

FORTY-SIXTH DAY

Tuesday, April 9, 1996

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 9:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Woodrow Yasuhara, District Superintendent of the Hawaii Assemblies of God, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 327 and 328) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 327, advising the Senate of the withdrawal of the nomination of GREGORY G.Y. PAI, Ph.D., to the Public Utilities Commission, under Gov. Msg. No. 268 dated March 20, 1996, was placed on file.

In compliance with Gov. Msg. No. 327, the nomination listed under Gov. Msg. No. 268 was returned.

Gov. Msg. No. 328, dated March 22, 1996, transmitting the Annual Report to the Governor of activities under the Job Training Partnership Act for the program year 1993 (July 1, 1993 to June 30, 1994), prepared by the Hawaii Job Training Coordinating Council, was placed on file.

ORDER OF THE DAY

AGREE/DISAGREE

MATTERS DEFERRED FROM
TUESDAY, APRIL 2, 1996

S.B. No. 2186, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2186, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2247 (H.D. 1):

By unanimous consent, action on S.B. No. 2247, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANSLAUGHTER," was deferred until Wednesday, April 10, 1996.

S.B. No. 2326, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2326, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred until Wednesday, April 10, 1996.

S.B. No. 2381, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2381, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MISSING CHILDREN," was deferred until Wednesday, April 10, 1996.

S.B. No. 2518, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2518, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2729, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2729, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATIONS," was deferred until Wednesday, April 10, 1996.

S.B. No. 2732 (H.D. 1):

By unanimous consent, action on S.B. No. 2732, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred until Wednesday, April 10, 1996.

S.B. No. 2746, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2746, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ADVERTISING," was deferred until Wednesday, April 10, 1996.

S.B. No. 2888, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2888, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF PRETRIAL INMATES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2929, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2929, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT OF CRIMINAL PROVISIONS UNDER TITLE 14 ADMINISTERED BY THE DEPARTMENT OF TAXATION," was deferred until Wednesday, April 10, 1996.

MATTERS DEFERRED FROM
THURSDAY, APRIL 4, 1996

S.B. No. 641, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 641, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNICATIONS," was deferred until Wednesday, April 10, 1996.

S.B. No. 2052 (H.D. 1):

By unanimous consent, action on S.B. No. 2052, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred until Wednesday, April 10, 1996.

S.B. No. 2220, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2220, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL PLOTS," was deferred until Wednesday, April 10, 1996.

S.B. No. 2238, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2238, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OCEAN FLOATING ALL-NATURAL CLEAN ENERGY POWER STATION," was deferred until Wednesday, April 10, 1996.

S.B. No. 2278, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2278, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred until Wednesday, April 10, 1996.

S.B. No. 2329 (H.D. 1):

By unanimous consent, action on S.B. No. 2329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL REGULATORY PROGRAMS," was deferred until Wednesday, April 10, 1996.

S.B. No. 2338, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2338, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Wednesday, April 10, 1996.

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

By unanimous consent, action on S.B. No. 2388, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2439, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," was deferred until Wednesday, April 10, 1996.

S.B. No. 2446, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2446, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2458, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 2458, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE PATROL," was deferred until Wednesday, April 10, 1996.

S.B. No. 2723, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2723, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2730, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2730, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Wednesday, April 10, 1996.

S.B. No. 2789, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 2789, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSOLETE OR UNENFORCEABLE HEALTH STATUTES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2811, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 2811, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A DEFERRED COMPENSATION RETIREMENT PLAN FOR PART-TIME, TEMPORARY, AND SEASONAL/CASUAL EMPLOYEES," was deferred until Wednesday, April 10, 1996.

S.B. No. 2913 (H.D. 1):

By unanimous consent, action on S.B. No. 2913, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX LIABILITY OF CONTRACTORS CONTRACTING WITH THE STATE OR COUNTIES," was deferred until Wednesday, April 10, 1996.

S.B. No. 3011, S.D. 2 (H.D. 2):

By unanimous consent, action on S.B. No. 3011, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF SCHOOLS IN THE VILLAGES OF KAPOLEI," was deferred until Wednesday, April 10, 1996.

S.B. No. 3021, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 3021, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Wednesday, April 10, 1996.

S.B. No. 3079, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 3079, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP PROGRAMS," was deferred until Wednesday, April 10, 1996.

S.B. No. 3091 (H.D. 1):

By unanimous consent, action on S.B. No. 3091, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 11, OF THE CONSTITUTION OF THE STATE OF HAWAII," was deferred until Wednesday, April 10, 1996.

S.B. No. 3108, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 3108, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER," was deferred until Wednesday, April 10, 1996.

S.B. No. 3158, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 3158, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred until Wednesday, April 10, 1996.

S.B. No. 3166 (H.D. 1):

By unanimous consent, action on S.B. No. 3166, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS PROMOTION," was deferred until Wednesday, April 10, 1996.

S.B. No. 3198, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 3198, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANA MEDICAL CENTER," was deferred until Wednesday, April 10, 1996.

STANDING COMMITTEE REPORTS

Senator Tam, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 2768) recommending that S.R. No. 193 be adopted.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.R. No. 193, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ADOPT AND USE ENVIRONMENTAL GOALS AND OBJECTIVES," was adopted.

Senator Tam, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 2769) recommending that S.C.R. No. 235 be adopted.

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.C.R. No. 235, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ADOPT AND USE ENVIRONMENTAL GOALS AND OBJECTIVES," was adopted.

ADOPTION OF RESOLUTION

Stand. Com. Rep. No. 2767 (S.C.R. No. 16, S.D. 1):

On motion by Senator Ihara, seconded by Senator Liu and carried, the report of the Committee was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE CERTAIN SUBMERGED LANDS AT MANELE BAY, HAWAII, TO LANAI COMPANY, INC., FOR MARINA PURPOSES," was adopted.

At 9:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:46 o'clock a.m.

THIRD READING

H.B. No. 3241, H.D. 1, S.D. 1:

On motion by Senator Bunda, seconded by Senator Chumbley and carried, H.B. No. 3241, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROXIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3970, H.D. 1, S.D. 1:

On motion by Senator Bunda, seconded by Senator Chumbley and carried, H.B. No. 3970, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2403:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 2403, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2850, H.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 2850, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3506:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 3506, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2358, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 2358, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2384, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 2384, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSTRUCTION PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2564, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 2564, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3182, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Tanaka and carried, H.B. No. 3182, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2586 (H.B. No. 1531):

On motion by Senator Gaulty, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2586 was adopted and H.B. No. 1531, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2407:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2407, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2588 (H.B. No. 2411, H.D. 1, S.D. 2):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2588 was adopted and H.B. No. 2411, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2517:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2517, entitled: "A BILL FOR AN ACT RELATING TO THE PROMOTION OF PROSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2601, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2603, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2603, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2620, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2868, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2868, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2896, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2896, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2596 (H.B. No. 2957, S.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2596 was adopted and H.B. No. 2957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2975, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2975, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3046, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3046, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3243, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3244:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3244, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3346, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3346, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION

OF INSTRUMENTS IN THE BUREAU OF CONVEYANCES OR LAND COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2605 (H.B. No. 3407, H.D. 1, S.D. 2):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2605 was adopted and H.B. No. 3407, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR AND DECEPTIVE PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2606 (H.B. No. 3412):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2606 was adopted and H.B. No. 3412, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2607 (H.B. No. 3416):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2607 was adopted and H.B. No. 3416, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR UNLICENSED ACTIVITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2608 (H.B. No. 3460, H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2608 was adopted and H.B. No. 3460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER PARENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2609 (H.B. No. 3470, H.D. 2):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2609 was adopted and H.B. No. 3470, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION CONSULTANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2612 (H.B. No. 3580, H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2612 was adopted and H.B. No. 3580, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADJUDICATION OF VEHICULAR TRAFFIC VIOLATIONS AT PUBLIC AIRPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2613 (H.B. No. 3592):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2613 was adopted and H.B. No. 3592, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3631, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUMMONING OF JURORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3653, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3653, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3666, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3666, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3862, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Bunda and carried, H.B. No. 3862, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2731, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2625 (H.B. No. 2972, H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2625 was adopted and H.B. No. 2972, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CIVIL FINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2626 (H.B. No. 3581, S.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2626 was adopted and H.B. No. 3581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 291, S.D. 1:

On motion by Senator Ige, seconded by Senator Fernandes Salling and carried, H.B. No. 291, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2630 (H.B. No. 599, S.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2630 was adopted and H.B. No. 599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2631 (H.B. No. 2433, H.D. 2, S.D. 2):

On motion by Senator Fukunaga, seconded by Senator Chumbley and carried, Stand. Com. Rep. No. 2631 was adopted and H.B. No. 2433, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1482, H.D. 1, S.D. 1:

On motion by Senator Tam, seconded by Senator Aki and carried, H.B. No. 1482, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2633 (H.B. No. 2505, H.D. 2, S.D. 2):

On motion by Senator Tam, seconded by Senator Aki and carried, Stand. Com. Rep. No. 2633 was adopted and H.B. No. 2505, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PROPERTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3333, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 3333, S.D. 1, entitled:

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

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

H.B. No. 2991, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 2991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3468:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 3468, entitled: "A BILL FOR AN ACT RELATING TO UNASSEMBLED EXAMINATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1042, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 696, H.D. 1, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 696, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2869, H.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2869, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2956, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 2956, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3216, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," having been read throughout,

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

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

H.B. No. 3349, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3349, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3351:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3351, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2359, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 2359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2598, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 2598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATIONS FOR EXAMINATION AND LICENSURE TO PRACTICE MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2789, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 2789, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOING OUT OF BUSINESS SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3086, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3086, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3096, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3096, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF

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

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

H.B. No. 3227:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3227, entitled: "A BILL FOR AN ACT RELATED TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3394:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3394, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3396:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3396, entitled: "A BILL FOR AN ACT RELATING TO ESCROW DEPOSITORIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3398, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3400, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3401, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3404:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3404, entitled: "A BILL FOR AN ACT RELATING TO MEDICARE SUPPLEMENT INSURANCE POLICIES," having been read throughout,

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

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

H.B. No. 3409, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3409, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3413:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3413, entitled: "A BILL FOR AN ACT RELATING TO INJUNCTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3417, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3417, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3419, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3419, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING QUALIFICATIONS TO PRACTICE MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3427, H.D. 2, S.D. 1:

On motion by Senator Holt, seconded by Senator Ikeda and carried, H.B. No. 3427, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCREDITATION IN INSURANCE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3430:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3430, entitled: "A BILL FOR AN ACT RELATING TO SOLICITORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3623, H.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3623, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," having been read throughout,

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

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

H.B. No. 3760, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3760, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3785, H.D. 1, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3785, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2676 (H.B. No. 3809, H.D. 1, S.D. 2):

On motion by Senator Holt, seconded by Senator Ihara and carried, Stand. Com. Rep. No. 2676 was adopted and H.B. No. 3809, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SIGNS REQUIRED WHERE TOBACCO PRODUCTS ARE SOLD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3350, H.D. 1, S.D. 1:

On motion by Senator Graulty, seconded by Senator McCartney and carried, H.B. No. 3350, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2678 (H.B. No. 2452, H.D. 3, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2678 was adopted and H.B. No. 2452, H.D. 3, S.D. 1, 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 (Kawamoto).

Stand. Com. Rep. No. 2679 (H.B. No. 2642, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2679 was adopted and H.B. No. 2642, H.D. 1, S.D. 1, 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 (Kawamoto).

Stand. Com. Rep. No. 2682 (H.B. No. 3498, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2682 was adopted and H.B. No. 3498, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2683 (H.B. No. 3611, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2683 was adopted and H.B. No. 3611, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2684 (H.B. No. 3616, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2684 was adopted and H.B. No. 3616, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2685 (H.B. No. 3881, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2685 was adopted and H.B. No. 3881, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2686 (H.B. No. 4008, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2686 was adopted and H.B. No. 4008, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2688 (H.B. No. 3101, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2688 was adopted and H.B. No. 3101, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2689 (H.B. No. 3602, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2689 was adopted and H.B. No. 3602, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2690 (H.B. No. 3293, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2690 was adopted and H.B. No. 3293, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2691 (H.B. No. 3534, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2691 was adopted and H.B. No. 3534, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2692 (H.B. No. 3766, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2692 was adopted and H.B. No. 3766, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2693 (H.B. No. 4074, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2693 was adopted and H.B. No. 4074, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2695 (H.B. No. 1926, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2695 was adopted and H.B. No. 1926, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2696 (H.B. No. 3102, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2696 was adopted and H.B. No. 3102, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2697 (H.B. No. 3399, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2697 was adopted and H.B. No. 3399, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2698 (H.B. No. 3423, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2698 was adopted and H.B. No. 3423, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WARRANTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2700 (H.B. No. 4142, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2700 was adopted and H.B. No. 4142, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII CONSTITUTION, TO ALLOW THE USE OF REVENUE BONDS FOR THE FUNDING OF A STATE PROPERTY INSURANCE PROGRAM PROVIDING HURRICANE INSURANCE COVERAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2701 (H.B. No. 4145, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2701 was adopted and H.B. No. 4145, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2702 (H.B. No. 3154, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2702 was adopted and H.B. No. 3154, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

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

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

Stand. Com. Rep. No. 2705 (H.B. No. 3203, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2705 was adopted and H.B. No. 3203, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTER FOR A SUSTAINABLE FUTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2706 (H.B. No. 3208, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2706 was adopted and H.B. No. 3208, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2707 (H.B. No. 3852, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2707 was adopted and H.B. No. 3852, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ETV HAWAII/ELEPHANT TELEVISION, INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2708 (H.B. No. 4117, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2708 was adopted and H.B. No. 4117, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2709 (H.B. No. 2514, H.D. 3, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2709 was adopted and H.B. No. 2514, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITION TO WORK SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2710 (H.B. No. 3138, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2710 was adopted and H.B. No. 3138, H.D. 1, S.D. 2, entitled:

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

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

Stand. Com. Rep. No. 2711 (H.B. No. 3345, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2711 was adopted and H.B. No. 3345, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATION COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2712 (H.B. No. 3432, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2712 was adopted and H.B. No. 3432, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL PERSONNEL IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2713 (H.B. No. 3434, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2713 was adopted and H.B. No. 3434, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2714 (H.B. No. 3439, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2714 was adopted and H.B. No. 3439, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE OPERATING EXPENSES OF THE DEPARTMENT OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2716 (H.B. No. 2549, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2716 was adopted and H.B. No. 2549, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2717 (H.B. No. 3493, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2717 was adopted and H.B. No. 3493, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NEWBORN METABOLIC SCREENING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2718 (H.B. No. 3505, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2718 was adopted and H.B. No. 3505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2720 (H.B. No. 2809, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2720 was adopted and H.B. No. 2809, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2723 (H.B. No. 3954, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2723 was adopted and H.B. No. 3954, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2724 (H.B. No. 4063, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2724 was adopted and H.B. No. 4063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2725 (H.B. No. 4131, H.D. 3, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2725 was adopted and H.B. No. 4131, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2726 (H.B. No. 114, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2726 was adopted and H.B. No. 114, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CAMPAIGN SPENDING COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2727 (H.B. No. 2526, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2727 was adopted and H.B. No. 2526, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC AND SEXUAL VIOLENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2729 (H.B. No. 2636, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2729 was adopted and H.B. No. 2636, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2730 (H.B. No. 2726, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2730 was adopted and H.B. No. 2726, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2731 (H.B. No. 2729, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2731 was adopted and H.B. No. 2729, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2732 (H.B. No. 3153, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2732 was adopted and H.B. No. 3153, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2733 (H.B. No. 3362, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2733 was

adopted and H.B. No. 3362, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2735 (H.B. No. 3538, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2735 was adopted and H.B. No. 3538, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2736 (H.B. No. 3542, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2736 was adopted and H.B. No. 3542, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT OF INMATE MONEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2737 (H.B. No. 3548, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2737 was adopted and H.B. No. 3548, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2738 (H.B. No. 3636, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2738 was adopted and H.B. No. 3636, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2739 (H.B. No. 3656, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2739 was adopted and H.B. No. 3656, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY HISTORY CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2740 (H.B. No. 50, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2740 was adopted and H.B. No. 50, H.D. 2, S.D. 2, entitled: "A

BILL FOR AN ACT RELATING TO PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2741 (H.B. No. 3211, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2741 was adopted and H.B. No. 3211, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPACT FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2742 (H.B. No. 3340, H.D. 1, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2742 was adopted and H.B. No. 3340, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS AND DUTIES OF THE COMPTROLLER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2743 (H.B. No. 3577, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2743 was adopted and H.B. No. 3577, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION OF HAZARDOUS MATERIALS, HAZARDOUS WASTE, INFECTIOUS SUBSTANCES, AND MEDICAL WASTE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2746 (H.B. No. 3789, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2746 was adopted and H.B. No. 3789, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 44, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 44, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 894, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 894, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been

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

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

H.B. No. 2401, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 2401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 2502, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 2502, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3342, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3342, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3344, H.D. 2, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3344, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3389, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3389, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUNICIPAL LEASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3551, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3551, H.D. 1, S.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 (Kawamoto).

H.B. No. 3554, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3554, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TAX SYSTEMS ACQUISITION BY THE

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

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

H.B. No. 3563, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3563, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES IMPOSED BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3565, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3565, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BULK TRANSFERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3567, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3567, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROUNDING OF TAX RETURN ITEM ENTRIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3570, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3570, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF CERTAIN SELLERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3773, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3773, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN SOVEREIGNTY ELECTIONS COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3853, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3853, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 4010, H.D. 2, S.D. 1:

On motion by Senator Kanno, seconded by Senator Taniguchi and carried, H.B. No. 4010, H.D. 2, S.D. 1,

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

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

Stand. Com. Rep. No. 2593 (H.B. No. 2857, H.D. 1, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 2593 and H.B. No. 2857, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," were recommitted to the Committee on Judiciary.

H.B. No. 3047, H.D. 1, S.D. 1:

On motion by Senator Grafty, seconded by Senator McCartney and carried, H.B. No. 3047, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DAMAGE TO PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 2600 (H.B. No. 3151, H.D. 1):

On motion by Senator Grafty, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2600 was adopted and H.B. No. 3151, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3347:

Senator Grafty moved that Stand. Com. Rep. No. 2604 be received and placed on file, seconded by Senator McCartney.

At 9:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:49 o'clock a.m.

The motion was put by the Chair and carried.

Senator Grafty moved that H.B. No. 3347, having been read throughout, pass Third Reading, seconded by Senator McCartney.

Senator Grafty then offered an amendment (Floor Amendment No. 1 - See EXHIBIT "A") to H.B. No. 3347.

Senator Grafty moved that Floor Amendment No. 1 be adopted, seconded by Senator McCartney.

Senator Anderson rose and stated:

"Mr. President, I'd like to speak on this particular amendment to the bill.

"I'm going to vote for the bill, but I have some reservations concerning the method that we're using. I presently sit on both Consumer Protection and Judiciary. I've been following the newspapers; I've gone to my meetings. In this particular meeting, what bothers me is that it's okay for the majority party, the Democrats, to make up their mind in a closed room and make amendments to a bill that I know nothing about. However, when our chairman from Consumer Protection called a meeting, the people who had nothing in front of

them -- Senator Ige and Senator Ihara -- objected because they were not informed any more than I was. But I am a Republican and that's okay.

"I think, procedurally, you folks have the audacity to say that you are a reformed group and that it's okay for you to break rules, amend bills the way that you want to. I went to my committee hearings; it was a licensing bill. It was a correct bill for that committee. I sent, on April 2nd, a letter to every member of the Judiciary. I had spoken to the chairman the night before. I said we killed a constitutional amendment, a Senate constitutional amendment, which three of us opposed. The House sends over a constitutional amendment, which was held, and the chairman said he could take the heat. But let me tell you, he can take the heat but the heat was on the other Senators, every one of you here. And what bothers me is that I sent an amendment that some of us had worked on because we were concerned that the public had a right to vote for a constitutional amendment. No matter how they voted, they had that right.

"My staff hunted for a referendum and there was a referendum -- an advisory referendum -- that we could have used, which is not binding. And it was last used in 1939, but that was turned down by the majority party. The reformed group did not think that the people had a right to vote. All of a sudden, they say now we see that there is some, some point that the Senator in the ... I cannot even think of his committee now, I'm so angry! But it bothers me that all of a sudden it's more for control, and if I were the Speaker of the House that had agreed to the process, I would turn down this bill. The governor would have a chance to turn down the bill. I personally would rather go with the bill that we passed out of committee. That was proper.

"To go behind closed doors and then turn around and say, 'Here's a bill; here is a way to do this. The Consumer Protection chairman was wrong; I should have this.' Then do not let Consumer Protection, Mr. President, have control over any licensing bill; give it to Judiciary. But if the procedure is that he was supposed to have it, then it was a fair bill.

"And I have fought procedures ... let me tell you ... since I was in the House for 14 years and I didn't take a leadership role this year because of the procedures that I believed in, Mr. President. And I went to you for those procedures because I believed it was wrong, so I took nothing. I said, 'Forget it; I don't even want any part of the leadership. I would just be a Senator.' And that's procedures, ladies and gentlemen.

"So I'm going to vote for this bill, but I wanted to let you know how I felt about reform that you talk about and the people's rights, when all it is, really, is game playing and power for certain individuals.

"Thank you very much for listening."

Senator Matsuura rose in support and said:

"Mr. President, I'll be voting 'yes' on this amendment.

"One thing I have learned from my mother while growing up in Waiialua is that when you're guilty, you admit your guilt and apologize. I am part of the Democratic Party and we do owe an apology. No use trying to lie about it or make excuses. I'm just saying that yes, maybe we were improper and we apologize to the Republican Party.

"However, this amendment is good and I urge all the members to vote for it. Thank you."

Senator Matsunaga rose in support and stated:

"Mr. President, I rise in support of this measure.

"I will be voting 'yes' on this measure, but very reluctantly, Mr. President. I say very reluctantly because: (1) this bill is very unconstitutional; and (2) this bill will not do what it is intended to do with this amendment. It provides no additional compelling State interest.

"But I will be voting 'yes': (1) because it is defective -- the effective date is 3001, so it must come back to this body before it becomes law; and (2) so that I can participate in the Conference Committee.

"Thank you, Mr. President."

Senator Kanno, rising in support, then said:

"Mr. President, I would just like to note that I will be voting 'yes' but with reservations."

Senator Holt rose in support of the amendment and stated:

"Mr. President, I'm speaking in support of the amendment.

"This bill basically reaffirms what the Legislature had previously decided in stating that 'The legislature finds that the relationship of marriage between a man and a woman and culminating in the formation of a family, is a traditional social institution which forms the fundamental basis of our society.' It merely reaffirms that traditional relationship.

"Thank you."

Senator Iwase rose in support as follows:

"Mr. President, I rise to speak in support of the amendment.

"Mr. President, this amendment adds a simple and eloquent provision to our marriage statutes and will bring this issue, hopefully, to an end -- a mission we embarked upon in 1994 when we passed Act 217 which stated that the Legislature supported traditional marriage. We asked the court two years ago to defer decision-making so that the Legislature could act.

"When the original bill, which was discussed somewhat in the press over the last couple of days, was surfaced in the Consumer Protection Committee, the Legislature was faced with the prospect that a domestic partnership bill was dead and a constitutional amendment was dead. In short, after two years of asking the courts to wait, the Legislature acted without any results, which left us in a very difficult position, and which left us with no option to effectuate what we said we wanted to have happen two years ago -- that compelling reasons exist for traditional marriage; and secondly, that the court intruded and violated the separation of powers doctrine. This amendment attempts to address that.

"I want to thank the chairman of the Judiciary Committee for moving this amendment forward. But I want to especially commend the chairman of the Consumer Protection Committee, the Senator from Alewa Heights, for his leadership, for his courage, and for his willingness to move forward with a bill which does what we said we wanted to do two years ago -- in short, he lived up to the words we spoke two years ago.

"Thank you, Mr. President."

Senator Gaulty rose to speak in support of the amendment and said:

"Mr. President, I rise to speak in support of the amendment.

"Mr. President, as the previous speakers have indicated, this bill is consistent with what we passed two years ago in Act 217, clarifying that marriage is for a man and a woman. This amendment will also make very clear the Senate position on the issue of same-sex marriages, which is that marriage is for a man and a woman, but as we passed in S.B. 3113, we recognize that there are other committed long-term relationships that deserve legal recognition and deserve benefits under the law. There is nothing at all inconsistent with the previous positions that this Senate has taken by enacting this amendment and I would urge all my colleagues to vote 'aye.' Thank you."

Senator McCartney rose in support as follows:

"Mr. President, I'd like to rise and speak in support of the amendment.

"First of all, I'd like to thank the chairman of the Consumer Protection Committee and the chairman of the Judiciary Committee for working very hard, for dialoguing, discussing, and ultimately coming out to do what's right for the people and to do what's right for this institution, and we can move forward.

"Mr. President, what this bill does is simply reinstate what most of Hawaii thought was the obvious before the Supreme Court ruled a few years ago. And this bill just clarifies what all of us thought marriage as an institution was in Hawaii.

"And now, Mr. President, as we vote on this bill and we move forward, it is my hope, because there are so many other issues facing this State -- our economy, jobs, where we're moving in the future, Hawaiian sovereignty, education -- that we move forward and face those important issues in the last days of our session so that we can get the people's work done. This is an important bill, but there are many other important bills and issues that we need to work on and I, for one, am happy that we have resolved this and that we are taking a vote on this issue on the floor today.

"Thank you."

Senator Baker then stated:

"Mr. President, I voted with reservations in 1994 and I will be doing so again. I have some prepared remarks I would like to have inserted into the Journal. Thank you."

The Chair having so ordered, Senator Baker's remarks read as follows:

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

"Mr. President, I continue to be bothered by the process in which this issue has made its way to the floor today. Yes, we have made the necessary nips and tucks to give the appearance that the subject of the amendment before us was brought here on legitimate terms. We have corrected the committee jurisdictional concern. That notwithstanding, Mr. President, I feel compelled to remind my colleagues that this body has rules under which it operates. These rules were adopted by this body to ensure the greatest possible public access to the legislative process and to preserve the integrity of the

work that we do. It is my sincere hope that this body, by its future actions, will continue to uphold the spirit of open government. If there is to be merit to an idea, let it be developed and advanced through the regular procedures we have in place.

"The procedural concerns aside, I find some of the language in this bill personally offensive as it begs the procreation rationale for marriage. As I see it, this bill goes on to discount many of the marriages that exist today. Mr. President, I am married, but have no children. I take exception to the suggestion by this bill that my marriage, and those of many others, is somewhat less of a marriage because we choose not to have children.

"Families take all sorts of forms. They should all be celebrated. However, this bill seems to harken back to the age of Ozzie and Harriet which is long since gone. I find its narrow focus as disturbing as I did in 1994 when a similar measure was before the Senate.

"Finally, for those who are under the mistaken belief that this bill is a prelude to a constitutional amendment ... be assured that it is not. The Senate's position remains one of support for a domestic partnership statute and I look forward to continuing that discussion in the near future.

"Mr. President, we need to be vigilant about discrimination at every turn. Over the last thirty years, the State of Hawai'i has set an example for the rest of the nation in rising above various forms of discrimination in our society. This is indeed a proud distinction for our State. But it concerns me, Mr. President, that our State may be shifting away from this tradition of fairness, open-mindedness and acceptance, and lapsing into a mindset of irrational fear and close-mindedness. I urge my colleagues to proceed with extreme caution as we continue discussions on this very volatile and sensitive matter.

"Thank you, Mr. President."

Senator Liu rose to speak in favor of the amendment as follows:

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

"I do believe that this amendment, should it be adopted in our Hawaii Revised Statutes, will, in fact, further support an argument that there is a compelling State reason for us to only legalize marriage between members of the opposite sex. Furthermore, unfortunately, despite the number of pressing problems which face our State, this issue will still be with us. I think the public is well educated, at this point in time, that unfortunately our Supreme Court still appears to be intent on over-stepping its bounds and that for us to truly deal with this issue, we still must consider a constitutional amendment before the end of this session, and as we all know, there are still mechanisms for that to happen.

"Thank you, Mr. President."

Senator Taniguchi rose in support and stated:

"Mr. President, I also rise to speak in favor of the amendment.

"I, too, would like to congratulate the chairman of the Consumer Protection Committee for his work on this measure. In his discussions with me and other members yesterday, he stated that this is an attempt also to help support the Senate's position on domestic partnerships.

And so, to that extent, I'm happy that we're proceeding with this measure.

"Thank you."

Senator Levin rose in support as follows:

"Mr. President, I rise to speak in favor of the measure with reservations; the same reservations as I expressed two years ago concerning H.B. No. 2312, S.D. 1. Thank you."

Senator Anderson rose again and stated:

"Mr. President, I rise to speak on this amendment once again, if I may, not really as a rebuttal but a question, if I may?

"I have read over the amendment and I read over the original bill that we did the other night, and I can't find too much difference. In fact, it looks pretty close to exactly the same thing. The thing that bothers me is that I said I knew nothing about it but I did receive a copy the same night as everybody else did. And I think Senator Iwase made it very clear that evening that this bill had nothing to do with a constitutional amendment. It had nothing to do with a domestic partnership, and it had nothing to do with any economic benefits. What it did is simply state that in order to get a license for marriage it had to be between a man and a woman, and anyone that was voting against it that night was voting against those principles. And I don't think it's changed.

"So those that have reservations and those that were opposed that night still makes me wonder why do we bother doing this. If you really don't believe in what we're doing, then do the constitutional amendment and give the people a chance to vote the way they have asked us to vote because it is a people's choice, I think, and not 76 people or 25 Senators.

"Thank you very much."

Senator Holt rose again and stated:

"Mr. President, I'd just like to thank the chairman of Judiciary for taking time from his family gathering on Sunday to come down to the Capitol to spend a few hours with me to talk about this issue and learn about why the Consumer Protection Committee felt it was important to move forward on this issue. Thank you."

The motion to adopt the amendment was put by the Chair and carried.

By unanimous consent, H.B. No. 3347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERPRETATION OF STATUTES," was placed on the calendar for Third Reading on Thursday, April 11, 1996.

Stand. Com. Rep. No. 2610 (H.B. No. 3533, H.D. 2, S.D. 2):

On motion by Senator Grauly, seconded by Senator McCartney and carried, Stand. Com. Rep. No. 2610 was adopted and H.B. No. 3533, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3572, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 3572, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

ENFORCEMENT OF CRIMINAL PROVISIONS UNDER TITLE 14 ADMINISTERED BY THE DEPARTMENT OF TAXATION," was recommitted to the Committee on Judiciary.

H.B. No. 3596, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF AN ELECTION TIE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Liu). Excused, 1 (Kawamoto).

Stand. Com. Rep. No. 2616 (H.B. No. 3638, H.D. 1):

By unanimous consent, Stand Com. Rep. No. 2616 and H.B. No. 3638, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUMS," were recommitted to the Committee on Judiciary.

H.B. No. 3924, H.D. 1, S.D. 1:

On motion by Senator Grauly, seconded by Senator McCartney and carried, H.B. No. 3924, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AMMUNITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Kawamoto).

H.B. No. 4085, H.D. 2, S.D. 1:

By unanimous consent, H.B. No. 4085, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was recommitted to the Committee on Transportation and Government Affairs.

H.B. No. 2515, H.D. 1, S.D. 1:

Senator Chumbley moved that H.B. No. 2515, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Grauly.

Senator Kanno rose to speak against the measure as follows:

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

"Mr. President, this measure was previously considered in a Senate bill form and for similar reasons that I previously opposed that measure, I oppose this one.

"At a hearing a few weeks ago, the Legislature received testimony from Mr. Claudio Suyat who has a number of years of experience working within our system. And part of his testimony was that if the difficulty in dealing with troubled kids is that our school administrators and teachers are taken out of the schools and classrooms and are required to go through the court system and that part of the difficulty is the time that it takes, then rather than releasing 16-year-olds out into the streets, maybe we should focus our attention on addressing the real problem -- which is the requirement that takes vice-principals and principals out of schools and into the courtrooms over students' cases. I think that there are a matter of changes to this bill that can be sought that will lessen the impacts.

"Once again, I want to restate my concern that we're giving up on these kids, that we are going to have 16- to 18-year-olds out on the streets with nothing to do. The

bill doesn't provide any requirement of any sort that the child is in an alternative program; rather, these youths will be out on the street, at home watching television, and possibly getting into trouble.

"I urge my colleagues to vote 'no.' Thank you."

Senator Iwase rose in support of the measure and stated:

"Mr. President, I rise to speak in support of the bill with reservations.

"As the previous speaker noted, we had a Senate bill. I would like to incorporate my comments with respect to that bill as applied to this bill. I have talked to the chairman of the Education Committee and I am hopeful that he will be able to work out some sort of agreement in conference to deal with those students who are deemed to be problem students.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 2515, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Fernandes Salling, Kanno, Levin, Solomon). Excused, 1 (Kawamoto).

Stand. Com. Rep. No. 2622 (H.B. No. 2897, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Bunda and carried, Stand. Com. Rep. No. 2622 was adopted and H.B. No. 2897, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

The Senate reconvened at 10:22 o'clock a.m.

H.B. No. 3968, H.D. 2, S.D. 1:

Senator Kanno moved that H.B. No. 3968, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ikeda.

Senator Matsuura rose in support of the measure as follows:

"Mr. President, I'll be voting 'aye' on this bill, but I do want to make a few comments.

"This bill reminds me of a previous legislation that both houses passed many years ago and that was a state-funded workmen's comp bill. I got involved in that primarily because at that time the insurance industry wanted to get out of the workmen's comp business. One of the alternatives was to form a state-funded workmen's comp program. This program has some similarities to the state-funded workmen's comp bill, except that in this instance, there are no state funds involved. It is restricted to the assigned risk population. The state-funded program was like any other private insurance company. There was an initial request of \$20 million to get the state-funded program started, but that money was never appropriated.

"The reason why I am interested in pushing for the state-funded insurance and in this bill is that this is one way in which we as legislators who form policies will get data that would be accurate. We will find out what it is that make the rates of workmen's comp in Hawaii the highest in the United States and do something about it.

"The reason why I am speaking is that in this bill, we're restricting the market only to the assigned risk people and we are asking nothing from the State. The probability of something like this succeeding is poor. When we passed the state-funded workman's comp bill, they said we will fail because we will not have the required capitalization to sustain the program. It is true, initially when you collect premiums you're not going to pay out benefits right away so you are going to have some money, but I still remember the insurance industry saying, you're going to fail.

"But the reason why I supported the state funded program was for one reason only, which was that the president of the California state fund told me, 'Senator, just do it because when you folks start the state-funded workmen's comp, you will learn a lot about the insurance industry. You will know what is causing those high premiums, and then you can react to the abuses that have been taking place and are still taking place today.'

"This bill that we're passing now has similarities to the state-funded program. We may go bankrupt on this, but we will learn what it is that makes our workmen's comp premium so high in the United States. I hope after learning what makes it so high that we will have the common sense to address those problems and stop those abuses that are now taking place.

"Thank you."

The motion was then put by the Chair and carried, H.B. No. 3968, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3512, H.D. 2, S.D. 1:

Senator Kanno moved that H.B. No. 3512, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ikeda.

Senator Liu rose in support of the measure and said:

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

"Just simply stated -- is this all there is? Thank you, Mr. President."

Senator Anderson then stated:

"Mr. President, would you have Senator Liu's remarks placed in the Journal as though they were my own. Thank you."

The motion was then put by the Chair and carried, H.B. No. 3512, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2638 (H.B. No. 388, H.D. 1, S.D. 2):

Senator Tam moved that Stand. Com. Rep. No. 2638 be adopted and H.B. No. 388, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Aki.

Senator Liu rose in opposition as follows:

"Mr. President, I rise to speak against this measure.

"Mr. President, I do so very reluctantly because I do understand that the intent behind that section of the bill dealing with ambient air quality and pollution control out in Campbell Industrial Park is certainly well-founded. However, I am particularly concerned about the language that is used, especially in the enabling section, the last section, Section 12 of the bill, which I believe gives very little flexibility to the State, to the Department of Health, in administering the law. It states that there will be a change and that a change will be required by any operation out there in the Industrial Park that has equipment, or has been in operation prior to 1972; and if it can be found through a study which is going to be conducted over the next year and a half, that that operator is 'a cause or contributor to any degradation of the area's ambient air quality below acceptable departmental standards.' You don't have to be a major cause; you don't have to be a major contributor; you don't have to be found to be a part of the degradation as set by any kind of standard. It merely states that if the department finds that you are a contributor in any amount or involved in the degradation of ambient air quality, in any amount, then ladies and gentlemen, you will have to incur the cost of using the best available technology as of July 1997, to revamp your whole system, your whole operation.

"I think that's unfair. I think there should have been, and hopefully if this goes to conference, I hope that there will be moves to include some acceptable standards that if the study finds certain operators above those standards or have broken those standards, in those instances, fine, some changes would be required. Under the sweeping language in this bill before us today, there is no flexibility allowed to the department or the State.

"Thank you, Mr. President."

Senator Tam rose in support of the measure as follows:

"Mr. President, I wish to speak in favor of H.B. No. 388, H.D. 1, S.D. 1, a bill, 'Relating to Environmental Quality.'

"The emphasis of this bill is to 'provide for a safe "breathing environment."' Breathing is the essence of human existence.

"This bill directs the Department of Health to continue its air quality studies now going on at Campbell Industrial Park to consider the impact of peak emissions from covered sources on the ambient air quality and risks to public health, and to determine whether emissions from facilities with emission equipment that is grandfathered from current Clean Air Act guidelines ("grandfathered sources") are causing or contributing to any air quality or health problems. By the way, fellow colleagues and for the public, the measuring standards to be utilized by Department of Health are the federal standards.

"Secondly, this bill, subject to a departmental finding that grandfathered sources are causing or contributing to air quality or health problems, amends air pollution control laws to establish a ten-year pilot program to

improve the environmental quality of the Campbell Industrial Park area by requiring the reduction of air pollutant emissions from grandfathered sources, and requiring grandfathered sources to assess the need for the upgrade of their emission control equipment to meet 1997 best achievable control technology standards at the time of permit renewal, to be phased in over a ten-year period and allow the sources to amortize the costs of compliance over that period of time.

"In regards to my colleague's statement, keep in mind that the best available technology is the language currently in the law as it is today, in fact, in the federal law, for that matter.

"This bill is a result of businesses' reluctance to voluntarily eliminate dangerous emissions into the Campbell Park community, which not only consists of businesses, but residences, single-family homes. I recall, as an example, Barbers Point Elementary School. Students were rushed to the hospital and in that case at that time, Chevron USA denied all claims. Even until today, they are not willing to pay for those emergency hospital bills unless there is a release, a total release of any liability from those students, faculty members, and the school.

"Businesses are now willing to discuss their willingness to review and update its emission equipment. In the case of Chevron USA, I received a call and they are willing to talk now. In fact, the former regional manager was called back to the mainland home office of Chevron and put in the 'ice box,' so to speak. He is considered lucky not to have lost his job. Now, the new regional manager says that they are willing to take care of any emission problems according to what the needs are.

"Thank you very much."

Senator Chumbley rose in support and said:

"Mr. President, could you order the clerk to mark my 'aye' vote with reservations. I am concerned that this is an extreme hardship on businesses and will create a tremendous burden on the consumers. I vote 'aye, with reservations' in the hope that the chairman will allow me to participate in the conference committee.

"Thank you."

The Chair so ordered.

Senator Levin then said:

"Mr. President, I share the concerns voiced by Senator Chumbley and Senator Liu, and ask that their remarks be inserted as though they were Senator Anderson's." (Laughter.)

Senator Solomon rose and stated:

"Mr. President, I would just like to note that my vote is also with reservation.

"And I'd like to ask the chairman a question."

The President posed the question to the chairman of the Committee on Ecology and Environmental Protection and Senator Tam, having answered in the affirmative, Senator Solomon inquired:

"Does this have any impact on agricultural burning on the neighbor islands?"

Senator Tam answered:

"No, it doesn't. It's only the Campbell Industrial Park area."

Senator Ige then stated:

"Mr. President, I would just like to note my reservations on this measure as well."

The Chair so ordered.

Senator Anderson rose and said:

"Mr. President, I would like to have Senator Levin's remarks also included as my own."

The Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2638 was adopted and H.B. No. 388, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 3520, S.D. 1:

On motion by Senator Kanno, seconded by Senator Ikeda and carried, H.B. No. 3520, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR UNEMPLOYMENT BENEFITS TO FORMER STATE EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Liu).

H.B. No. 1866, H.D. 1, S.D. 1:

On motion by Senator Graulty, seconded by Senator McCartney and carried, H.B. No. 1866, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kanno).

H.B. No. 2286, H.D. 1, S.D. 1:

Senator Holt moved that H.B. No. 2286, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ikeda.

Senator Kanno remarked:

"Mr. President, I'd like to add to my 'aye' vote, with reservations."

The motion was then put by the Chair and carried, H.B. No. 2286, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Fernandes Salling, Graulty, Matsunaga, Taniguchi).

H.B. No. 2524, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2524, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING," was recommitted to the Committee on Consumer Protection.

H.B. No. 2567, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 2567, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," was recommitted to the Committee on Consumer Protection.

H.B. No. 2647, H.D. 1, S.D. 1:

Senator Holt moved that H.B. No. 2647, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Matsuura then said:

"Mr. President, please mark my vote 'with reservations.'"

The motion was then put by the Chair and carried, H.B. No. 2647, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3148, H.D. 1:

By unanimous consent, H.B. No. 3148, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COMPANIES," was recommitted to the Committee on Consumer Protection.

H.B. No. 3291, H.D. 1, S.D. 1:

Senator Holt moved that H.B. No. 3291, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ihara.

Senator Levin rose and stated:

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

"The bill is extremely important to my district and many others' districts. The problem is that there is an amendment to the bill that has impact that will really hurt people on all the neighbor islands. We want this bill to pass and we want it to move forward, but we do hope that in conference the amendment that was inserted can be corrected.

"Thank you."

The motion was then put by the Chair and carried, H.B. No. 3291, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

By unanimous consent, H.B. No. 3410, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES," was recommitted to the Committee on Consumer Protection.

H.B. No. 3414, S.D. 1:

On motion by Senator Holt, seconded by Senator Ihara and carried, H.B. No. 3414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ADVERTISING," having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Levin).

Stand. Com. Rep. No. 2680 (H.B. No. 2644, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2680 was adopted and H.B. No. 2644, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2681 (H.B. No. 3332, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2681 was adopted and H.B. No. 3332, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Chumbley, Taniguchi).

Stand. Com. Rep. No. 2687 (H.B. No. 401, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2687 was adopted and H.B. No. 401, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2694 (H.B. No. 3341, H.D. 2, S.D. 2):

Senator Ikeda moved that Stand. Com. Rep. No. 2694 be adopted and H.B. No. 3341, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Ikeda rose in support of the measure as follows:

"Mr. President, I rise to speak in favor of H.B. No. 3341, H.D. 2, S.D. 2. This bill will provide for the implementation of an after-the-fact payroll system and make the State system more in line with that of the private sector while providing much needed infusion of funds into the state general fund.

"Earlier in this session, your Committee brought to light several instances of salary overpayments that resulted from the State calculating its payroll on a before-the-fact basis. The administration had noted the systemic flaws in the system and noted that the bill before you would rectify this end. To this point I am in concurrence with the administration's proposal. I felt at the time, however, that this was a matter of management rights rather than legislation, and that the implementation of a payroll lag should be more appropriately a point of negotiation between employer and employee.

"Seeing that the implementation would require statutory revision, however, it was the aim of your Committee to mitigate the impact of a payroll lag so that employees would not suffer undue hardship. Your Committee wanted to make sure that rents and mortgages were paid,

and that families weren't left hanging at the end of the month.

"To this end, your Committee has amended the bill to ensure that the implementation of the payroll lag is over two years instead of one. This would cut in half the number of lagged days, days where pay is deferred, for state employees. Discussions with the Department of Accounting and General Services have indicated that this would allow for implementation while still realizing \$47 million to the state general fund for next year.

"Mr. President, this bill makes sound fiscal and business sense. I urge you to vote in favor of H.B. No. 3341.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2694 was adopted and H.B. No. 3341, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAY PERIODS OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson, Liu).

At 10:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:53 o'clock a.m.

Stand. Com. Rep. No. 2699 (H.B. No. 3711, S.D. 2):

Senator Ikeda moved that Stand. Com. Rep. No. 2699 be adopted and H.B. No. 3711, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Ikeda requested a ruling from the Chair as follows:

"Mr. President, I would like to request a conflict ruling. I do work for an insurance company. They will be paying more taxes if this bill passes, however."

The Chair ruled that Senator Ikeda was not in conflict.

Senator Tam also requested a ruling as follows:

"I too work for an insurance company."

The Chair also ruled that Senator Tam was not in conflict.

Senator Bunda then requested a ruling of the Chair and the Chair ruled that Senator Bunda was not in conflict.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2699 was adopted and H.B. No. 3711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2703 (H.B. No. 3421, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2703 was adopted and H.B. No. 3421, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE COMMUNICATIONS," having been read throughout,

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2704 (H.B. No. 3964, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 2704 and H.B. No. 3964, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 2715 (H.B. No. 1559, S.D. 2):

Senator Ikeda moved that Stand. Com. Rep. No. 2715 be adopted and H.B. No. 1559, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Liu rose in support of the measure as follows:

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

"Mr. President, the portion of the bill that I'm speaking in favor of, and hopefully I'm not trampling on the grounds of our friends from the neighbor island of Maui, is that section which encourages and, I think, provides statutory support for the negotiations and discussions going on between members of the Hana community and the Department of Health in regards to that hospital there. I think what they are showing is leadership on the issue of privatization. I believe that with the right energy they will be able to show that it can be done, and that, in fact, this body and the body across the way, as well as the administration, can and should be much more pro-active in this area.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2715 was adopted and H.B. No. 1559, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2719 (H.B. No. 1716, H.D. 1, S.D. 1):

Senator Ikeda moved that Stand. Com. Rep. No. 2719 be adopted and H.B. No. 1716, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Ikeda rose in support of the measure and stated:

"Mr. President, I rise to speak in favor of this bill. You can call it relating to UH parking or relating to Senator Iwase's heart condition -- whichever you prefer. (Laughter.)

"Of all the issues this session, I would never have guessed that the start time for the University of Hawaii would put me in the center of a firestorm. The TAT ... maybe, the DOE ... probably, but something as innocuous as the UH and traffic? Who'd have figured.

"Seriously, the University of Hawaii has sustained one of the greatest shares of budget cuts from the administration, and your Committee felt it incumbent to develop mechanisms by which the University could do more than survive. It is every intention of your Committee to see the University develop into a premier

institution and lead the Pacific Rim in higher education. While your Committee has found the drive and commitment on the part of faculty, staff, and administrators, the University has lacked the fiscal wherewithal to do anything more than muddle through this fiscal crisis.

"This bill attempts to assist the University in finding resources to help it regain its forward momentum. Through the provisions of this bill, the University will have the ability to assess its special and revolving funds and to use these assessments to offset operating costs. This power of assessment should carry the University until fiscal year 1998 when the Legislature will revisit the University's general fund base and provide it a solid funding foundation from which to grow.

"To my colleagues from Mililani and Waipahu ... yes Randy, there is a West Oahu. This bill is the vehicle by which the development of UH West Oahu can proceed. The measure approves the land exchange with the Campbell Estate and creates the University of West Oahu Special fund and exempts it from legislative controls. This measure will ensure that the development of the University goes forward, but it also makes sure that the project is not initiated prematurely. By setting back the timeline, the University should have the time, and the funds, to do it right.

"Alas, finally the parking and traffic provisions. Mr. President, it was the intent of your Committee to highlight some of the traffic problems encountered because of the University, and to open the dialogue towards alleviating some of these problems. This is what is known as position in the legislative process, and should the protestations of my colleagues rise too high, I will gladly defer to their wishes.

"Traffic aside, I hope that the members of the Senate can join me in voting for this bill. Thank you."

At 10:58 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:59 o'clock a.m.

Senator Taniguchi rose in support and stated:

"Mr. President, I will be voting 'aye' on this bill with reservations. I continue to have certain concerns about the funding mechanism for a West Oahu Campus at this time. And I was hoping it was an April Fool's joke, but I guess not.

"Thank you."

Senator Ige added his support as follows:

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

"I just wanted to thank the chairman of Ways and Means. It's clear that with this measure and the provisions of the budget, the University will definitely be better off, that the next fiscal year will actually be a year where they can begin to move forward again. And I do have some reservations concerning the starting time, but I'm thinking that a reasonable compromise will be achieved on those issues.

"Thank you."

Senator Matsuura, rising in support, then stated:

"Mr. President, I rise to speak in support of the bill.

"I read the newspaper editorial about the starting time in trying to improve on the traffic congestion, and I looked at the chairman of Higher Ed. He's one of the top brains in this body; someday he's going to work out a system whereby all the movie theaters around the State are going to have the lectures telecommunicated to these theaters in the hope that people who live in Waianae can go to the theater in Waianae, those in Hawaii Kai can go to the theaters in Hawaii Kai. I've already talked to Consolidated and they are interested because they don't use the theaters in the morning. Most of the theaters have parking. All we have to do is to telecommunicate those lectures to those movie theaters. The theaters can make money by selling hot dogs, popcorn, or whatever. I'm relying on the chairman of the Higher Education with his brains to make this a reality. Lectures can originate from Harvard, M.I.T., Cal Tech, etc.

"Thank you very much."

Senator Kawamoto rose to speak in favor of the bill and said:

"Mr. President, I rise in support of this bill.

"Mr. President, I'd like to thank the chairmen of the three committees -- Higher Ed, Ways and Means, and Planning (as I was writing it down, I realized that they are the three I's of these committees -- Iwase, Ige and Ikeda) for their efforts in bringing this bill to this floor. And I'd like to thank my colleagues in these committees for looking at this as a plan in which to help the State of Hawaii provide a capital improvement that's going to help the growing population out in the leeward side. A special thanks to Senator Ikeda for insisting that they add five more years for the start time, giving us a little breathing room and I thank all my colleagues, and I urge my colleagues to vote 'aye' on this bill.

"Thank you."

Senator Solomon rose in support as follows:

"Mr. President, I'll be voting in support.

"Just for the record, Mr. President, when this issue came up in the Ways and Means Committee, the neighbor island Senators expressed concerns on the impact of the financial situation of the State and the development of this new campus would have on the campuses of the neighbor islands. And Mr. President, a concern was also expressed on the fact that we did not receive any kind of communication in support of the West Oahu project from the Board of Regents and we felt that it was incumbent for the Board of Regents to actively get involved. As you know, we have given the BOR tremendous flexibility through legislation and they should more or less determine the priorities relating to campus development.

"Mr. President, the Ways and Means Committee did receive a memorandum of understanding ... I don't know if it was written but at least it was presented orally ... that the further development of the West Oahu Campus will not have any impact on the master plans or in the development of the University system on the neighbor islands. I think that should be noted.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2719 was adopted and H.B. No. 1716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2721 (H.B. No. 3583, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2721 was adopted and H.B. No. 3583, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2722 (H.B. No. 3833, H.D. 1, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2722 was adopted and H.B. No. 3833, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE SERVICE FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2728 (H.B. No. 2599, S.D. 2):

Senator Ikeda moved that Stand. Com. Rep. No. 2728 be adopted and H.B. No. 2599, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Anderson rose in opposition to the measure as follows:

"Mr. President, I'll be voting against this measure primarily because when it came into Judiciary, I did say or I stated at that time that OIS really had no track record and right now we're giving them all of the responsibility for the youth. I did say that they were ... with a track record that goes way back and it wasn't that great, so now we are putting all the responsibilities on them, and we're going to fund them more. And I'm not sure if that's the way we really want to go. For that reason I will be voting 'no' on this particular measure.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 2728 was adopted and H.B. No. 2599, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Ige, Matsuura, Anderson, Liu).

Stand. Com. Rep. No. 2734 (H.B. No. 3429, H.D. 1, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 2734 and H.B. No. 3429, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 2744 (H.B. No. 3579, H.D. 2, S.D. 2):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2744 was adopted and H.B. No. 3579, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A TRANSPORTATION

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 2745 (H.B. No. 3618, H.D. 2, S.D. 1):

On motion by Senator Ikeda, seconded by Senator Baker and carried, Stand. Com. Rep. No. 2745 was adopted and H.B. No. 3618, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Liu).

H.B. No. 582, H.D. 1, S.D. 1:

Senator Ikeda moved that H.B. No. 582, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Ikeda rose in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. This measure would cap the county share of the transient accommodation tax at \$70 million, and fund the Hawaii Visitors Bureau solely through TAT revenue.

"Mr. President, this bill would provide a dedicated funding source for the HVB that is tied directly to the industry it serves. Currently, the State is devoting \$23 million in general funds for tourism promotion, and this is money that could be used in much better ways. Your Committee feels that with the passage of this bill, there will be sufficient revenues to preserve the remaining tax credits.

"The counties have testified against this bill, stating that the loss in revenue will force them to raise property taxes. Mr. President, on this point I raise two issues. First, each of the counties is currently funding capital improvement projects with cash rather than through bonds. By rededicating some of the funding sources for capital improvement projects, the counties could go a long way in offsetting any lost TAT revenue.

"Second, the threat of taxes stirs public emotion, but have the counties seriously revisited their spending priorities? Before the Senate is a budget of unprecedented downsizing and reduction. Through restructuring, creativity, and plain old belt tightening, the Senate has managed to reduce its expenses by 5 percent across the board. Considering the multiple fixed costs the State must pay, this is a budget of extreme austerity.

"One of the realizations that the State has made is that many of the entitlements taken for granted in the past must end now. General assistance payments have been capped at a year. The Department of Education no longer operates with a blank check. And it is only fitting that the counties realize that unlimited revenues through the TAT must come to a close.

"Mr. President, as we go into conference with the House, we must remember the premises on which our financial plan is based -- responsibilities, progress, and priorities. This bill is an integral component of our philosophy and I urge your support. Thank you."

Senator Anderson rose to speak in favor of the bill and said:

"Mr. President, I'll be voting for the bill, but I do have some reservations.

"I think that the counties do have a problem right now, but what bothers me more than anything else is that with all the bills that I've seen and everything that we've been discussing so far, there's nothing on any economic development. We're not helping the economy one bit. And yet, when we had some bills on gambling, everybody looked at it as gambling rather than as an economic development and that would have been horse racing. I remember very, very clearly that Mayor Jeremy Harris came out and said, 'We have always supported lotteries.' And when I ran I said I would be here to testify in favor of enabling legislation for the counties. The counties need funding, but they've got to find a means of funding. And that's why it bothers me that they were never here to testify.

"Another point that I have is that years ago I put in a bill for a room tax. And then I voted against it two years later when the majority party put it through because the counties did not get a portion at that time that was going to take care of scenic areas and areas that were going to be utilized by the tourists. And that bothered me, so after putting in a bill for it, I voted against the bill, because we forgot that.

"The counties have never done, I think, the job that they should in trying to make sure that they have an economic balance. And for that reason I do have reservations about taking money away from them but I believe that they themselves are going to have to start looking at funding their programs and not saying we're not going to raise property taxes; we're not going to do this; and only come here for grants and aids.

"So I do thank the chairman of WAM for looking at the needs of the State because we do need the money also. I think the counties are going to have to start fighting very, very hard for what they have to be responsible for.

"Thank you very much."

Senator Kanno then added:

"Mr. President, I'll be voting 'aye' with reservations."

The motion was then put by the Chair and carried, H.B. No. 582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Liu).

H.B. No. 3300, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3382, H.D. 1, S.D. 1:

Senator Ikeda moved that H.B. No. 3382, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Liu rose in support of the measure and stated:

"Mr. President, I rise to speak in favor of this bill but with very serious reservations.

"Mr. President, this bill does a number of things, most directly declaring excesses in various funds and transferring millions, hundreds of millions of dollars into the general fund. Now in the macro-perspective of what we are doing we'll see that in our state budget the Senate, on paper, I think looks a lot better than what the administration and what the House put forward. However, part of the plan includes the shifting of some of these funds which are not identified and some of the large segments of funds which are identified. I hope that every member of this body, before the end of the session, understands the implications of what goes on here. You may agree or you may disagree with those implications, but they are major. Specifically, in the area of housing, essentially what is done by transferring these funds from the rental assistance revolving fund, from the dwelling unit revolving fund, an unspecified amount from the homes revolving fund, and a million dollars from the rental housing trust fund, what we are doing by this, ladies and gentlemen, is eliminating any kind of involvement of the State in housing construction, period, not just for purchase, but for rental housing also.

"Now, I am an advocate of the change in focus in regards to removing the State from construction of homes for the for-purchase market. But until we make some fundamental changes in regards to land use classification and zoning, and other kinds of fundamental changes to our laws regarding land use, rental housing is going to be very, very difficult for the private sector to move into by itself. Partnerships with the private sector are important. And the funds which are identified here as excess to be moved into the general fund would appear, would appear, to remove that impetus which could result in rental housing for which a need still exists in various communities throughout the State.

"Now we can hope that with these funds, once in the general fund, that there will still be a priority, and that the possibility to redirect those funds for rental housing will be there, but it's going to take a tremendous change on the part of the administration to have that happen. And it's going to take even more leadership than they have now in that area to make that happen once those funds get removed from the revolving funds which are right here identified.

"Now there wasn't a lot of discussion on this in committee. There was very little discussion on this in the subject matter area committee, but I'll just chalk that up for now to the rush of time in the legislative process. So hopefully, Mr. President, on this issue in regards to housing and on others, very close scrutiny as to what the policy implications are will be forthcoming.

"Thank you."

Senator Ikeda rose in support of the measure as follows:

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

"As you know, the session isn't over. Things will change as we progress, but specifically to address the concerns expressed by the previous speaker regarding the funds that he mentioned, these amounts were identified by the department as unencumbered cash and that's why they're in this bill.

"Thank you."

Senator Liu responded:

"Mr. President, not to prolong the discussion, but although those funds may have been identified as unencumbered in the legal sense in regards to the plans for both HFDC and HHA projected out into the next fiscal year and beyond, I do believe that they did have plans for those funds and have been in discussion with various nonprofit as well as for-profit developers, as well as the counties, for use of those funds for various projects.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 3382, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 3650, H.D. 1, S.D. 1:

On motion by Senator Ikeda, seconded by Senator Baker and carried, H.B. No. 3650, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2800, H.D. 1, S.D. 1:

Senator Ikeda moved that H.B. No. 2800, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Ikeda rose in support of the measure and stated:

"Mr. President, I rise to speak in support of H.B. No. 2800, H.D. 1, S.D. 1, the State Budget.

"In October of last year, the Council on Revenues had revised its estimates downward for the fourth time. The State faced a projected deficit of over \$143 million. The administration in December had presented a budget to the legislature that provided for a \$60 million ending balance for next year, but the balance projected for fiscal year 1998 was a dismal \$1.5 million. Revenues tipped up slightly in March, but still the overall fiscal picture was lackluster.

"We are now at the point where the Senate will pass its budget to the House for conference. Mr. President, your Committee is putting forward a budget that reduces spending by over \$175 million in general funds and eliminating over 1400 permanent positions. This is a budget of unprecedented austerity, yet it is a budget that recognizes our obligations to the citizens of Hawaii. It is a budget of responsibility, of priorities, and of beginnings.

"This budget recognizes our responsibility to control State spending. Through making programs, such as those for loans in DBED, self sufficient, we are saving taxpayer money while retaining working capital for small business. Likewise, changing the revenue stream for the HVB will allow us to retain tax credits for the poor and middle class. Realistic contributions to employee benefit systems will also save the State millions annually. And by taking long-term vacancies off the books, your Committee has identified over \$4 million in savings. These are a few of the steps your Committee has taken to bring the size of government back in line.

"But while we must manage costs, we must not abandon our priorities. Mr. President, education, for all of Hawaii, has continued to be the highest priority for the Senate.

"For the Department of Education, your Committee has provided over \$6.5 million for the workload increases associated with classroom instruction. Funds have been provided to shore up the A+ after-school program so that our children will have safe and supervised after-school care.

"Your Committee has also provided \$4.4 million for the requirements of the Felix-Cayetano consent decree that will help the State move towards a 'seamless' system of care for mental health services. Finally, funds for school repair and maintenance, some of which has disappeared within the DOE budget, have been restored to a full \$8,000 per school.

"This budget also provides for greater oversight of the resources for the classroom. Through the creation of a new program ID, EDN 101, school-level personnel will be budgeted separately from the discretionary moneys for the schools. While these people serve the school level, the State and District control the funding and assignment of these individuals. By placing them in a separate program ID, the legislature, the governor, and most importantly, the public, will begin to see how much money goes directly to the schools.

"Education does not stop with high school, and your Committee felt it imperative to continue its support for the University of Hawaii. Your Committee has negated the need for the Governor to restrict an additional \$14 million from the UH budget. Through House Bill 1716 your Committee has provided new ways for the University to effectively use its existing funds, while maintaining the promises of Act 161, which will restore the general fund base to the University. With greater resources and flexibility, the UH can continue its march towards the leadership of higher education for the Pacific Rim.

"Finally, Mr. President, this is a budget of beginnings. While we have conducted an extensive review of the State's programs and functions, our work is by no means finished. We must continue to restructure government in a meaningful way. Necessary programs must be maintained and nurtured while those obsolete functions must be set aside for the future. Earlier this year, your Committee put forward Senate Bill 2552, and has started a serious dialog with the administration with the aim of effectively consolidating and downsizing government. While the timetable has been pushed back by the administration, the process moves forward, and next year we can continue to make the government more responsive and responsible to the people.

"Mr. President, I would like to thank all of my colleagues who have shown me so much support in this very difficult year. I believe that your Committee has put forward a fiscal package that the Senate can be proud of, and a budget that is the centerpiece of that package. I urge you all to join in support of our efforts and to vote in favor of this bill

"Thank you."

Senator Matsuura rose in support of the measure and said:

"Mr. President, I'm going to vote 'aye' and I'll be speaking in favor of this bill but with reservations.

"One of the criticisms that I got was that we spent too much time on same-sex marriage, and we didn't devote much time to economic development.

"One reason why I am speaking with reservation on the budget is that I want to point out one item in the CIP projects. It's called Piihonua Reservoir and Transmission Lines, Hawaii. Two sessions ago the water transmission line for Pohakuloa was in the budget. It was appropriated by both bodies. It was in the budget and the monies were ready to be released. The amount was \$1.5 million. At that time the budget director contacted me and told me that they were going to release the money, and the paperwork was complete for the release of the money. The project at that time was a culmination of years of work to make a dream come true. We completed the preliminary engineering study. We had done the cost-benefit ratio that was required by the federal government. We had done the EIS's. You name it; we completed it. There was only one segment of the engineering work to be completed before the project was to be turned over to the federal government for the construction cost. The State had done its share. The last budget item was \$1.5 million to complete the last segment of what was required of the state. Unfortunately, the monies was deleted from the budget at the last minute to fund the Piihonua Reservoir and Transmission Line. The Pohakuloa project would have taken care of Hawaii's economic development because of its tremendous economic impact.

"As you know, in Hilo we get 10 to 15 billion gallons of daily rainfall ... I repeat, daily average rainfall. We also have geothermal energy to move the water. We have vast lands that can grow any of the temperate crops. The only thing lacking was water. That was why the Pohakuloa water transmission project is so important.

"We have also found out since then that we can break dormancy for flowering temperate fruit crops, such as cherries, at the root level by using the cold water. Once the water from Hilo comes over the Saddle, there will be a head and one can bring the fresh water into the deep ocean water and get it cold. The pressure of the ocean water will pump the water back to sea level. We can use the water to irrigate the temperate fruit crops. We can control the flowering. Once we can control flowering, we can market any fruit throughout the year. When cherries get out of production in Oregon, we can flower our cherry trees so that we will have cherries all over the United States all year round.

"Coffee is another good example. This is another project that we're working on. One of the major problems in the production of coffee is the harvesting cost. The berries mature at different times. If we can control the flowering of the temperate fruit crop, let's try and see if we can flower the coffee plant all at the same time. If we can flower all the coffee trees at one time, the berries are going to mature at the same time, so instead of picking the berries once a week, you just go and strip the branch of all the mature beans. That will cut the cost of harvesting tremendously.

"Now, the reason for saying all of these things is to inform you of the missed economic development projects. These would have brought the State of Hawaii into economic prominence. We can grow any of the temperate fruit crops in Hawaii. Hawaii has all the natural resources to get a major fruit industry started in Hawaii.

"At that time when that money was removed from the budget, that \$1.5 million was used to fund a project called Piihonua Reservoir and Transmission Line. That was where the money went. All the years of work and money that we had spent went right down the drain. When I saw the budget document and saw the Piihonua project

again with the same amount yesterday, I checked. All the work that we had done and monies that had been spent, I figured the Piipihoua project was a priority item. I found out they haven't spent one penny of it. And now I see this project back in the books for \$1.1. We have lost perhaps the momentum for a great project. These are the things that would have made Hawaii grow.

"Perhaps the Pohakuloa Water Transmission Line Project was terminated because of my role in the Senate Investigation Committee. Whatever the reason, it was a mistake. That's the reason why I am voting 'aye' but with reservation because I just want to point out and put in the Journal, for historical purposes, what happened. Some day somebody will read this.

"Thank you."

Senator Liu rose in support of the measure as follows:

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

"I do have some caution, however, as we move forward to the end of the session. My caution is that as the chairperson of Ways and Means indicated, we do need to go much further in re-prioritizing and restructuring than we have, even up until this point. And perhaps we even have to move faster than what has been implied.

"Looking at some major trends around the world and in our own nation, we see that even under the best scenario the national growth rate will maybe be around 2 percent, depending on what happens in the money centers it may even be as low as 1 percent growth for the year. Japan is staggering under its current problem in trying to decide on how to deal with the \$350 billion bailout of its bank situation, and another \$458 billion debt problem in regards to its railway system, which will last over at least the next year-and-a-half to two years. Its unemployment, at least by Japan's standards, are at an all-time high. And they are led by a government which clearly, at least by current polls, does not have the confidence that it would need to be bold and creative.

"All this does not portend well, Mr. President, for our major industry in this State, and it shows. The latest numbers for our leading economic indicators for January were down. Now you know the economists who have built those models always have tried to find in the last few months the silver lining in the dark clouds. And I give them credit for it. The bottom line is the numbers don't look good. We also see in our own unemployment figures in the private sector -- manufacturing, service industries, etc. outside of government -- that our job base is eroding. And again as has been pointed out by the majority leader and by others, we still currently get national reports that put us at the bottom of growth so they recommend that people don't invest in our state. Those are the obstacles we have to deal with.

"Now, the plus side is that the budget as it exists right now, the Senate version, I have to say is better than what the House put forward and what the administration put forward. Our numbers indicate that for operating and investment we do, in fact, spend less than what we appropriated last year. Amazingly, the Governor and the House spent more. We're in the negative; they're in the positive. This goes the same for our operating budget. This goes the same for our CIP budget. This goes the same for our general fund budget. We are in the negative, and when they are in the negative, we have larger negatives than they do, which is needed. We face tough times. But before we pat ourselves too much on the back, let's understand that even our negatives are not terribly big when we look at what the baseline is -- the appropriations act from last year.

"For operating and investment together, yes we're in the negative, but by only 1.2 percent. For operating alone, yes we do better than the Governor and the House, but our percentage is a negative of only .95 percent. For CIP, yes we're in the negative, but by only 5.3 percent. And for general funds, yes we're in the negative, but by only 6.7 percent.

"Now, Mr. President, if you spoke to any CFO of any large corporation, by national standards or by even our local standards, those percentages that I read off are not terribly impressive. Now, they too have fixed costs. We have fixed costs. But when the private sector is talking about the need to down-size and take care of expenses, they start out with 10, 15, and 20 percent reductions. We are not near that yet, Mr. President, so I would hope that this session and next session and the session after that, the Senate can continue to provide leadership, but even stronger leadership than it has currently done, so that we can be stronger for the future.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 2800, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 2704 (H.B. No. 3964, H.D. 1, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 2704 be received and placed on file, seconded by Senator Chumbley.

Senator Anderson rose and stated:

"Mr. President, I'd like to vote for the bill, but I'd like to find out if I can ask the chairman a question, please."

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

The motion was put by the Chair and carried.

Senator Fukunaga moved that H.B. No. 3964, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chumbley.

Senator Fukunaga then offered an amendment (Floor Amendment No. 2 - See EXHIBIT "B") to H.B. No. 3964, H.D. 1, S.D. 2.

Senator Fukunaga rose and said:

"At this time, Mr. President, by way of clarification, these provisions were inadvertently dropped out of a bill which was otherwise adopted in the Ways and Means Committee and we are proposing to reinsert these provisions."

Senator Fukunaga then moved that Floor Amendment No. 2 be adopted, seconded by Senator Chumbley.

Senator Anderson rose and said:

"I'm going to vote for the amendment and the whole bit, but it says, 'Notice of all invitations for bids' will be faxed, computerized, and the whole bit. When we had discussions this year, we were told that we were losing a lot of business through the military because of the upgraded types of communications. We have people who might live in Texas who could bid on jobs or on materials from the military, drop ship them here, and though they'd have no business here, no ground personnel or anything, they could drop ship and pay no taxes. I wanted to know, through this means, would it then mean that not only the military, but locally, statewide, we would be opening up the type of communications where our local people could be losing more business? Because I am trying to work with the military to see if we could discontinue that type of communication."

Senator Fukunaga responded:

"Certainly, I will be happy to respond to that question. With respect to the federal government's new procurement standards, all federal agencies are required to conduct their procurement electronically, and I believe the Department of Defense for the State of Hawaii has already shifted over to this new form of electronic procurement bid communications.

"With respect to the State, however, all this provision does is to say that the State may allow for bid and procurement information to be provided electronically. It does not mandate that this be done, and certainly the State Procurement Office is working very closely with local bidders and vendors to insure that everyone has adequate preparation and training before moving forward.

"I might also add that the State Procurement Office has conducted a very successful pilot program in which they have begun to put bid information on line electronically and have received very favorable responses from a number of Hawaii businesses. They are very satisfied with the way in which the State is proceeding to work with them in helping to train them and moving forward."

Senator Anderson further inquired:

"I'm asking if this is on an internet type of communication, could not a person on the Mainland (because of the Internet they can pick up our news, for instance, because they are on E-Mail or the Internet or whatever they call it) could they possibly do this with our procurement laws -- go in where they could bid on our local jobs?"

Senator Fukunaga answered:

"Certainly, that would always be possible. However, I believe that one of the things that the State Procurement Office is currently doing is trying to make sure that the bid requirements will also provide for special conditions to be met. And where local businesses may have the edge over out-of-state businesses in providing direct services, those businesses would be in a far stronger, competitive position."

Senator Anderson then said:

"Thank you very much."

The motion to adopt the amendment was put by the Chair and carried.

By unanimous consent, H.B. No. 3964, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," was placed on the calendar for Third Reading on Thursday, April 11, 1996.

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 253 Jointly to the Committee on
Transportation and Government Affairs and the
Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

The Chair re-referred the following Senate resolution that was offered:

Senate
Resolution Referred to:

No. 201 Jointly to the Committee on
Transportation and Government Affairs and the
Committee on Ways and Means

Senator Tam rose on a point of personal privilege and said:

"Mr. President, I wish to speak on the basis of personal privilege.

"I wish to comment on this Saturday, April 6, 1996, Honolulu Advertiser and Honolulu Star-Bulletin articles in reference to the proposed legislative changes to the 'high three' pension system. The articles stated that I may be considering retirement if the pension system changes. The articles are in error. What happened is, I was asked by a reporter to comment about Representative Calvin Say's serious consideration to retire. My response was that, if I put myself in his shoes and since I have two children of my own, I can understand his consideration to retire, especially since he has two jobs. I am not considering retiring.

"Constituents have called me to continue my position as their State Senator. I consider the stories humorous. My wife and I read the articles and both agree that I am too young to retire, especially since I do not have any white hair yet.

"I come from a family of workaholics. My father at my age, 43, had four jobs and currently I have five jobs. But now at 67 he has only two jobs. Thank you."

Senator Fukunaga, chair of the Committee on Communications and Public Utilities, requested a waiver of the 72-hour Notice of a Public Hearing on S.C.R. No. 286 and S.R. No. 227, and the Chair granted the waiver.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, may I stand on a point of personal privilege?"

"Mr. President, when I started this morning I may have sounded like I was against legislative reform and those who looked for reform, and that's not quite true. In fact, I consider them very much my friends. I've supported them and liked them for many years. But I would hope that you folks would look at something in the majority party which binds our hands. I've listened to each of the chairmen say that we're going to have meetings. No chairman is allowed to even pass an amendment unless that amendment has a majority or a quorum. And that's why our bills stack up, because the chairman cannot pass those amendments without a quorum. Consequently, it has hampered our legislative packaging of good legislation, I believe.

"Years back, I used to be able to get a committee report and yes there were times that people say that the chairman was able to bend arms, but either he or she at least gave me something to read and I could vote up or down or with reservation. I was never afraid or ashamed to vote in public. I'm not now, but I am ashamed when I walk into a room and there's two of us and there's 23 of you, but even you have a hard time making all of your committees. But when you can walk into a room and have a bunch of bills stacked up and you don't even know what the amendments are, and vote 'aye,' I have a problem with that.

"And you may all laugh at me because I WR. In fact there's a joke that Anderson has more reservations than John Dominis. (Laughter.) But let me tell you, I do this in all sincerity. I think that the chairmen are doing a good job, and I don't want to see them hampered, and I don't think that we can go ahead and legislate any type of ethics. We've tried. I've watched the campaign spending, and all of a sudden a person gets on television and says 'Oh, I didn't know; this never happened in my campaign.' There's no way we can go ahead and legislate ethics. It's within us.

"So, I do wish that you would look at that in the future and maybe we can somehow or another change some of the reforms that we have and find another means for us to be very up forward with the public. Thank you very much."

ADJOURNMENT

At 12:07 o'clock p.m., on motion by Senator Ihara, seconded by Senator Liu and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 10, 1996.

EXHIBIT "A"

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 1

DATE APR 09 1996

TO: H.B. No. 3347

SECTION 1. House Bill No. 3347, is amended by adding a new Section 2 to read as follows:

"SECTION 2. Chapter 572, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§572- Purpose. The purpose of this chapter is to establish licensure and regulatory control over the legal union of a man and a woman in a relationship of marriage. The legislature finds that the relationship of marriage between a man and a woman and culminating in the formation of a family, is a traditional social institution which forms the fundamental basis of our society. It is therefore, necessary and proper for the State to establish a system of laws for the preservation of this particular type of human relationship for the perpetuation of our society, protection of social order, and the general health and welfare of the citizens of this State.

It is the intent and purpose of this chapter to ensure the rights and general welfare of any individual man and woman who choose to seek legal recognition of their marital relationship under the provisions of this chapter.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable."

SECTION 2. House Bill No. 3347, is amended by renumbering Section 2 to Section 3.

SECTION 3. House Bill No. 3347, is amended by renumbering Section 3 to Section 4 and amending it to read as follows:

"SECTION 4. This Act shall take effect on July 1, 3001."

Offered by R. Graulty

- () Carried
- () Failed to Carry
- () Withdrawn

EXHIBIT "B"

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. **2** DATE APR 09, 1996

TO: H.B. No. 3964, H.D. 1, S.D. 2

SECTION 1. House Bill No. 3964, H.D. 1, S.D. 2, is amended by adding a new Part III to read as follows:

"PART III.

SECTION 7. Chapter 40, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§40- Electronic funds transfers in lieu of checks. (a) Every public accountant receiving revenue or other moneys on account for the State who is authorized to accept remittances by check, draft, or similar paper instrument, may accept the remittances by electronic funds transfer pursuant to standards established by the director of finance.

(b) As used in this section and in section 40-51.5, "electronic funds transfer" means any transfer of funds that is initiated through an electronic terminal, telephonic instrument, or computer or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account but shall not include any transfer originated by check, draft, or similar paper instrument."

SECTION 8. Chapter 231, Hawaii Revised Statutes is amended by adding a new section to be appropriately designated and to read as follows:

Offered by C. Fukunaga () Carried
() Failed to Carry
() Withdrawn

"§231- Electronic filing of tax returns. The department may allow filing by electronic, telephonic, or optical means of any tax return, application, report, or other document required under the provisions of title 14 administered by the department. The date of filing shall be the date the return, application, report, or other document is transmitted to the department in a form and manner prescribed by departmental rule adopted pursuant to chapter 91. The department may determine alternative methods for the signing, subscribing, or verifying of a return, application, report, or other document that shall have the same validity and consequences as the actual signing by the taxpayer. A filing under this section shall be treated in the same manner as a filing subject to the penalties under sections 231-36 and 231-39."

SECTION 9. Section 40-35.5, Hawaii Revised Statutes, is amended to read as follows:

"§40-35.5 Assessment and collection of service charges for dishonored items. (a) Unless otherwise provided by law or rules having the force and effect of law, every public accountant receiving revenue or other moneys on account of the State shall assess and collect a service charge in the amount of:

- (1) \$15 for any check[;] or electronic funds transfer; and
- (2) \$7.50 for any draft, certificate of deposit, or other negotiable instrument,

the public accountant receives that is dishonored for any reason. A public accountant shall require payment of the service charge in cash or by certified or cashier's check or by bank or postal money order. The service charge shall be deposited with the director of finance as a realization of the general fund.

(b) The service charge shall be enforced as follows:

- (1) For charges due on dishonored checks written or electronic funds transfers made for payment of any [taxes] tax administered by the department of taxation under title 14, the charges shall be [a non-waiverable penalty] nonwaivable penalties and shall be made a part of the tax for which the payment was made in the same manner as penalties are made part of the tax under section 231-39; and
- (2) For [all other charges paid to the State by check,] charges due on other dishonored items, the public accountant shall refer the entire matter, including the [initial check] dishonored item and interest on the penalty, to the department of the attorney general for collection.

(c) Interest on the penalty at the rate of two-thirds of one per cent a month or fraction of a month shall be paid for the period beginning the first calendar day after the date of

notification [from the bank that the check is dishonored to] of dishonor and ending on the date paid.

(d) All penalties, including interest thereon, for dishonored [checks] items shall be debts due the State.

(e) Penalties and interest collected for dishonored [checks] items by the department of taxation pursuant to this section shall be collected in the same manner as are taxes under chapter 231. The penalty shall be a realization of the general fund in the same manner as other penalties collected by the department[.] of taxation."

SECTION 10. Section 40-51.5, Hawaii Revised Statutes, is amended to read as follows:

"**[[[§40-51.5]]] Checks or electronic funds transfers in lieu of warrants.** With reference to warrants addressed under this part, the comptroller may, with the approval of the director of finance, issue checks drawn from, or make electronic funds transfers from, depositories of state treasury moneys in lieu of warrants drawn from the state treasury."

SECTION 11. Section 231-9.9, Hawaii Revised Statutes, is amended to read as follows:

"**[[[§231-9.9]]] Payment of taxes by electronic funds transfer.** (a) The director of taxation is authorized to require every person whose tax liability for any one taxable year exceeds \$100,000 and who files a tax return for any tax, including consolidated filers, to remit taxes by one of the means of electronic funds transfer approved by the department.

(b) Any person who files a tax return for any tax and is not required by subsection (a) to remit taxes by means of electronic funds transfer may elect to remit taxes by one of the means of electronic funds transfer approved by the department with the approval of the director of taxation.

(c) If a person who is required under subsection (a), or who elects under subsection (b), to remit taxes by one of the means of electronic funds transfer approved by the department and fails to remit the taxes using an approved means on or before the date prescribed therefor, then there shall be added to the tax required to be so remitted a penalty of two per cent of the amount of the tax, unless it is shown that the failure to remit is due to reasonable cause and not to neglect. The penalty under this subsection is in addition to any penalty set forth in sections 231-36 and 231-39."

SECTION 12. The department of taxation shall submit a report to the legislature no later than twenty days prior to the convening of the 1997 regular session that contains:

- (1) The number of taxpayers who were assessed the two per cent penalty pursuant to section 231-9.9(c);
 - (2) The amounts of each assessment; and
 - (3) The total amount of assessments collected;
- for the previous year."

SECTION 2. House Bill No. 3964, H.D. 1, S.D. 2, is amended by renumbering Sections 7 and 8 to Sections 13 and 14.