 2299, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator Blair rose to speak in favor of the bill as follows:

"Mr. President, very briefly. I'm disappointed that private school students have been excluded. I think that the constitutional issue should not have been a problem. We could have included the standard clause which, in fact, exists in Chapter 1 regarding severability.

"The argument that we don't have enough money and have to create a class of citizens who are treated as second-class citizens, to me is very difficult to accept. However, since the program is already up and running and children are presently in the program, I will be voting for it. I hope that in the future we will treat all of our citizens equally. Thank you."

Senator Reed then asked if the chairman of the Education Committee would yield to a question. The Chair posed the question and Senator B. Kobayashi having answered in the affirmative, Senator Reed inquired:

"Mr. Chairman, will the \$15 million that is suggested for funding this program come out of the general education fund?"

Senator B. Kobayashi answered:

"Mr. President, it will not. It will come out of the general fund of the State of Hawaii and would not specifically come out of the general education fund. We have no general education fund as such. This bill was treated separate from the education budget."

Senator Reed continued:

"Mr. President, originally, it was estimated that the A+ program would cost about \$17 million. And at that time, if you took a look at the education budget request from the Governor's Office, that request for general education was missing \$17 million -- money which would have gone to fund A+. What I am wondering now, through the course of the conference committee negotiations, etc., whether our general education program is going to suffer as a result of A+?"

Senator B. Kobayashi responded:

"Mr. President, I think not. The record should be very clear that it was the House proposal that in effect substituted the A+ money for the general education monies. It was never the Senate proposal. That House proposal has been substantially changed in the budget conference.

"As I recall, the House originally came over with an overall add-on to the education budget in the range of \$9 million. That \$9 million has been increased to approximately \$21 million. And so the compromise, if you will, as agreed to in the budget conference has substantially eliminated the deficit that the House originally used to fund A+. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 2299, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN AFTER-SCHOOL PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (H.B. No. 3296, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 3296, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 52 (H.B. No. 2208, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 52 was adopted and H.B. No. 2208, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (H.B. No. 3403, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 3403, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (H.B. No. 2458, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 54 was adopted and H.B. No. 2458, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A RENTAL HOUSING TRUST FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (H.B. No. 3299, H.D. 2, S.D. 2, C.D. 2):

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, Conf. Com. Rep. No. 55 was adopted and H.B. No. 3299, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (H.B. No. 3111, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 56 was adopted and H.B. No. 3111, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (H.B. No. 2985, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 57 was adopted and H.B. No. 2985, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (H.B. No. 2293, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Blair and carried, Conf. Com. Rep. No. 58 was adopted and H.B. No. 2293, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REVIEW THE LAWS RELATING TO FINANCIAL INSTITUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (H.B. No. 2950, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 59 was adopted and H.B. No. 2950, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (H.B. No. 2381, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 2381, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL 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 Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, Reed, Koki).

Conf. Com. Rep. No. 61 (H.B. No. 2268, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Blair and carried, Conf. Com. Rep. No. 61 was adopted and H.B. No. 2268, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SATELLITE STATE OFFICE PILOT PROJECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (H.B. No. 3114, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Holt and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 3114, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI BEAUTIFICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (H.B. No. 2895, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 63 was adopted and H.B. No. 2895, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (H.B. No. 2990, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 64 was adopted and H.B. No. 2990, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 65 (H.B. No. 2265, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Holt and carried, Conf. Com. Rep. No. 65 was adopted and H.B. No. 2265, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF OCEAN-RELATED ACTIVITIES,"

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 66 (H.B. No. 2308, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 2308, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH GANGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (H.B. No. 1144, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 68 was adopted and H.B. No. 1144, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS INCUBATORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (H.B. No. 1900, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator McCartney and carried, Conf. Com. Rep. No. 69 was adopted and H.B. No. 1900, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE VICE-DIRECTOR OF CIVIL DEFENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Blair).

Conf. Com. Rep. No. 70 (H.B. No. 1251, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 70 was adopted and H.B. No. 1251, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE HOUSING DEMONSTRATION PROJECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (H.B. No. 69, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 69, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (H.B. No. 3095, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72 and H.B. No. 3095, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 73 (H.B. No. 3098, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 73 was adopted and H.B. No. 3098, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM TRAINING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 74 (H.B. No. 3355, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 3355, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 75 (H.B. No. 3357, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and H.B. No. 3357, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 76 (H.B. No. 3385, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 3385, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITERACY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77 (H.B. No. 2046, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 2046, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (H.B. No. 2092, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 2092, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SOCIAL AND EMPLOYMENT SERVICES INCUBATOR PROJECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (H.B. No. 2229, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 79 was adopted and H.B. No. 2229, H.D. 2, S.D. 2, C.D.

1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80 (H.B. No. 2280, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 80 was adopted and H.B. No. 2280, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81 (H.B. No. 2281, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 81 was adopted and H.B. No. 2281, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY SUPPORT CENTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (H.B. No. 2287, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 82 and H.B. No. 2287, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 83 (H.B. No. 2288, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 83 and H.B. No. 2288, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 84 (H.B. No. 2290, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 84 and H.B. No. 2290, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 85 (H.B. No. 2582, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 85 was adopted and H.B. No. 2582, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOMELESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (H.B. No. 2296, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Holt and carried, Conf. Com. Rep. No. 86 was adopted and H.B. No. 2296, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87 (H.B. No. 2608, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 87 was adopted and H.B. No. 2608, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 88 (H.B. No. 2645, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 88 was adopted and H.B. No. 2645, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAMS FOR FAMILIES OF MENTALLY ILL PERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89 (H.B. No. 2649, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 89 was adopted and H.B. No. 2649, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMUNITY-BASED TEENAGE HEALTH CLINIC DEMONSTRATION PROJECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Koki).

Conf. Com. Rep. No. 90 (H.B. No. 2876, H.D. 1, S.D. 1, C.D. 2):

On motion by Senator Menor, seconded by Senator Levin and carried, Conf. Com. Rep. No. 90 was adopted and H.B. No. 2876, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (H.B. No. 2896, H.D. 3, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 91 be adopted and H.B. No. 2896, H.D. 3, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Crozier.

Senator Crozier rose to speak in support of the measure as follows:

"Mr. President, this bill relates to the ceded lands issue that the state and the Office of Hawaiian Affairs have been wrestling with for the last ten years. The Office of Hawaiian Affairs has not gotten its fair share of the 20% revenue from the ceded lands. This past year and a half, the governor's team and the trustees of the Office of Hawaiian Affairs have been negotiating a settlement and they've finally come to a conclusion for the first part.

"This bill allocates \$7.2 million. It sets up a mechanism to get the rest of the rent monies that are due from 1980 until the present.

"I'd like to commend the governor's team and the Office of Hawaiian Affairs for the hard work that went into this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 91 was adopted and H.B. No. 2896, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:38 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:43 o'clock p.m.

Conf. Com. Rep. No. 92 (H.B. 2919, H.D. 1, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 92 be adopted and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chang.

Senator Blair spoke against the measure and said:

"Mr. President, I rise to speak against this bill. It was a difficult decision. What convinces me that it ought not to pass is the language on page 9 of the bill which allows affordable housing units to be built outside of Kakaako.

"If we recall when the Hawaii Community Development Authority for Kakaako was first established, we will recall that what we had was a vision of a community much like Makiki, perhaps better planned, which would provide housing for our residents who were working in downtown and in Waikiki. They could easily commute to their jobs and home again. What we have accomplished after many years and tens of millions of dollars is the opposite.

"I recognize that this is not entirely the state's fault. Market forces have, to some extent, overwhelmed us when you have \$400 a square foot values, it's very difficult to build any but the most expensive housing.

"I also recognize that the proponents of this measure are attempting to accomplish a good objective. That is, by going outside of this high priced district they will build more units with the dollars available. Certainly more units is desirable.

"However, there is also an undercurrent here. The units are being moved out in order to protect property values for the land owners so that they can continue to build expensive condos for that is a very lucrative and attractive market. I'm not willing to give up the dream that Kakaako can, to some extent, fulfill the needs of our citizens for reasonably priced housing. I don't mind that building affordable housing units in Kakaako may impair the property values. I think that might be very desirable from the community's sense.

"Therefore, while I can understand the motivation of the proponents in trying to build the greatest number of units with the funds available, I can't give up on the dream of Kakaako. I can't bring myself to say that all we worked for over these years is being buried as this bill would. Perhaps it's not realistic, but I'm not able to give up the dream that started us on this road. I say we should go ahead and build the affordable housing units,

though they be fewer in number, in Kakaako. If we are so fortunate as to impair property values and make other units in Kakaako more affordable to our citizens, that would be wonderful. But I don't want to see Kakaako turn into what it's becoming, which is a community for the rich to the exclusion of our own citizens.

"Although I do not condemn those who support this bill, I can't go along with it and I have to vote 'no.' Thank you."

By unanimous consent, action on Conf. Com. Rep. No. 92 and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 93 (H.B. No. 2929, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 93 was adopted and H.B. No. 2929, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL 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 Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 94 (H.B. No. 2904, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 94 was adopted and H.B. No. 2904, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m. with the Vice President in the chair.

Conf. Com. Rep. No. 95 (H.B. No. 2932, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Nakasato and carried, Conf. Com. Rep. No. 95 was adopted and H.B. No. 2932, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL 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 Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Wong, R.).

Conf. Com. Rep. No. 96 (H.B. No. 2057, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Menor and carried, Conf. Com. Rep. No. 96 was adopted and H.B. No. 2057, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Wong, R.).

Conf. Com. Rep. No. 97 (H.B. No. 2089, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 97 was adopted and H.B. No. 2089, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Levin, Wong, R.).

Conf. Com. Rep. No. 98 (H.B. No. 2273, H.D. 2, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 98 be adopted and H.B. No. 2273, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hagino.

Senator Chang spoke in support of the measure as follows:

"Mr. President, I had prepared some remarks in anticipation that someone might be speaking against the bill and inasmuch as those remarks are already prepared, I may as well go ahead.

"Mr. President, I'd just like to point out that this is one of several bills before the Senate that has to do with what we call 'the maturing global economy.' As one report, 'Hawaii Is an East-West Bridge and the East-West Center' states:

'In the Asia-Pacific region, economic relations can no longer be characterized in traditional north/south terms. The dynamic partnership in trade and investment is clearly emerging. By any measure, the explosion of intra-regional trade and investment in the 1980s is exceptional and the trend of interdependence promises to continue into the 1990s and beyond. The need for greater economic cooperation at the multi-lateral regional and bilateral efforts in the Pacific is clear and crucial to the future of Asia-Pacific economic relations. In addition to the traditional multi-national forum of the general agreement on trade and tariff, the countries in the region have been examining other possible bilateral agreements to increase economic consultation and cooperation. Recent examples include the U.S./Canada Free Trade Agreement, the closer economic relations agreement between Australia and New Zealand, and advancement in economic cooperation between the ASEAN nations.'

"In short, Mr. President, the increase in economic interdependence and structural change in the region has necessitated improved economic cooperation. Pacific economic cooperation is becoming an important and integral component in regional trade and investment relations.

"One of our corporate heads, Mr. David Heenan, has written an article in the 'Journal of Business Strategy' where he points out that for years other countries' political heavyweights have lobbied effectively with their own organizations. Putting in a good word for their major industries is simply good global politics. However, in the United States and in Hawaii, there has been some distance between the public and private sectors. One reason for the distance between business and government is that collective neglect of the importance of world

markets. Historically, leaders in both sectors have been preoccupied with the domestic economy to the exclusion of foreign opportunities.

"What this bill does, Mr. President, is to recognize what we have already acknowledged in another bill. Five minutes ago we approved House Bill No. 1144, relating to small business incubators. In the committee report we found that a global economy has matured, wherein goods, products and services from all over the world are gathered, assembled, processed and distributed throughout a competitive trans-national network. We found that Hawaii is the forefront of several leading high technology and innovative research areas and provided for a series of small business incubators to service development centers to move basic research to the stages of applied research technology transfer, commercial utilization and market development.

"What this bill would do is to provide partnership between government and business in Hawaii in striving to expand the knowledge intensive and the technology intensive industries that would drive our economic future in the future. The problem, Mr. President, is that Hawaii in not being taken seriously as a place to do business. Hawaii does have the resources to be the world's leading Pacific information center, but in order to increase Hawaii's role we need to make available Pacific area news and financial information, and we need to transmit an image of a place where serious business, study, training and research takes place. Both of these goals can be accomplished through the creation of Hawaii based world class news show focusing on the Pacific region and distributed to mainland public broadcasting stations. This show will promote international literacy among Hawaii's people, highlight the international expertise available in Hawaii, provide valuable experience to the communications industry in Hawaii, and broaden Hawaii's image in the world.

"Mr. President, I would like to compliment the chairman of the Culture and Arts Committee for managing such a leading edge measure and I trust that she will continue her efforts in the future. Thank you."

Senator Blair spoke against the measure and said:

"Mr. President, I'd planned merely to vote 'no.' I do not like to disagree with my esteemed colleague from Nuuanu. But, as he's spoken on the matter, I should clarify why I will be voting 'no.'

"For the record, I'm not sure what the previous remarks had to do with this bill. Rather than engaging in international trade, what the bill does is create a half-hour, weekly, news program. Although now it's been described as transmitting an image. I'm not clear whether it's going to be to transmit an image or whether it will, in fact, be a news program. It may be that the two are not mutually exclusive. But in any event, it proposes to spend a million dollars and go above our general fund expenditure ceiling in order to accomplish this objective.

"My problem, Mr. President, is that it's not clear to me that the State of Hawaii should get into the news business. It is not appropriate for a government to be in charge of creating news programs. If we have image problems, I'm sure there are other ways to go about correcting them. My concept of the news media is that it is independent of government. To me, this is an undue co-mingling of government and the news media. I find it objectionable and, I will be voting 'no.'"

Senator Tungpalan spoke in support of the bill as follows:

"Mr. President, Hawaii has a potential to become a leader in the Pacific in international information: a center to which East and West might come for information, training, study and research. An increase in the availability of news and financial information relating to the Pacific region would promote Hawaii's image as a vital center.

"Toward this end, this bill proposes the creation of a weekly half-hour news show to be based in Hawaii and to focus on Pacific region issues. This show would highlight Hawaii's availability of international expertise and expand Hawaii's image in the world, while increasing knowledge of international issues among Hawaii's community and providing valuable working experience for the local communications industry.

"H.B. 2273 in its current form appropriates a quarter of a million, not a million, a quarter of a million in general funds, but mind you, each dollar must be matched by the private sector.

"Hawaii has long talked of being a leader in the Pacific and this bill will be a strong, positive step in working toward this goal and projecting a positive image of Hawaii.

"I urge all of my colleagues to support this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 98 was adopted and H.B. No. 2273, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII PUBLIC TELEVISION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Blair, Reed). Excused, 1 (Wong, R.).

At 12:57 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.

Conf. Com. Rep. No. 99 (H.B. No. 2546, H.D. 1, S.D. 1, C.D. 2):

On motion by Senator Levin, seconded by Senator Menor and carried, Conf. Com. Rep. No. 99 was adopted and H.B. No. 2546, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METHAMPHETAMINE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 100 (H.B. No. 2751, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 100 was adopted and H.B. No. 2751, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 101 (S.B. 2252, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 101 was adopted and S.B. No. 2252, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 102 (S.B. No. 2482, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Ikeda, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 102 was adopted and S.B. No. 2482, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 103 (S.B. No. 3094, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Reed and carried, Conf. Com. Rep. No. 103 was adopted and S.B. No. 3094, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 104 (S.B. No. 2223, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Matsuura, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 104 was adopted and S.B. No. 2223, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES OF SEAFOOD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 105 (S.B. No. 46, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Levin and carried, Conf. Com. Rep. No. 105 was adopted and S.B. No. 46, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 106 (S.B. No. 3399, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 106 was adopted and S.B. No. 3399, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO



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

Ayes, 21. Noes, 2 (Blair, Matsuura). Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 107 (S.B. No. 3454, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 107 was adopted and S.B. No. 3454, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROADWORK," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 108 (S.B. No. 2122, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Blair and carried, Conf. Com. Rep. No. 108 was adopted and S.B. No. 2122, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 109 (S.B. No. 2169, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 109 was adopted and S.B. No. 2169, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 110 (S.B. No. 2318, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Menor and carried, Conf. Com. Rep. No. 110 was adopted and S.B. No. 2318, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANABOLIC STEROIDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 111 (S.B. No. 3111, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 111 was adopted and S.B. No. 3111, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPITE CARE AT WAIMANO TRAINING SCHOOL and HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 112 (S.B. No. 422, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Menor and carried, Conf. Com. Rep. No. 112 was adopted and S.B. No. 422, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECIOUS METALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 113 (S.B. No. 2174, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 113 was adopted and S.B. No. 2174, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 114 (S.B. No. 2307, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 114 was adopted and S.B. No. 2307, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE TESTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 115 (S.B. No. 2432, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 115 was adopted and S.B. No. 2432, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 116 (S.B. No. 3018, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Blair and carried, Conf. Com. Rep. No. 116 was adopted and S.B. No. 3018, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCESS TO ESTABLISH AND ENFORCE CHILD SUPPORT OBLIGATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Crozier, Wong, R.).

Conf. Com. Rep. No. 117 (S.B. No. 1398, S.D. 1, H.D. 2, C.D. 1):

Senator Blair moved that Conf. Com. Rep. No. 117 be adopted and S.B. No. 1398, S.D. 1, H.D. 2, C.D. 1,

having been read throughout pass Final Reading, seconded by Senator Ikeda.

Senator Blair spoke in support of the bill as follows:

"Mr. President, I just want to quickly note that this is a very important and beneficial bill which I didn't really recognize until I became chairman of the Consumer Protection Committee and had it under my jurisdiction. When I began to look into it, I saw that this was truly a bill we could be proud of this session. I wanted to commend the Women's Caucus and especially Senator McMurdo.

"This bill will save more lives than the DUI revocation bill. It's going through the Legislature without much attention so I want to direct everyone's attention to it. This is truly one of the best bills. Thank you."

Senator McMurdo also spoke in support of the bill and said:

"Mr. President, I rise to speak in favor of this since it was originally my bill, and I am very pleased and appreciate the work that Representative Mazie Hirono and Senator Blair and Senator Levin and I believe Senator Cobb did. They were some of the people involved in pushing this bill along. It, of course, had to take a year to wait for the LRB report on whether or not it was a good bill. I want to thank you and I'm really pleased about this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 117 was adopted and S.B. No. 1398, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURING MAMMOGRAM SCREENING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 118 (S.B. No. 2435, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 118 was adopted and S.B. No. 2435, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 119 (S.B. No. 3295, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Chang and carried, Conf. Com. Rep. No. 119 was adopted and S.B. No. 3295, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 120 (S.B. No. 2117, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 120 was adopted and S.B. No. 2117, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUNSET

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

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 121 (S.B. No. 2119, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 2119, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITIES AND COLLEGES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 122 (S.B. No. 2314, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 2314, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 123 (S.B. No. 2433, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 2433, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 124 (S.B. No. 2964, H.D. 1, C.D. 1):

Senator Menor moved that Conf. Com. Rep. No. 124 be adopted and S.B. No. 2964, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aki.

Senator B. Kobayashi spoke in support of the measure and said:

"Mr. President, I'm rising to speak in favor of the bill. I signed the bill 'with reservations' because this bill does not change the current status quo as to what penalties are for assault to any individual. The original bill would have increased the penalty if the assault was committed against an athletic contest official. As it is right now, the bill would have the assault be a misdemeanor and it's already a misdemeanor to assault any individual, contest official or not. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 2964, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEST OFFICIALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 125 (S.B. No. 2833, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 2833, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 126 (S.B. No. 2694, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Chang and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 2694, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 127 (S.B. No. 2764, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chang, seconded by Senator Levin and carried, Conf. Com. Rep. No. 127 was adopted and S.B. No. 2764, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPACE VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 128 (S.B. No. 1630, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Levin and carried, Conf. Com. Rep. No. 128 was adopted and S.B. No. 1630, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 129 (S.B. No. 3019, H.D. 1, C.D. 1):

On motion by Senator Menor, seconded by Senator Aki and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 3019, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 130 (S.B. No. 26, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator McCartney, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 26, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT REGULATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 131 (S.B. No. 2549, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator McCartney, seconded by Senator McMurdo and carried, Conf. Com. Rep. No. 131 was

adopted and S.B. No. 2549, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 132 (S.B. No. 506, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Blair, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 132 was adopted and S.B. No. 506, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLISION INSURANCE FOR RENTED MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 133 (S.B. No. 2801, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 133 and S.B. No. 2801, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 134 (S.B. No. 3142, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 134 was adopted and S.B. No. 3142, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII MINORITY STUDENTS: HAWAII OPPORTUNITY PROGRAM IN EDUCATION (HOPE)," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 135 (S.B. No. 3169, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Levin and carried, Conf. Com. Rep. No. 135 was adopted and S.B. No. 3169, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING REGISTERED NURSE STUDENT FINANCIAL SUPPORT AND LOAN PROGRAMS AND MAKING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 136 (S.B. No. 3170, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Levin and carried, Conf. Com. Rep. No. 136 was adopted and S.B. No. 3170, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES DOMICILIARY HOMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Wong, R.).

Conf. Com. Rep. No. 137 (S.B. No. 1148, S.D. 2, H.D. 2, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 137 be adopted and S.B. No. 1148, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Menor.

Senator Fernandes Salling spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of S.B. 1148, C.D. 1.

"Mr. President, the bill that is before us will provide for administrative revocation of a driver's license for those who are determined to have been driving under the influence of alcohol.

"In speaking on behalf of the bill, I would like to express my appreciation to my Senate colleagues who have shown me their understanding and trust on this matter. While there may have been considerable pressure on all of you on this bill, many of you came to me to offer your support and suggestions for the continuance of the Senate position. It is clear that this bill is a product of the Senate point of view on this very important issue and reflects its tradition and values. In part, my involvement in this bill has again reminded me of the role the Senate plays in our legislative process and the responsibility we have in formulating legislation.

"For the past two years, DUI administrative revocation has been discussed in these halls and has been a point of contention between the House and Senate, as well as a variety of special interest groups. It has come to the forefront of our priorities because of the increasing problems we have faced with those who would senselessly drive while under the influence of alcohol. But in my eight years in the Legislature, I cannot remember any legislation which has been driven to the forefront by an outpouring of emotional outrage and by those who seek to play on it.

"Perhaps, Mr. President, that is why so many DUI license revocation bills that have come up for consideration in the past two years have been one-dimensional. They have only had the single-minded purpose of taking away the license of those who are suspected of DUI offenses. And these bills have all weighed heavily toward a presumption of guilt. These bills often included only an abbreviated legal process where the citizen has the right to challenge the findings of a policeman or hearing officer.

"In reviewing these bills, Mr. President, the Senate adopted a different approach. By its history and nature, the Senate is, and always will be, a more deliberative body. Our responsibility is not merely to respond to this crisis, but to balance our interest in law enforcement and our desire to protect the rights of individuals.

"In this bill, there were more than enough advocates for the interest of law enforcement. And if we were merely to go by those who speak the loudest, then of course, the bill before us would be one-dimensional. But as interested as the Senate was in providing an expeditious process for DUI license revocation, we also felt it was vital to include strong provisions that would offer an individual the right to challenge findings which may result in the loss of his driver's license. The desire for 'due process' procedures to dispute findings is not an unreasonable burden. As you know, Mr. President, in our nation's and state's history, we have been proud of legal principals such as the opportunity to be heard before a determination of guilt and the presumption of innocence.

"In the Hawaii State Constitution, statutes and common law, we have gone farther in offering protections and rights to individuals. And yet, when it came to DUI license revocation, we seemed to have let the emotional outrage of this issue turn our heads away from offering

the kind of maximum due process protection that is part of our legal tradition. For example, the House position on this matter would have only provided a driver suspected of DUI with a 15-day temporary permit that would expire even if the hearing on his culpability had not been held within that time.

"Is it fair that a person would lose his driver's license without having the right to present his case refuting the evidence against him? For any other legal issue that would result in such a sentencing and loss, we would have been asking about how the individual is protected, but on this issue, there seemed to be an emotional clamor to have a license revocation process that was a rush to judgment with a presumption of guilt rather than innocence.

"And yet, it is not difficult to imagine that if we did adopt the House bill with its minimal due process procedures, there will be a case in the future in which the loss of a driver's license will seem so unfair, that the very newspapers who have editorially supported such a bill, would be asking how the Legislature could have allowed this to happen.

"It was the Senate's position to be more deliberate in its contemplation of this matter; to make certain that a bill come out that was multi-dimensional and balanced all the various interests and objectives we had. To this end, we resisted the suggestions of those, such as the attorney general, who urged the Senate to adopt any statute of 33 other states who have license revocation. That is too cavalier an approach for such a serious matter. Instead, in conference committee, the Senate offered the compromise measure to the House that is before us which attempted to offer the best possible features of the various bills introduced on this.

"As a result, the bill before us accomplishes three major objectives of the Senate. No. 1, it provides an administrative review and hearing to be completed within 30 days so that the process is expeditious. This 30-day limit is followed in most states. No. 2, it requires that a person may have a temporary permit until a hearing has determined his guilt or innocence. If the state requires more time and asks for a continuance, the temporary permit will also continue. We believe that this will be the exception and most cases will be decided within the 30 days. And No. 3, should the state lose on the merits of the case, it will be prevented from bringing the driver to criminal proceedings. Fairness dictates that the state should be prevented from getting two bites of an apple. Besides, if the state cannot prove its case at an administrative proceeding with a lower burden of proof of a 'preponderance of the evidence,' it is unlikely that it will prevail in a criminal court where the standard is 'beyond a reasonable doubt.'

"Mr. President, let me also say that for persons found guilty of drunk driving, the bill deals very harshly with them. The penalties range from a 3-month revocation for a first timer to a lifetime ban for a multiple offender. It is a bill that will be an effective deterrent against DUI violations.

"In closing, let me at least mention one concern that I have about the bill which allows the state to have a continuance if they are not able to go forward with their case in 30 days. The Senate's position was to complete the hearing process in 30 days so that the revocation process was 'expeditious.' The law enforcement community wanted to be able to have the continuance to make certain that they could adequately prosecute anyone. And to balance this, we have allowed for the temporary permit to run until the hearing is finally held.

"What concerns me is that the continuance will be used to let cases drag on. Two Sundays ago, the Sunday paper included a front page story about a criminal DUI case that had gone on for years. I found it disturbing that for all the talk about being tough on DUI cases there was no urgency in this matter.

"Mr. President, once this bill is law nothing would fuel the emotional outrage of this community more than the failure to administer this law properly and quickly. As I said before, the use of a continuance beyond 30 days is the unique exception, and let the law enforcement community know that we will be watching this.

"We have provided in this bill an appropriation for a study that will monitor various aspects of the administration of this law, including the use of the continuance. And this study is our way of signaling our prosecutors that we will not tolerate any lengthy delays in the hearing process.

"Once again, I would like to thank all of my fellow colleagues for their trust and understanding, and urge them to vote in favor of this bill."

Senator Cobb also spoke in support of the bill and said:

"Mr. President, I rise to speak in favor of the bill and in so doing commend the chairman of the Senate Transportation Committee for her good work on it and willingness to accept ideas, suggestions and compromises, and yet to maintain not only the principle and integrity of the Senate position but to even expand upon it and prove it in a conference committee environment.

"There is one note of concern that I shared with the chairman but I think should be shared with all members of the Senate, and, that is, information that came from the Police Department that when a blood test is to be administered there's only one site on this island where that can presently be done, at Pawaa. So if an individual is detained and then arrested in a remote site, that individual needs to be as quickly as possible transported to Pawaa for a blood test before the 3-hour minimum under the health regulations expires. And I think it would be incumbent upon the law enforcement community, not only of this island but of each of the neighbor islands, to establish blood testing sites in remote areas so that an individual can be determined by the ultimate test, which is a blood test, whether or not that person is sober and should be discharged, or is legally intoxicated and should be held over. And to not have a blood testing site in Waianae or in Laie or in Kona or in some other remote location would be a disservice both to the law enforcement community as well as to the individual driver who is detained. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 137 was adopted and S.B. No. 1148, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVOCATION OF DRIVER'S LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 138 (S.B. No. 1526, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 138 was adopted and S.B. No. 1526, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS' CLASSIFICATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 139 (S.B. No. 2794, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 139 was adopted and S.B. No. 2794, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 140 (S.B. No. 3146, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 140 be adopted and S.B. No. 3146, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator McMurdo.

Senator McMurdo rose to speak in support of the bill and said:

"Mr. President, this bill is an omnibus bill which will expand respite care so that we're not only talking about the elderly and people with Alzheimer's but for caregivers for disabled adults and children such as autistic children. It also will be changing the ceiling to the nursing home without walls to 75% of the medicaid expenditures and allows greater flexibility in spending that money. It will also be giving care-giver training to teach people how to take care of people at home.

"I won't go into any more details, but it's an over \$2 million expenditure and I want to thank the chair of the Ways and Means and the staff of Ways and Means for working out a way that we could have this bill passed today."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 140 was adopted and S.B. No. 3146, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME AND COMMUNITY-BASED CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 141 (S.B. No. 3233, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 141 was adopted and S.B. No. 3233, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 142 (S.B. No. 3247, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 142 was adopted and S.B. No. 3247, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDEMNATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 143 (S.B. No. 3306, S.D. 2, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 143 be adopted and S.B. No. 3306, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Holt.

Senator McCartney spoke for the measure as follows:

"Mr. President, I rise to speak in favor of the bill and I'd like to thank, personally, the chairman of the Tourism Committee for his patience and hard work.

"This bill will go a long, long way in helping to create, finally, a master plan for Kaneohe Bay. As you know, Kaneohe Bay has a lot of mixed use of commercial recreational and fishing activities. This plan is a grassroots plan where people from the community will develop a master plan to determine how the bay will be preserved and protected and how commercial activity will be regulated. It's my hope that this bill would be a template, an example for other impacted areas and impacted communities around the state where they can develop their own master plans, and I'd just like to urge my colleagues to support the bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 143 was adopted and S.B. No. 3306, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KANEOHE BAY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 144 (S.B. No. 3403, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 144 be adopted and S.B. No. 3403, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Holt.

Senator A. Kobayashi rose to speak in support of the measure as follows:

"Mr. President, very briefly, I'd just like to speak in favor of this bill and to thank the Tourism chairman and the Ways and Means chairman for moving this bill forward.

"Over the years, we've had many drownings and hundreds of near-drownings at our state beach parks. Finally, this bill will allow us to provide lifeguard services at those state beach parks. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 144 was adopted and S.B. No. 3403, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY AT STATE BEACH PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 145 (S.B. No. 2159, S.D. 1, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 145 be adopted and S.B. No. 2159, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fernandes Salling.

Senator Matsuura spoke in support of the bill and said:

"Mr. President, I speak in favor of this bill, and I would like to ask my colleagues to look at page 112. There is an item there, 'Peace Academy and Park.' I want all of you to know that this appropriation is for Senator Sparky Matsunaga. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 145 was adopted and S.B. No. 2159, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 146 (S.B. No. 1214, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 146 was adopted and S.B. No. 1214, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AEROSPACE MUSEUM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 147 (S.B. No. 1611, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, Conf. Com. Rep. No. 147 was adopted and S.B. No. 1611, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 148 (S.B. No. 2945, S.D. 2, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 148 be adopted and S.B. No. 2945, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hagino.

Senator Cobb rose to speak in support of the measure as follows:

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

"It appears then, sometimes, I am the bearer of bad tidings trying to provide warnings to my colleagues about the cost of things, whether it's a train or voting system or something else. In this case, I think we should all bear in mind that in the 1988 election there were at least three precincts in East Honolulu where the electricity went out completely from about 3:00 to 3:30 in the afternoon. People were voting by flashlight and by candlelight.

"When I went up to the Lieutenant Governor's Office and then to the Judiciary conference room to look at the demonstration of these voting machines, not all of the models had backup battery power. In fact, the easier to use model based on an IBM screen did not have such power. When I inquired about the cost of battery backup, I was informed, it would be at least \$2,000 per unit. But I think it is absolutely essential that any unit selected for use in Hawaii have a backup battery power system because if it doesn't and what happened in East Honolulu in 1988 as well as in other years and there is a loss of

electrical power, our voters will be disenfranchised and the election results could be askewed or invalidated.

"So while it's a little more expensive to have battery backup in each case, I think it is essential that every system that is looked at and reviewed for contract by the state have that kind of battery backup power as an absolute minimum requirement. Otherwise, we would be doing our people a tremendous disservice by incorporating the convenience of electronic voting only to have the power go out because of the unreliability of either the electric company or an accident on the road which would knock out a telephone line and a power line at the same time.

"With that caveat, Mr. President, I would support this measure but ask us to be mindful of the importance of backup capabilities for such a system. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 148 was adopted and S.B. No. 2945, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A TOTALLY ELECTRONIC VOTING SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Koki, Reed). Excused, 3 (Chang, Holt, Nakasato).

Conf. Com. Rep. No. 149 (S.B. No. 3088, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 149 was adopted and S.B. No. 3088, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ENTERPRISE DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Nakasato, Holt).

Conf. Com. Rep. No. 150 (S.B. No. 2596, S.D. 2, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 150 be adopted and S.B. No. 2596, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator McCartney spoke in support of the bill and said:

"Mr. President, this bill was introduced and co-sponsored by 15 Senators and it's a bill, I think, we can all be proud of because what it does is help to improve the quality of our educational system. For many, many years athletics have not and continue sometimes not to be recognized as part of the process of educating the total student. And what we're saying here is that we want to attract and retain the best and brightest coaches to work with our youth.

"I'd like to thank the chairman of the Ways and Means Committee for putting in the appropriation in the bill and helping to improve the quality of our educational system. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 150 was adopted and S.B. No. 2596, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COACHES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 151 (S.B. No. 3127, S.D. 2, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 151 be adopted and S.B. No. 3127, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Holt.

Senator Holt rose to speak in favor of the measure as follows:

"Very briefly, Mr. President, speaking in support of the bill. I would like to thank the Minority leader for her hard work and perseverance with this bill. The language in the bill you see before you is the result of her hard work, and I'd like to commend her for it. Thank you."

Senator George also in support of the measure said:

"Mr. President, I regret that the chairman beat me to the punch. I was going to stand up and thank him."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 151 was adopted and S.B. No. 3127, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 152 (S.B. No. 2978, S.D. 1, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 152 be adopted and S.B. No. 2978, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator George spoke in opposition to the measure and remarked:

"Mr. President, even for a buck I can't do it. It seems to me that this is the sort of thing that can be done just as well without the long arm of government getting into it. If anybody wants to get together and celebrate the arrival of Christopher Columbus or anyone else, I don't think it's necessary for government to assist them in doing it.

"I'm going to vote 'no' on this bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 152 was adopted and S.B. No. 2978, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A COMMISSION TO CELEBRATE THE 500TH ANNIVERSARY OF CHRISTOPHER COLUMBUS' ARRIVAL IN THE NEW WORLD AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George, Reed). Excused, 2 (Chang, Nakasato).

Conf. Com. Rep. No. 153 (S.B. No. 2881, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 153 was adopted and S.B. No. 2881, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

**CRIMINAL HISTORY RECORD CHECKS FOR SCHOOL PERSONNEL,"** having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 154 (S.B. No. 1810, S.D. 2, H.D. 4, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, Conf. Com. Rep. No. 154 was adopted and S.B. No. 1810, S.D. 2, H.D. 4, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A NATURAL RESOURCE AND ENERGY AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 1:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:53 o'clock p.m. with the President in the chair.

Conf. Com. Rep. No. 155 (S.B. No. 3176, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 155 was adopted and S.B. No. 3176, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 156 (S.B. No. 2587, S.D. 1, H.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 156 be adopted and S.B. No. 2587, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Levin.

Senator Matsuura spoke in support of the bill as follows:

"Mr. President, when a child is born with congenital hearing defects, one can detect that defect at about three and a half to four years of age. What this bill will do is to reduce the time of detection down to about eight to nine months. This early detection will ultimately result in less special education services later in life, so this is a good bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 156 was adopted and S.B. No. 2587, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A NEWBORN HEARING SCREENING PROGRAM FOR THE EARLY IDENTIFICATION OF HEARING LOSS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 157 (S.B. No. 2560, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Crozier and carried, Conf. Com. Rep. No. 157 was adopted and S.B. No. 2560, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONS WITH PHYSICAL DISABILITIES," having

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

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

Conf. Com. Rep. No. 158 (S.B. No. 2338, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 158 and S.B. No. 2338, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 159 (S.B. No. 3334, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 159 was adopted and S.B. No. 3334, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 160 (S.B. No. 2776, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 160 be adopted and S.B. No. 2776, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator A. Kobayashi.

Senator Crozier, in support of the measure, said:

"Mr. President, I consistently voted 'no' on this bill throughout the years and it always keeps coming back. I've finally been worn down. I'll be voting 'yes.' Maybe this is the last time this body will see the bill. I'm the last major obstacle."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 160 was adopted and S.B. No. 2776, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CLAIMS FOR OVERPAYMENT OF TAXES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Blair, Ikeda). Excused, 1 (McMurdo).

Conf. Com. Rep. No. 161 (S.B. No. 2377, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Ikeda and carried, Conf. Com. Rep. No. 161 was adopted and S.B. No. 2377, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 162 (S.B. No. 3119, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 162 and S.B. No. 3119, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 200 (H.B. No. 2864, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Koki and carried, Conf. Com. Rep. No. 200 was adopted and H.B. No. 2864, H.D. 1, S.D. 1, C.D. 1, entitled: "A



BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 201 (H.B. No. 2865, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator A. Kobayashi and carried, Conf. Com. Rep. No. 201 was adopted and H.B. No. 2865, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 202 (H.B. No. 2871, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 202 and H.B. No. 2871, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 203 (H.B. No. 2884, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 203 and H.B. No. 2884, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 204 (H.B. No. 2986, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 204 was adopted and H.B. No. 2986, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR LINGUATRON (USA) LIMITED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 205 (H.B. No. 2789, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 205 was adopted and H.B. No. 2789, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS' BONUS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 206 (H.B. No. 2891, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 206 and H.B. No. 2891, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 207 (H.B. No. 1148, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 207 and H.B. No. 1148, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 208 (H.B. No. 1576, H.D. 1, S.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 208 be adopted and H.B. No. 1576, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hagino.

Senator Reed rose to speak against the bill as follows:

"Mr. President, this year's supplemental budget exceeds the constitutional expenditure ceiling by \$382 million for fiscal year '90 and a \$157 million for fiscal year '91; add to that approximately another \$100 million for all these other money bills that also exceed the expenditure ceiling.

"The ceiling mechanism was enacted in 1978 to place a check on state spending. It's a reasonable formula, one that allows for expenditures to rise in relation to the growth in state personal income. Yet, year after year we continue to ignore it. We follow the requisite language of the Constitution and tell the taxpayers we're doing it. We're also supposed to tell them why. But all we say is that the money is deemed necessary for a public purpose.

"Taxpayers are getting \$1 back. One dollar from the surplus the administration pegged at about \$250 million at the start of this session. Why? Because the Legislature hurried up and found ways to spend it, leaving \$1 for the taxpayer.

"This continual crash into the expenditure ceiling represents the failure of this Legislature to set priorities. We are the beneficiaries of the money making machine -- our present tax system. And we've done little to stem the flow of that machine. Our income tax relief package this year falls far short of what was recommended by our own Tax Review Commission.

"Few taxpayers in the state, each of us included, have the luxury of behaving as the Legislature does. As individuals, if we run out of money, we have to tighten our belts. So should government. It's time legislators started mentally connecting all this money to the workers of Hawaii who are over-taxed to the hilt to provide it for us.

"Something must be done to make legislators realize that this is real money we are spending. I have a hunch that if each of us had to consider spending our own money, many of the projects in this budget would not be funded. The expenditure ceiling is intended to force legislators to prioritize. This \$1 tax credit is an admission of this Legislature's failure to do so.

"I also think that the taxpayers of the state should consider it actionable, and respond at the polls.

"You read about the folks who found a quarter of a million dollars in their checking account by mistake and allegedly went out and spent it? This behavior of the Legislature, the policy making body of the state, is no less irresponsible.

"I'm voting 'no.'"

Senator Blair also rose to speak against the measure and said:

"Mr. President, I'm not happy to have to agree with my colleague from across the aisle but I unfortunately do. We're being far too generous with General Motors and the tobacco industry, time share owners who don't pay their taxes and I think we should be less generous with them and more generous with our own citizens. Therefore, I will be voting 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 208 was adopted and H.B. No. 1576, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 2:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:03 o'clock p.m.

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

Conf. Com. Rep. No. 92 (H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 92 be adopted and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Holt.

Senator George rose to speak against the measure and said:

"Mr. President, I kind of lost track here, but the speaker who preceded me in talking about this particular bill announced the intention of voting against this, as I remember, but for a very different reason than one I advocate. I'm going to vote against this bill because the original intention was to restore the mauka portion of the Kakaako project to the city, which is where I think it belongs. I voted fairly consistently against anything to do with the Kakaako district since it first arose as a dream as the earlier speaker said in this body, and I will continue to vote against it. I vote against the current issue."

Senator Chang rose to speak in support of the bill as follows:

"Mr. President, in brief response to one of the earlier speakers, when the speaker talked about how this legislation deviates from the so-called plan.

"As most of us know, in planning, these plans are constantly shifting in response to changing needs in the community. When the legislation was first enacted almost a decade ago, circumstances were very much different. While this legislation does not take us in a contrary direction, I'm sure that it has and does alter some of the original thoughts inasmuch as circumstances have changed.

"In response to another point about the Hawaiian dream not being achieved, I'd like to just note that all of the people who have purchased housing units in the area that I know are local people who are buying into what they consider it to be their last home investment. And for them, including people who have come out of Hawaii's public housing projects, they are achieving very much what they consider to be their Hawaiian dream. Thank you."

Senator Crozier also rose to speak in support of the bill and remarked:

"Mr. President, allowing the monies to be used outside the district for affordable homes will not only help in a one-to-one trade but, at the hearing, some people said it may be as much as four-to-one. So we would be helping four families to find homes elsewhere on Oahu instead of

just in the Kakaako area, and some even alluded to the fact that it may go up to eight homes outside the area.

"I think housing is a major crisis in Hawaii. I think we need to wrestle with the problem and if this can contribute to the solution, I'm all for it. Thank you very much."

Senator Cobb rose to speak against the measure and said:

"Mr. President, I've been convinced by the arguments I've heard on the floor. I will be voting 'no.'"

"In addition, I would point out in response, perhaps elaboration of the remarks of the Majority Floor Leader of the Senate speaking as an individual Senator, that the whole premise of Kakaako was largely founded on affordable housing.

"As I recall the discussions in this Legislature when the idea was first sold to us, he and I were both members of the House. It was to provide an affordable and convenient and mixed use criteria of housing near the downtown area. With this bill, that concept is going completely out the window. If anything, if we were to be serious about housing, we should be requiring that at least 50% of all units built in this state, both public and private, should be affordable, and affordable should be defined as under \$100,000 or where at least 25% of our residents can qualify for such housing.

"What I see happening in Kakaako is what's happening in Kaimuki and Kahala and in too many areas of this state where projects are being built and the minimum cost is half a million dollars and up, and housing is no longer for homes. It's being used as a commodity for speculation. The fact that it's happening in Kakaako is an indictment on our entire housing situation and our lack of willingness to act decisively.

"I don't think this kind of legislation has any place at all before us. Thank you."

Senator Holt spoke in support of the measure and said:

"Mr. President, speaking in support of the bill and understanding the concerns of the previous speakers.

"If you look at page 2 of the Conference Committee report, item 3, we 'Amended section 5 by establishing a prioritization of locations for the development of reserved housing within and outside' (not just outside, within and outside) 'of the Kakaako District. This amendment is intended to promote and encourage the development of reserved housing within Kakaako and in areas immediately surrounding the District and discourage development in outlying areas.' We have not abandoned what people have claimed to be the Hawaiian dream.

"On page 9 of the bill we list the priorities. We compromised with the House on this position. I believe it's a good bill and I urge everyone to support it. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 92 was adopted and H.B. No. 2919, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 72 (H.B. No. 3095, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 72 and H.B. No. 3095, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 75 (H.B. No. 3357, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 75 and H.B. No. 3357, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 202 (H.B. No. 2871, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 202 and H.B. No. 2871, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 207 (H.B. No. 1148, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 207 and H.B. No. 1148, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were recommitted to the Committee on Conference.

#### CHANGE OF CONFEREES

S.B. No. 1719, S.D. 1, H.D. 2:

The President appointed Senator Fernandes Salling as co-chairman with Senator Yamasaki, and Senators Hagino, Kobayashi, A., Matsuura and Koki remaining as managers on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 1719, S.D. 1.

S.B. No. 3128, S.D. 2, H.D. 2:

The President appointed Senator Fernandes Salling as co-chairman with Senator Yamasaki, and added Senator Koki as a manager with Senators Hagino, Kobayashi, A., Matsuura remaining as managers on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 3128, S.D. 2.

S.B. No. 2597, S.D. 1, H.D. 1:

The President retained Senators Yamasaki, chairman, Fernandes Salling, Hagino, Kobayashi, A., Matsuura, Koki as managers on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 2597, S.D. 1.

At 2:11 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 5:00 o'clock p.m.

#### NIGHT SESSION

The Senate reconvened at 11:40 o'clock p.m., with the President in the Chair.

#### MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 305, transmitting the Executive Order providing for an extension of the Regular Session of 1990 of the Fifteenth State Legislature was read by the Clerk as follows:

#### "EXECUTIVE ORDER

WHEREAS, Section 10 of Article III of the Constitution of the State of Hawaii provides that an extension of not more than fifteen days of any session may 'be granted by the presiding officers of both houses at the written request of two-thirds of the members to which each house is entitled or may be granted by the governor'; and

WHEREAS, the Governor has been requested to grant an extension and it appears that such an extension is necessary;

NOW, THEREFORE, I, JOHN WAIHEE, Governor of Hawaii, pursuant to the power vested in me by Section 10 of Article III of the Constitution of the State of Hawaii, do hereby extend the Regular Session of 1990 of the Fifteenth Legislature of the State of Hawaii for a period of forty-eight hours following 12:00 midnight, April 30, 1990.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 30th day of April, 1990.

/s/ John Waihee  
JOHN WAIHEE  
Governor of Hawaii

APPROVED AS TO FORM:

/s/ Warren Price III  
WARREN PRICE, III  
Attorney General"

and was placed on file.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 837 to 842) were placed on the calendar for further consideration on Tuesday, May 1, 1990:

Hse. Com. No. 837, informing the Senate that the report of the Committee on Conference on the disagreeing vote of House to the amendments proposed by the Senate to H.B. No. 2500, H.D. 1, was adopted by the House; and H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 30, 1990.

Hse. Com. No. 838, returning S.C.R. 100, S.D. 1, which was adopted by the House of Representatives on April 30, 1990, in an amended form.

Hse. Com. No. 839, returning S.C.R. No. 141, S.D. 1, which was adopted by the House of Representatives on April 30, 1990, in an amended form.

Hse. Com. No. 840, returning S.C.R. 216, which was adopted by the House of Representatives on April 30, 1990, in an amended form.

Hse. Com. No. 841, returning S.C.R. No. 225, S.D. 1, which was adopted by the House of Representatives on April 30, 1990, in an amended form.

Hse. Com. No. 842, returning S.C.R. No. 245, S.D. 1, which was adopted by the House of Representatives on April 30, 1990, in an amended form.

### CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 3128, S.D. 2, presented a report (Conf. Com. Rep. No. 163) recommending that S.B. No. 3128, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163 and S.B. No. 3128, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1719, S.D. 1, presented a report (Conf. Com. Rep. No. 164) recommending that S.B. No. 1719, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 164 and S.B. No. 1719, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H. B. No. 1148, presented a report (Conf. Com. Rep. No. 209) recommending that H.B. No. 1148, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 209 and H.B. No. 1148, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H. B. No. 3095, H.D. 2, presented a report (Conf. Com. Rep. No. 210) recommending that H.B. No. 3095, H.D. 2, S.D. 2, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 210 and H.B. No. 3095, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H. B. No. 2871, H.D. 2, presented a report (Conf. Com. Rep. No. 211) recommending that H.B. No. 2871, H.D. 2, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 211 and H.B. No. 2871, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments

proposed by the Senate to H. B. No. 3357, H.D. 2, presented a report (Conf. Com. Rep. No. 212) recommending that H.B. No. 3357, H.D. 2, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 212 and H.B. No. 3357, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAID OPTIONS," was deferred for a period of 48 hours.

At 11:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock p.m.

### ORDER OF THE DAY

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

##### THIRD READING

H.B. No. 2944, H.D. 1:

By unanimous consent, action on H.B. No. 2944, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," was deferred until Tuesday, May 1, 1990.

##### FINAL READING

S.B. No. 3246, H.D. 2:

By unanimous consent, action on S.B. No. 3246, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 20 (H.B. No. 3149, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20 and H.B. No. 3149, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 24 (H.B. No. 2258, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24 and H.B. No. 2258, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 34 (H.B. No. 2984, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 34 and H.B. No. 2984, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KALAWAHINE LANDS," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 82 (H.B. No. 2287, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 82 and H.B. No. 2287, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A FINANCIAL MALL," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 83 (H.B. No. 2288, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 83 and H.B. No. 2288, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 84 (H.B. No. 2290, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 84 and H.B. No. 2290, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 133 (S.B. No. 2801, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 133 and S.B. No. 2801, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 158 (S.B. No. 2338, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 158 and S.B. No. 2338, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 162 (S.B. No. 3119, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 162 and S.B. No. 3119, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TOBACCO TAX," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 203 (H.B. No. 2884, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 203 and H.B. No. 2884, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Tuesday, May 1, 1990.

Conf. Com. Rep. No. 206 (H.B. No. 2891, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 206 and H.B. No. 2891, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, May 1, 1990.

At 11:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock p.m.

### ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 12:01 a.m., Tuesday, May 1, 1990.

### ATTACHMENT "A"

89-90

		Grant-in-Aid Act 316/89 State Budget	Act 316 Various CIP Projects		Act 159/89 Excluded Managerial Compensation	Act 316 Youth Gangs Plan	Act 316 Erosion Control		Total
Honolulu	44%	31,747,637	5,071,000	24%	409,332	300,000	-----	40%	37,227,969
Hawaii	19%	13,415,364	8,135,000	39%	50,000	100,000	-----	23%	21,600,364
Maui	23%	16,385,685	4,390,000	21%	66,000	100,000	500,000	23%	21,341,685
Kauai	14%	10,419,568	3,400,000	16%	50,000	100,000	-----	15%	13,869,568
		71,968,254	20,996,000		575,332	600,000	500,000		94,039,586

1989-90

Administration		FY 90-91	FY 91-92	FY 92-93
SB 3124	TAT Transfer	45,000,000	96,000,000	76,000,000
SB 3128	1/2% GET	120,000,000		