

TWENTY-SIXTH DAY

Tuesday, March 4, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 10:09 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Mark Richardson, Wesley Foundation, University of Hawaii, Manoa, after which the Roll was called showing all Senators present.

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

At 10:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:19 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 92 to 191) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 92, transmitting H.B. No. 103, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 103, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 93, transmitting H.B. No. 104, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 104, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAINTAIN AND ENHANCE THE PRESENCE OF THE ARMED FORCES IN HAWAII," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 94, transmitting H.B. No. 105, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 105, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 95, transmitting H.B. No. 126, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 126, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 96, transmitting H.B. No. 130, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 130, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INCENTIVE AND INNOVATION GRANT TRUST FUND," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 97, transmitting H.B. No. 133, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 133, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL AND VOCATIONAL TRAINING," passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 98, transmitting H.B. No. 352, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 352, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 99, transmitting H.B. No. 363, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 100, transmitting H.B. No. 392, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 101, transmitting H.B. No. 405, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 405, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 102, transmitting H.B. No. 440, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 440, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE FUNDING FOR PLANNING AND PROGRAMMING OF CONTINUING EDUCATION PROGRAMS," passed First Reading by title and was referred

to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 103, transmitting H.B. No. 816, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 816, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 104, transmitting H.B. No. 827, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 827, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE FISCAL AND BUDGET ANALYSIS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 105, transmitting H.B. No. 931, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 931, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 106, transmitting H.B. No. 1085, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1085, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 107, transmitting H.B. No. 1243, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1243, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 108, transmitting H.B. No. 1287, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 109, transmitting H.B. No. 1367, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1367, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed First

Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 110, transmitting H.B. No. 1394, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1394, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 111, transmitting H.B. No. 1381, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEAL COURT FEES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 112, transmitting H.B. No. 1393, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1393, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 113, transmitting H.B. No. 1410, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1410, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION RECORDS AND USES THEREOF," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 114, transmitting H.B. No. 1485, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1485, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 115, transmitting H.B. No. 1528, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1528, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 116, transmitting H.B. No. 1573, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1573, entitled: "A BILL FOR AN

ACT RELATING TO AGRICULTURAL LOANS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 117, transmitting H.B. No. 1574, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 118, transmitting H.B. No. 1575, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 119, transmitting H.B. No. 1581, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1581, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 120, transmitting H.B. No. 1613, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1613, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 121, transmitting H.B. No. 1615, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO VACATION ALLOWANCES," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 122, transmitting H.B. No. 1631, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1631, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 123, transmitting H.B. No. 1634, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1634, H.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 124, transmitting H.B. No. 1663, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1663, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 125, transmitting H.B. No. 1688, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1688, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 126, transmitting H.B. No. 1703, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1703, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 127, transmitting H.B. No. 1707, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 128, transmitting H.B. No. 1711, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1711, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred jointly to the Committee on Government Operations and Housing and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 129, transmitting H.B. No. 1729, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1729, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 130, transmitting H.B. No. 1739, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1739, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 131, transmitting H.B. No. 1756, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1756, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 132, transmitting H.B. No. 1810, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1810, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 133, transmitting H.B. No. 1833, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1833, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Health and Environment.

Hse. Com. No. 134, transmitting H.B. No. 1855, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1855, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 135, transmitting H.B. No. 1854, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1854, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 136, transmitting H.B. No. 1864, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1864, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 137, transmitting H.B. No. 1870, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1870, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 138, transmitting H.B. No. 1900, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1900, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 139, transmitting H.B. No. 1930, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1930, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 140, transmitting H.B. No. 2019, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2019, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 141, transmitting H.B. No. 2105, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2105, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 142, transmitting H.B. No. 2110, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY EXEMPTIONS FROM REAL PROPERTY TAXES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 143, transmitting H.B. No. 2151, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2151, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIKIKI WAR MEMORIAL NATATORIUM," passed First Reading by title

and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 144, transmitting H.B. No. 2214, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2214, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 145, transmitting H.B. No. 2234, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2234, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 146, transmitting H.B. No. 1757, H.D. 2, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1757, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 147, transmitting H.B. No. 1796, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1796, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 148, transmitting H.B. No. 1798, which passed Third Reading in the House of Representatives on February 27, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1798, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 149, transmitting H.B. No. 129, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 129, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 150, transmitting H.B. No. 148, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 148, entitled: "A BILL FOR AN

ACT RELATING TO TOW TRUCKS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 151, transmitting H.B. No. 260, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 152, transmitting H.B. No. 369, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 153, transmitting H.B. No. 460, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 154, transmitting H.B. No. 647, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 647, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH NURSING," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 155, transmitting H.B. No. 872, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 872, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 156, transmitting H.B. No. 919, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 919, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 157, transmitting H.B. No. 1012, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

Hse. Com. No. 158, transmitting H.B. No. 1115, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1115, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSESSMENT AND ACCOUNTABILITY," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 159, transmitting H.B. No. 1201, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1201, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 160, transmitting H.B. No. 1203, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 161, transmitting H.B. No. 1247, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Judiciary.

Hse. Com. No. 162, transmitting H.B. No. 1296, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1296, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 163, transmitting H.B. No. 1326, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 164, transmitting H.B. No. 1330, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1330, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 165, transmitting H.B. No. 1407, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 166, transmitting H.B. No. 1510, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 167, transmitting H.B. No. 1539, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1539, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 168, transmitting H.B. No. 1653, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1653, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS TO FACILITATE REGULATORY OVERSIGHT BY THE INSURANCE COMMISSIONER," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 169, transmitting H.B. No. 1659, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 170, transmitting H.B. No. 1662, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 171, transmitting H.B. No. 1693, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 172, transmitting H.B. No. 1698, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1698, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PERMITTING," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 173, transmitting H.B. No. 1708, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1708, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS FOR EMPLOYEES IN THE DEPARTMENT OF EDUCATION," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 174, transmitting H.B. No. 1717, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1717, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 175, transmitting H.B. No. 1718, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

Hse. Com. No. 176, transmitting H.B. No. 1719, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1719, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT AND FOR THE BLIND SHOP REVOLVING AND HANDICRAFT FUND," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 177, transmitting H.B. No. 1751, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1751, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 178, transmitting H.B. No. 1830, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 179, transmitting H.B. No. 1831, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1831, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Health and Environment.

Hse. Com. No. 180, transmitting H.B. No. 1858, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary.

Hse. Com. No. 181, transmitting H.B. No. 1867, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1867, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 182, transmitting H.B. No. 1891, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1891, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 183, transmitting H.B. No. 1893, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1893, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 184, transmitting H.B. No. 1894, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1894, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 185, transmitting H.B. No. 1897, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1897, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 186, transmitting H.B. No. 1902, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1902, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 187, transmitting H.B. No. 1984, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1984, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 188, transmitting H.B. No. 1965, H.D. 1, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1965, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Judiciary.

Hse. Com. No. 189, transmitting H.B. No. 2134, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2134, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEETINGS OF PUBLIC AGENCIES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary.

Hse. Com. No. 190, transmitting H.B. No. 2244, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2244, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL DISTRICTS," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 191, transmitting H.B. No. 2227, which passed Third Reading in the House of Representatives on February 28, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2227, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 to 90) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 79 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REESTABLISH AND FILL AT LEAST ONE EDUCATIONAL SPECIALIST POSITION AT THE

DEPARTMENT LEVEL AND AT LEAST ONE RESOURCE TEACHER AT EACH DISTRICT TO BE RESPONSIBLE FOR THE CONTINUED DEVELOPMENT AND IMPLEMENTATION OF THE HAWAIIAN STUDIES PROGRAM IN THE PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 80 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO HOLD A CONTESTED CASE HEARING BEFORE ANY INSURER IS ALLOWED TO INCREASE RATE PREMIUMS, VOID CONTRACTS, OR WITHDRAW FROM THE MARKET."

Offered by: Senator Tam.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology

No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ALLOCATE A PORTION OF ENVIRONMENTAL LITIGATION AWARDS TO THE STATE ENVIRONMENTAL RESPONSE REVOLVING FUND."

Offered by: Senator Tam.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AMEND THE RULES RELATING TO THE DEFINITION OF PENSION TO INCLUDE PENSION BENEFITS OF TAXPAYERS SIXTY-FIVE YEARS OLD OR OLDER REGARDLESS OF THEIR WORKING STATUS."

Offered by: Senator Tam.

Referred to: Committee on Ways and Means

No. 83 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF FINANCE, IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF THE HAWAII PUBLIC EMPLOYEES HEALTH FUND, AND THE VARIOUS PUBLIC EMPLOYEE UNION ORGANIZATIONS, TO EXAMINE AND COMPARE THE HEALTH PLAN BENEFIT COVERAGES ADMINISTERED BY HAWAIIAN ELECTRIC INDUSTRIES, INC. ('FLEXPLAN'), WITH THOSE OFFERED BY THE HAWAII PUBLIC EMPLOYEES HEALTH FUND AND BY THE VARIOUS PUBLIC EMPLOYEE (UNION) PLANS."

Offered by: Senator Tam.

Referred to: Committee on Human Resources, then to the Committee on Ways and Means

No. 84 "SENATE CONCURRENT RESOLUTION SUPPORTING THE COMPLETION OF THE CHILDREN'S DISCOVERY CENTER."

Offered by: Senator Tam.

Referred to: Committee on Ways and Means

No. 85 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TRANSFER TO THE COUNTIES ALL UNUSED STATE-OWNED URBAN LAND FOR AFFORDABLE HOUSING."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 86 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT USER FEES FOR STATE PARKS, OR TO ASCERTAIN ALTERNATIVE WAYS TO FUND THE MAINTENANCE AND PROTECTION OF STATE PARKS AND THEIR NATURAL RESOURCES."

Offered by: Senator Tam.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 87 "SENATE CONCURRENT RESOLUTION REQUESTING A DETERMINATION OF THE NUMBER OF VETERANS WHO RETIRED UNDER THE STATE RETIREMENT SYSTEM BEFORE JULY 1, 1989, AND WHO THEREFORE ARE NOT ELIGIBLE FOR MILITARY SERVICE CREDIT."

Offered by: Senator Tam.

Referred to: Committee on Human Resources

No. 88 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUBMIT RECOMMENDATIONS ON THE BIOLOGICAL RESEARCH OPTIONS AND ALTERNATIVES THAT WOULD ELIMINATE OF IVY GOURD, COCCINIA GRANDIS."

Offered by: Senator Tam.

Referred to: Committee on Economic Development

No. 89 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP MEASURES OF PRODUCTIVITY AND EFFICIENCY FOR EACH STATE DEPARTMENT."

Offered by: Senator Tam.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 90 "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE CAUSE AND CURE OF FIBROPAPILLOMA."

Offered by: Senator Tam.

Referred to: Committee on Health and Environment, then to the Committee on Transportation and Intergovernmental Affairs

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 18 to 29) were read by the Clerk and were referred to committees:

Senate Resolution

No. 18 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO REESTABLISH AND FILL AT LEAST ONE EDUCATIONAL SPECIALIST POSITION AT THE DEPARTMENT LEVEL AND AT LEAST ONE RESOURCE TEACHER AT EACH DISTRICT TO BE RESPONSIBLE FOR THE CONTINUED DEVELOPMENT AND IMPLEMENTATION OF THE

HAWAIIAN STUDIES PROGRAM IN THE PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Ways and Means

No. 19 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO HOLD A CONTESTED CASE HEARING BEFORE ANY INSURER IS ALLOWED TO INCREASE RATE PREMIUMS, VOID CONTRACTS, OR WITHDRAW FROM THE MARKET."

Offered by: Senator Tam.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology

No. 20 "SENATE RESOLUTION REQUESTING THE JUDICIARY TO ALLOCATE A PORTION OF ENVIRONMENTAL LITIGATION AWARDS TO THE STATE ENVIRONMENTAL RESPONSE REVOLVING FUND."

Offered by: Senator Tam.

Referred to: Committee on Judiciary, then to the Committee on Ways and Means

No. 21 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO AMEND THE RULES RELATING TO THE DEFINITION OF PENSION TO INCLUDE PENSION BENEFITS OF TAXPAYERS SIXTY-FIVE YEARS OLD OR OLDER REGARDLESS OF THEIR WORKING STATUS."

Offered by: Senator Tam.

Referred to: Committee on Ways and Means

No. 22 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF FINANCE, IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF THE HAWAII PUBLIC EMPLOYEES HEALTH FUND, AND THE VARIOUS PUBLIC EMPLOYEE UNION ORGANIZATIONS, TO EXAMINE AND COMPARE THE HEALTH PLAN BENEFIT COVERAGES ADMINISTERED BY HAWAIIAN ELECTRIC INDUSTRIES, INC. ('FLEXPLAN'), WITH THOSE OFFERED BY THE HAWAII PUBLIC EMPLOYEES HEALTH FUND AND BY THE VARIOUS PUBLIC EMPLOYEE (UNION) PLANS."

Offered by: Senator Tam.

Referred to: Committee on Human Resources, then to the Committee on Ways and Means

No. 23 "SENATE RESOLUTION SUPPORTING THE COMPLETION OF THE CHILDREN'S DISCOVERY CENTER."

Offered by: Senator Tam.

Referred to: Committee on Ways and Means

No. 24 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TRANSFER TO THE COUNTIES ALL UNUSED STATE-OWNED URBAN LAND FOR AFFORDABLE HOUSING."

Offered by: Senator Tam.

Referred to: Jointly to the Committee on Government Operations and Housing and the Committee on Water, Land,

and Hawaiian Affairs, then to the Committee on Ways and Means

No. 25 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IMPLEMENT USER FEES FOR STATE PARKS, OR TO ASCERTAIN ALTERNATIVE WAYS TO FUND THE MAINTENANCE AND PROTECTION OF STATE PARKS AND THEIR NATURAL RESOURCES."

Offered by: Senator Tam.

Referred to: Committee on Economic Development, then to the Committee on Ways and Means

No. 26 "SENATE RESOLUTION REQUESTING A DETERMINATION OF THE NUMBER OF VETERANS WHO RETIRED UNDER THE STATE RETIREMENT SYSTEM BEFORE JULY 1, 1989, AND WHO THEREFORE ARE NOT ELIGIBLE FOR MILITARY SERVICE CREDIT."

Offered by: Senator Tam.

Referred to: Committee on Human Resources

No. 27 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO SUBMIT RECOMMENDATIONS ON THE BIOLOGICAL RESEARCH OPTIONS AND ALTERNATIVES THAT WOULD ELIMINATE OF IVY GOURD, COCCINIA GRANDIS."

Offered by: Senator Tam.

Referred to: Committee on Economic Development

No. 28 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP MEASURES OF PRODUCTIVITY AND EFFICIENCY FOR EACH STATE DEPARTMENT."

Offered by: Senator Tam.

Referred to: Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 29 "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE CAUSE AND CURE OF FIBROPAPILLOMA."

Offered by: Senator Tam.

Referred to: Committee on Health and Environment, then to the Committee on Transportation and Intergovernmental Affairs

ORDER OF THE DAY

THIRD READING

S.B. No. 138, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1498, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1498, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO ACUPUNCTURE PRACTITIONERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1504:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1504, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1507:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1507, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1508:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1509:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1509, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1510:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1511:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1511, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1513:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1514:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1517:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1517, 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, 25. Noes, none.

S.B. No. 1518:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1519:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1519, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1520, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1523:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1523, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1524:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1524, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1525:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1525, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1531:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1531, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1532:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1536, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 159:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 159, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1901, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1571, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1617, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1617, 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, 25. Noes, none.

S.B. No. 1620:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1620, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1300, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 1300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1556:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 590 (S.B. No. 835, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 590 was adopted and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1943, S.D. 1:

On motion by Senator Kawamoto seconded by Senator Sakamoto and carried, S.B. No. 1943, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1464, S.D. 1:

On motion by Senator Bunda, seconded by Senator M. Ige and carried, S.B. No. 1464, 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, 25. Noes, none.

S.B. No. 1222, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 135, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 135, 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.

Stand. Com. Rep. No. 595 (S.B. No. 160, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 595 was adopted and S.B. No. 160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 597 (S.B. No. 193):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 597 was adopted and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 598 (S.B. No. 223):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 598 was adopted and S.B. No. 223, 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, 25. Noes, none.

Stand. Com. Rep. No. 599 (S.B. No. 512, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 599 was adopted and S.B. No. 512, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 601 (S.B. No. 984, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 601 was adopted and S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 602 (S.B. No. 1303):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 602 was adopted and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 603 (S.B. No. 1363):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 603 was adopted and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1554, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 382, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 382, S.D. 1, 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, 25. Noes, none.

S.B. No. 169, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LICENSE PLATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1668:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO ON-STREET PARKING STALLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1740:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1740, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 57:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 136:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 888:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1490, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1528, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1528, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1115, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1115, 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, 25. Noes, none.

S.B. No. 1423:

On motion by Senator Tanaka seconded by Senator Taniguchi and carried, S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1109, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1584, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 37, S.D. 1:

On motion by Senator Tanaka seconded by Senator Taniguchi and carried, S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1428, S.D. 1:

On motion by Senator Tanaka seconded by Senator Taniguchi and carried, S.B. No. 1428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PERMITTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1078, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1114, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1116, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1118, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 638 (S.B. No. 1361, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 638 was adopted and S.B. No. 1361, S.D. 1, 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, 25. Noes, none.

S.B. No. 1495, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1495, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE

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

Ayes, 25. Noes, none.

S.B. No. 1522, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1527, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1560, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 643 (S.B. No. 1561, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 643 was adopted and S.B. No. 1561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1778, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1814, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1814, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 817, S.D. 1:

On motion by Senator Aki, seconded by Senator Tam and carried, S.B. No. 817, S.D. 1, 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, 25. Noes, none.

S.B. No. 1191, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1191, 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, 25. Noes, none.

S.B. No. 1487, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1516, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1516, 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, 25. Noes, none.

S.B. No. 1521, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1575:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 659 (S.B. No. 1576, S.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 1576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 248, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 300, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 300, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1891, S.D. 1:

By unanimous consent, action on S.B. No. 1891, S.D. 1, was deferred to the end of the calendar.

S.B. No. 1016:

On motion by Senator Solomon, seconded by Senator Iwase and carried, S.B. No. 1016, 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, 25. Noes, none.

Stand. Com. Rep. No. 669 (S.B. No. 1611, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 669 and S.B. No. 1611, S.D. 1, was deferred to the end of the calendar.

S.B. No. 1122, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 673 (S.B. No. 1574, S.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Stand. Com. Rep. No. 673 was adopted and S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1711, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1117, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1499, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1948, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 228, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1736, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 137:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 137, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 373:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1562:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1562, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1794, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1794, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1286:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1286, entitled: "A BILL FOR

AN ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 346, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 346, 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, 25. Noes, none.

S.B. No. 1267, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1267, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 823, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 823, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 698 (S.B. No. 1657):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 698 was adopted and S.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 699 (S.B. No. 1484, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 699 was adopted and S.B. No. 1484, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 700 (S.B. No. 1159):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 700 was adopted and S.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 986, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," having been read throughout,

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 705 (S.B. No. 168, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 705 was adopted and S.B. No. 168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESERVATION OF ANTIQUITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 706 (S.B. No. 152, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 706 was adopted and S.B. No. 152, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1357:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1357, 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, 25. Noes, none.

Stand. Com. Rep. No. 710 (S.B. No. 1601, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 710 was adopted and S.B. No. 1601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 712 (S.B. No. 1549, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 712 was adopted and S.B. No. 1549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1289, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 989, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 715 (S.B. No. 1766, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 715 was adopted and S.B. No. 1766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1240, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL ACTIVITIES OF CAMPAIGN SPENDING COMMISSIONERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 647, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 721 (S.B. No. 824, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 721 was adopted and S.B. No. 824, 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, 25. Noes, none.

S.B. No. 243, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 243, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1033:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1033, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 285, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1310, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1310, 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, 25. Noes, none.

S.B. No. 1064, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1064, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1065, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1065, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1066, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1066, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1069, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1070:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1071, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OPENING OF THE ABSENTEE POLLING PLACE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1074, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1074, S.D. 1, entitled: "A

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

Ayes, 25. Noes, none.

H.B. No. 455:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 455, 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, 25. Noes, none.

Stand. Com. Rep. No. 735 (S.B. No. 653, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 735 was adopted and S.B. No. 653, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1262:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1262, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SIGNS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 737 (S.B. No. 1588, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 737 was adopted and S.B. No. 1588, S.D. 1, 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, 25. Noes, none.

S.B. No. 1312:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1312, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 739 (S.B. No. 1087, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 739 was adopted and S.B. No. 1087, S.D. 1, 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, 25. Noes, none.

S.B. No. 1263, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 718:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 718, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 231, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 743 (S.B. No. 81, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 743 was adopted and S.B. No. 81, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1055:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1055, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 746 (S.B. No. 957, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 746 was adopted and S.B. No. 957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 211:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 752 (S.B. No. 165, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 752 was adopted and S.B. No. 165, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 335, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 335, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1923, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 756 (S.B. No. 1589, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 756 was adopted and S.B. No. 1589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 305, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 321, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSCENITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 759 (S.B. No. 818, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 759 was adopted and S.B. No. 818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 293, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 293, 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, 25. Noes, none.

S.B. No. 333, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 333, 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, 25. Noes, none.

S.B. No. 834:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 834, 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, 25. Noes, none.

S.B. No. 844, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1053, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1053, 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, 25. Noes, none.

S.B. No. 1062, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 256:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 256, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 769 (S.B. No. 846, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 769 was adopted and S.B. No. 846, 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, 25. Noes, none.

S.B. No. 1277, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 298, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED CONTROL OF A PROPELLED VEHICLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1278:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1278, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL THEFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 774 (S.B. No. 991, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 774 was adopted and S.B. No. 991, S.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 775 (S.B. No. 377, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 775 was adopted and S.B. No. 377, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 776 (S.B. No. 286, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 776 was adopted and S.B. No. 286, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 777 (S.B. No. 1353):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 777 was adopted and S.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," having been

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 778 (S.B. No. 838, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 778 was adopted and S.B. No. 838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 779 (S.B. No. 1037):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 779 was adopted and S.B. No. 1037, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SPECIAL PROSECUTION UNITS AND VICTIM WITNESS PROGRAMS FOR THE COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 782 (S.B. No. 1309, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 782 was adopted and S.B. No. 1309, 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, 25. Noes, none.

S.B. No. 902, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 140, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 140, 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, 25. Noes, none.

S.B. No. 141, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 952, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 952, 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, 25. Noes, none.

S.B. No. 1515, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1515, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 795 (S.B. No. 1553, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 795 was adopted and S.B. No. 1553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1692, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1692, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 147, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 934, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 808 (S.B. No. 843, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 808 was adopted and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 809 (S.B. No. 635, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 809 was adopted and S.B. No. 635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 207, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 811 (S.B. No. 1012):

By unanimous consent, action on Stand. Com. Rep. No. 811 and S.B. No. 1012 was deferred to the end of the calendar.

S.B. No. 59:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 814 (S.B. No. 1316, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 814 was adopted and S.B. No. 1316, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 940:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 940, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF INCOME TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 938, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1028, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 1028, 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, 25. Noes, none.

S.B. No. 640, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 640, 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, 25. Noes, none.

Stand. Com. Rep. No. 823 (S.B. No. 1018, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 823 was adopted and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 826 (S.B. No. 1581, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 826 was adopted and S.B. No. 1581, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 830 (S.B. No. 1600, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 830 was adopted and S.B. No. 1600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 833 (S.B. No. 1631, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 833 was adopted and S.B. No. 1631, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 834 (S.B. No. 202, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 834 was adopted and S.B. No. 202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 840 (S.B. No. 1653):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 840 was adopted and S.B. No. 1653, 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, 25. Noes, none.

Stand. Com. Rep. No. 841 (S.B. No. 1146):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 841 was adopted and S.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO WAGE OVERPAYMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 843 (S.B. No. 1143, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 843 was adopted and S.B. No. 1143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 848 (S.B. No. 1884, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 848 was adopted and S.B. No. 1884, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 850 (S.B. No. 1718):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 850 was adopted and S.B. No. 1718, 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, 25. Noes, none.

Stand. Com. Rep. No. 853 (S.B. No. 760):

By unanimous consent, action on Stand. Com. Rep. No. 853 and S.B. No. 760 was deferred to the end of the calendar.

Stand. Com. Rep. No. 854 (S.B. No. 757, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 854 was adopted and S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 855 (S.B. No. 58, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 855 was adopted and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 856 (S.B. No. 860, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 856 was adopted and S.B. No. 860, 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, 25. Noes, none.

Stand. Com. Rep. No. 859 (S.B. No. 252, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 859 was adopted and S.B. No. 252, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 860 (S.B. No. 1352, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 860 was adopted and S.B. No. 1352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS COUNSELORS FOR PERSONS WITH DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 867 (S.B. No. 497):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 867 was adopted and S.B. No. 497, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 868 (S.B. No. 944, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 868 was adopted and S.B. No. 944, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 869 (S.B. No. 251, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 869 was adopted and S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 871 (S.B. No. 1268, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 871 was adopted and S.B. No. 1268, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 873 (S.B. No. 990, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 873 was adopted and S.B. No. 990, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 876 (S.B. No. 1907, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 876 was adopted and S.B. No. 1907, 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. 877 (S.B. No. 1683, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 877 was adopted and S.B. No. 1683, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 879 (S.B. No. 1636, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 879 was adopted and S.B. No. 1636, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 880 (S.B. No. 1336):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 880 was adopted and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF 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. 881 (S.B. No. 969):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 881 was adopted and S.B. No. 969, 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. 883 (S.B. No. 242, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 883 be adopted and S.B. No. 242, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto inserted his remarks as follows:

"The State Ethics Commission should act on citizen complaints as opposed to creating their own complaints."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 883 was adopted and S.B. No. 242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 886 (S.B. No. 871, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 886 was adopted and S.B. No. 871, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 890 (S.B. No. 1171, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 890 was adopted and S.B. No. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 891 (S.B. No. 1889, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 891 was adopted and S.B. No. 1889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 894 (S.B. No. 1618):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 894 was adopted and S.B. No. 1618, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 895 (S.B. No. 1619):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 895 was adopted and S.B. No. 1619, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 896 (S.B. No. 45, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 896 and S.B. No. 45, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 898 (S.B. No. 1032, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 898 was adopted and S.B. No. 1032, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 899 (S.B. No. 1925, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 899 was adopted and S.B. No. 1925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE RATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 900 (S.B. No. 1859, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 900 was adopted and S.B. No. 1859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 903 (S.B. No. 1535, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 903 was adopted and S.B. No. 1535, 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, 25. Noes, none.

Stand. Com. Rep. No. 904 (S.B. No. 1924, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 904 was adopted and S.B. No. 1924, 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, 25. Noes, none.

Stand. Com. Rep. No. 905 (S.B. No. 145, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 905 was adopted and S.B. No. 145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 906 (S.B. No. 1874, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 906 was adopted and S.B. No. 1874, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 908 (S.B. No. 1302, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 908 was adopted and S.B. No. 1302, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 909 (S.B. No. 1881, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 909 was adopted and S.B. No. 1881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 911 (S.B. No. 1293, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 911 was adopted and S.B. No. 1293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 912 (S.B. No. 406, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 912 was adopted and S.B. No. 406, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 913 (S.B. No. 739, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 913 was adopted and S.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 915 (S.B. No. 623, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 915 was adopted and S.B. No. 623, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 916 (S.B. No. 1506, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 916 was adopted and S.B. No. 1506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 917 (S.B. No. 1732, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 917 was adopted and S.B. No. 1732, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH

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

Ayes, 25. Noes, none.

S.B. No. 1377, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 1377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

S.B. No. 910, S.D. 1:

On motion by Senator Bunda, seconded by Senator M. Ige and carried, S.B. No. 910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 226, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 656, S.D. 1:

Senator Baker moved that S.B. No. 656, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill. I'm troubled by this bill because the bill extends treatment by social workers. We've already extended a number of provisions in the prepaid health care act. I certainly know that we all want to take care of mental and substance abuse problems, but I think that the way this bill is going, it will increase the cost and will not guarantee that we will have treatment. So I speak against the bill.

"Thank you."

Senator Solomon rose to speak on the measure as follows:

"Mr. President, I would like to vote a W/R. And I, too, echo the words of the previous speaker. I'm very much concerned about this. I did bring this up in committee and it was very unfortunate that at that time they could not come up with any statement of impact and how much this would actually cost us.

"Thank you."

Senator Baker rose in support of the measure and stated:

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

"Mr. President, your Committee heard testimony from a variety of health care professionals and others about the need for this particular measure. It has been well demonstrated in practice that maximizing the flexibility with which mental health and substance abuse services can be provided to individual clients improves the effectiveness of the services, improves access to services, and lowers the cost of services.

This measure will increase patient accessibility to much needed mental health and substance abuse treatment, especially in rural and remote areas of our state.

"In 34 other states that have passed legislation similar to this, there has been no significant cost impact. As a matter of fact, there have been reductions in cost. The federal government, for a number of years, has recognized the services provided by clinical social workers and have included them as covered mental health providers for all programs under its jurisdiction. Where social workers are included as service providers, social worker fees were found to be about 73 percent of the average of those charged by other mental health professionals. At a time when we have a woefully inadequate number of mental health professionals and substance abuse counselors capable of helping us, particularly in dealing with the consent decree under Felix v. Waihee, I believe that this measure is very timely and I urge my colleagues to support it.

"Thank you."

Senator Solomon rose again on the measure and said:

"Mr. President, I'm again speaking with reservations on this bill. I would like to thank the previous speaker for her comments.

"Mr. President, just for the record, I'm not arguing about the merits of the bill. I am not against mental health care for substance abuse, etc., but the bottom line, Mr. President, is that we're one if not the only state that requires mandatory health care coverage and I'm very much concerned about the cost factor, the impact it will have on small business, and the economy as a whole. I'm hoping that in the deliberations of the bill that perhaps these fears could be alleviated.

"I'm hoping, Mr. President, that we perhaps can provide this kind of care at no cost and be assured that this would be so.

"Thank you, Mr. President."

Senator Anderson added his comments on the measure as follows:

"Mr. President, I had the same reservations. The Minority Floor Leader and myself discussed this. I looked at the different testimonies that were attached. And we did have concerns that there might be an increase in cost. I agree also with Senator Malama that we're not opposed to mental health or taking care of people. It's the idea that we have to look at what we're doing and I'm hoping that we can get more information as the time goes on."

"Thank you."

Senator Baker rose on a point of information and stated:

"Mr. President, one brief point of information. I believe that perhaps some of the speakers have confused this measure with another measure that was held in our Committee.

"This measure does not mandate additional benefits. It does not provide additional benefits under prepaid health plans. It merely allows that for the delivery of those services reimbursable by third-party payers, the persons delivering those services may, in fact, be licensed clinical social workers. It does not expand benefits; it does not mandate additional benefits.

"Thank you, Mr. President."

At 10:28 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:30 o'clock a.m.

The motion was then put by the Chair and carried, S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1621:

Senator Kawamoto moved that S.B. No. 1621, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"I think that part of the bill is very good. It gives flexibility to the State Department of Transportation to make changes within the high-occupancy vehicle lanes. However, there is a portion of the bill that was not very clear until we had the hearing and discussed it. And what it does is simply repeal Act 224 which gave the police the power to send citations, written citations, without stopping any vehicle. What this bill, now, will do is give the police unlimited power to do that, particularly in high-occupancy lanes. And I know it's a problem for many of us who take our small children and have them in our vehicles if the police cannot see them and they issue a citation without any kind of stop or looking in.

"Proponents have said, well, it's very easy because all we have to do is just go down to court and just tell them that we had a young person or someone else in the vehicle. It's not that easy, Mr. President, and it shifts the burden from the police and law enforcement agencies to the individual, the taxpayer and small business person. So I rise to speak against this bill.

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and stated:

"Mr. President, I rise to speak for the bill.

"In the HOV lane, some of the sections of the communities are impossible to enforce by word of mouth and they need this flexibility for the DOT to enforce HOV lanes. Therefore, Mr. President, I urge my colleagues to vote 'aye' on this bill.

"Thank you."

Senator Anderson rose to speak against the measure as follows:

"Mr. President, I'll also be voting 'no.' The main reason is that it does throw the burden of proof on the individual. That person has to take off from work, and having been down to the court, the first thing they ask you, 'Do you plead guilty or not guilty.' And if you try to explain, they want guilty or not guilty. If you plead not guilty, they'll then turn around and give you another court date. That means you have to take another day off and lose more money because you have to take off from work. And it's a process that I think is not fair and just.

"If you want to take care of certain segments of the island, you might be able to work that out. But just to blanket everybody, I believe, is not fair and equitable, and I will be voting 'no' for those reasons."

Senator Fernandes Salling rose and said:

"Mr. President, would Senator Slom please answer a question with respect to his previous comments."

The Chair posed the question and Senator Slom having answered in the affirmative, Senator Fernandes Salling continued:

"I have been looking at the bill, Senator. Could you point out for us on what page you mention we deleted that section with regard to the police authorizing these citations and now they can do it blanket and not take into consideration how many people are in the car."

Senator Slom responded:

"Yes, thank you, Senator. If you will turn to page 3 of S.B. 1621, in Section 6 it says, 'This Act' referring to the previous section, Act 224, 'This Act shall take effect upon its approval [and shall be repealed on June 30, 1997].' That is now bracketed; it will not be repealed on June 30, 1997. I hope that's clear, Senator."

Senator Fernandes Salling then said:

"Mr. President, would the Chair of Transportation and Intergovernmental Relations, Senator Kawamoto, yield to a question?"

Senator Kawamoto having answered in the affirmative, Senator Fernandes Salling asked:

"Senator, with respect to what the previous Senator just answered, that by bracketing out 'and shall be repealed on June 30, 1997' in S.B. 1621, is it true then that the effect will be as he has stated?"

At 10:35 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:39 o'clock a.m.

Senator Kawamoto then rose and stated:

"As a matter of concern, we are encouraged to take that matter up in conference and we will do so. Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 1621, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 587 (S.B. No. 560, S.D. 2):

Senator Chun Oakland moved that Stand. Com. Rep. No. 587 be adopted and S.B. No. 560, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Sakamoto rose and said:

"Mr. President, I rise to speak in opposition to this measure, and I will be rising on other measures as well. I have turned in to the Clerk my comments on some of the bills that I will be voting with reservations, if those could be included in the Journal. (The Chair so ordered.)

"Prior to speaking specifically on this particular bill, I want to make some general comments that will be a little more lengthy but will show why I'm against this bill and some other bills.

"This is not 1954. This is not a time of free-flowing economy. We do not have the same problems we did then. We don't have the same visions we had then. This is our ship, our ship of state, and it's not moving forward. Our ship sits overloaded on the reef, overloaded with taxes, regulations,

fears, crime, uncertainty. We can hope for a rising tide. Some have jumped ship and left. Others carry on business as usual. Today, I cannot let this body carry on business as usual or politics as usual. Let us carry on our business and vote for what makes sense in 1997 ... for what is right today -- lessen the load, no more taxes, no more restrictions -- restrictions on job creation, restrictions on our economy. We don't need more tonnage; we don't need more paperwork, more shackles, more dead weight. Rhetoric will not fill our sails. We need to plant an anchor in a good place and pull on that anchor chain hand over hand. Throw out the dead weight and let's go forward for what makes sense today.

"This particular bill, Mr. President, deals with discriminatory practices, and yes -- race, sex, sexual orientation, age, religion, ancestry, color -- these are very important, and these are civil rights. This bill seeks to add financial assistance or other public assistance to this list, Mr. President. And at this time, we're looking for more jobs, yes, jobs for welfare-patients, welfare recipients. But where will it end? Do we then say we can't ask for your address, we can't ask if you live in a rental project with government assistance. We can't ask that if you're on some kind of help. The federal government is asking us to help, asking businesses to help giving tax credits. We can't say without knowing if a person is on assistance, how can we even benefit by offering them a job with these tax credits that are available?

"We need to be pushing legislation that's productive, not counter-productive. So, I'll be voting 'no,' Mr. President, and I urge that we look at measures that make sense today.

"Thank you."

Senator Slom rose in opposition to the measure and said:

"Mr. President, I also rise to speak against the bill.

"I think the comments made by my distinguished colleague are very important. Also, I think that what we've seen in the recent years, as we have increased the number of kinds and classes of public discrimination, we've also increased the number of kinds and costs of litigation, and we all pay for that. So I think that this bill is going in the wrong direction.

"I will be voting 'no,' Mr. President. Thank you."

Senator Iwase also rose in opposition to the measure and said:

"Mr. President, I'm also going to be voting 'no' on this bill.

"I do believe that we must provide job training for welfare recipients, particularly in light of what's happening in Washington, D.C. -- the federal cutbacks and the impact on the State of Hawaii with the job requirements, 15,000 people, at least. And I think we should be looking at assisting businesses, and I believe there are other bills, either in the Senate or in the House, that go in that direction to assist businesses, to encourage businesses, to hire those who are presently on welfare, to assist them and us, the State of Hawaii, in getting them off the welfare roles and into jobs which, I believe, all of them want to be holding.

"However, I think this bill will add to the burden on business, and may be counter-productive, in light of the fact that it would just increase litigation and I don't think businesses need it at this point in time. So I'll be voting 'no.' Thank you, Mr. President."

Senator Solomon rose to speak against the measure as follows:

"Mr. President, I also will be voting 'no,' and I would like the remarks of the previous speaker included as though they were my own. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 587 was adopted and S.B. No. 560, S.D. 2, 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, 14. Noes, 11 (Aki, Anderson, Bunda, Ige, D., Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tanaka).

Stand. Com. Rep. No. 596 (S.B. No. 161, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 596 be adopted and S.B. No. 161, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"While I think we're all concerned about child care and the lack of child care in the state, we want to do everything possible to extend child care. I think that this bill, by exempting after-school, weekend, and summer recess programs conducted by the Department of Education, sends the wrong message. The reason that they want the exemption is because the burdens of regulation and certification are so onerous right now on private child care providers. It would seem to me, Mr. President, that the answer is to reform the laws right now and make it a more hospitable climate so that we encourage more existing private and governmental providers of child care.

"Therefore, I will be voting 'no' for this special exemption. Thank you, Mr. president."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 596 was adopted and S.B. No. 161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 600 (S.B. No. 680, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 600 was adopted and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1160, S.D. 1:

Senator Kawamoto moved that S.B. No. 1160, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"Mr. President, I encourage technological development and also energy saving and I think electric vehicles have a great potential, particularly in our state. However, the electric vehicle industry already is being heavily subsidized by the taxpayers and to create additional exemptions, specifically in the area of payment of parking fees, relaxing the rules in high occupancy vehicle lanes, forgiving registration and other fees, I think, again, sends the wrong message. We want the technology but we also want the accountability. So, I will be voting 'no.'

"Thank you, Mr. President."

Senator Anderson then rose and said:

"Mr. President, I have some reservations and they were exactly what the former speaker said.

"I believe that it's very broad when you take a new business and you waive everything -- registration, licensing, parking fees; they can do whatever they want to. And that's rather broad. I think that a little more constriction, making it a little more concise in what they can and cannot do is a way to help business, but to just go and give them everything in the world is not really the way to go. So I will have some reservations on that."

The motion was then put by the Chair and carried, S.B. No. 1160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1616, S.D. 1:

Senator Kawamoto moved that S.B. No. 1616, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"Mr. President, this is a very unusual bill. As we heard in committee and in testimony, inadvertently in 1980 a portion of the law was left out which provided for certain penalties for commercial users on airport property. Mr. President, in the 17 years since that inadvertent error, there have been no problems; there have been no mistakes; there have been no need for laws or anything else. I asked the Department of Transportation and they said that there wasn't a problem but there could be a problem in the future. And so after 17 years they'd like to put this back in the law.

"I would call the body's attention to the fact that there are ten chapters of rules governing commercial users at our airport system. And think that this is a prime example of having additional laws that really don't do anything, don't need anything, and increase our bureaucracy. So I'll be voting 'no.'

"Thank you, Mr. President."

Senator Anderson also rose in opposition to the measure as follows:

"I'll also be voting 'no' on this.

"And I think more than anything else, it's really the title, 'A Bill For An Act Relating To Penalties For Violations Of Administrative Rules.' We have 34 feet of rules, ladies and gentlemen. I have spoken against having rules that have the force of law. They have jammed up more of our bills than the man in the moon. We're not only having a problem with these cumbersome rules, it's also other states. Washington, D.C., is even having problems. They're trying to change that. I've been working with the National Conference of State Legislators and they've spoken out against having rules that have the force of law.

"What happens if we do something that they don't like. Do their rules supersede ours because all of a sudden we've given up those rights of ours? We already have them ignoring laws that we put in because they say they have a rule, or the AGs might come out and say, 'We believe that their rights are first; they supersede yours because they went out to public hearings. You're going to have to make another law that changes all of this.'

"So, those are the reasons that I'm opposed to this, not just because it affects a portion of the airport. The way that this bill or the title is, any administrative rule will fall in there. And believe me, I've been talking to some people recently, one of the departments, after we passed laws last year, this particular department made up new rules that have screwed up every law we made. So for those reasons, Mr. President, I will be going 'no.'"

The motion was then put by the Chair and carried, S.B. No. 1616, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Fernandes Salling, Slom).

S.B. No. 1170, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, S.B. No. 1170, S.D. 1, 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, 25. Noes, none.

S.B. No. 35, S.D. 1:

On motion by Senator Bunda, seconded by Senator M. Ige and carried, S.B. No. 35, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chumbley).

S.B. No. 654, S.D. 1:

Senator Bunda moved that S.B. No. 654, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Sakamoto having requested his remarks be inserted into the Journal, it reads as follows:

"This bill would allow action against a payment bond 90 days after a subcontractor or vendor completes their portion of the work even if the work is not accepted or inspected or possibly not even paid for by the owner. This can place the general contractor, who is responsible for the payment bond, in an awkward and many times untenable situation. The bill as currently drafted does not balance the concerns of all parties."

The motion was then put by the Chair and carried, S.B. No. 654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 626 (S.B. No. 246, S.D. 1):

Senator Bunda moved that Stand. Com. Rep. No. 626 be adopted and S.B. No. 246, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator M. Ige.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"While the body passed an act last year providing this 15 percent bid change or swing for the state, the counties want to

follow suit. I guess the idea, of course, is to help local businesses, to provide activity for businesses and to keep jobs. I don't think, however, Mr. President, that either the state bill or extending this provision to the counties will do that. What it will do is increase the cost of every taxpayer, every family in the state because it mandates that we will be paying probably higher prices than we are paying now.

"And I would remind everybody of two things. First of all, every small business person is a consumer, as well. So even if they were to benefit from one part of the contract, they would pay out of another pocket from the other part of the contract.

"Secondly, as the bill is drafted, it requires that businesses that have contracts of \$5 million or less have been in operation and paying full taxes for a period of four years, if the contract is in excess of \$5 million, it requires eight years. So it's not going to be helping those smaller, newer businesses, as well.

"I think we're best served again, Mr. President, if we look overall at some of the tax and business recommendations to improve the overall climate for all businesses. So I'll be voting 'no' on this bill.

"Thank you, Mr. President."

Senator Kawamoto rose to support the measure as follows:

"Mr. President, I'd like to speak for this bill.

"Again, if something's bad nobody wants to copy you. This was a bill that was passed last year. It's good; it helps the local contractors. It helps keep jobs here in Hawaii. It helps keep the money here in Hawaii. And I'd like to think of it as we may not have saved as much as we could -- 10 or 15 percent -- but I'd like you to know that 85 to 90 percent of the money stays in Hawaii and the jobs are here in Hawaii.

"Again, I'll vote local and I'll vote for people that live here and pay our taxes here.

"Thank you very much."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 626 was adopted and S.B. No. 246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1257, S.D. 1:

By unanimous consent, S.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Economic Development.

At this time, Senator Taniguchi remarked on the action taken on S.B. No. 1257, S.D. 1, as follows:

"Mr. President, we will be recommitting this bill. The reason is that it is my understanding that the companion bill will be coming over from the House, and this will give us a better opportunity to review certain issues that were raised subsequent to the passage of the bill from committee."

Stand. Com. Rep. No. 630 (S.B. No. 388, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 630 be adopted and S.B. No. 388, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Levin rose to speak on the measure as follows:

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

"Mr. President, the purpose of this bill is to eliminate diploma mills in the State of Hawaii and that is certainly a worthwhile goal. My problem is that the bill may pull in and destroy at least a couple of institutions which are not diploma mills and which should not be eliminated.

"I speak in particular, because of personal knowledge, of Greenwich University and the University of the Nations, both on the Big Island. These are not diploma mills, Mr. President; they are facilities with professors and local personnel who are performing a valid function.

"One issue that needs to be dealt with, on which we have received conflicting information, is whether or not these institutions can become accredited. I am told that the institutions do not believe they can. There is information that perhaps they can if they simply jump through the right hoops. It is my hope that we will be examining that issue as this bill moves through the legislative process toward Final Reading.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 630 was adopted and S.B. No. 388, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 631 (S.B. No. 681, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 631 be adopted and S.B. No. 681, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Kanno rose and said:

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

Senator Anderson rose in opposition to the measure and stated:

"Mr. President, I'll be voting 'no' on this measure.

"While I believe in some planned communities, I believe that this bill might have some constitutional problems. It's my understanding, and I don't sit on that committee, but it says that 'the community associations existing as of the effective date of this chapter and all planned community associations created thereafter.' Now my understanding is we can't do something like that.

"Also, my concern is there's a lot of people who buy into a planned community and they may not want young children, animals, or whatever. That community is planned that way and all of a sudden we come out with something that says 'existing and in future' they'll have to follow certain rules. That would then mean that they could go back and change the rules on that planned community. And that's what I think bothers me and that's according to the provisions that I read, so I would be voting 'no.'"

Senator Slom rose in opposition to the measure and said:

"Mr. President, I echo the comments and cautions of the Minority Leader.

"I think that this bill was patterned after the horizontal property regime, setting up condominiums. But it should be remembered that first came that law, then came the condominiums. In this law we're doing it backwards and I

think it does raise a number of questions and involves contracts already made and accepted. So I will be voting 'no.'

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 631 was adopted and S.B. No. 681, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 632 (S.B. No. 682, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 632 was adopted and S.B. No. 682, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 637 (S.B. No. 1153, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 637 was adopted and S.B. No. 1153, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 260:

Senator Chun Oakland moved that S.B. No. 260, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Anderson rose to speak on the measure and said:

"Mr. President, I have some reservations on this particular bill.

"I think when we went into this, some of the concerns that we had is as a business person, if I had thought that I would like to see X employees raised up in the ranks, and I talked to them and sent them to school, at least we could share because they were going to get more benefits. We could share the expense. That's not in the bill.

"It doesn't also say that if the employer pays the whole 100 percent, that that particular employee would have to spend at least one year on the job after going to school and we've paid out those fees.

"So there are reasons that I believe would be a hindrance to a lot of employers that would like to do something. But when we put out a law like this, they don't want to send their people in to training. They would hold back.

"So for those reasons I would hope that the committees would look at it and those are my reservations, Mr. President."

Senator Sakamoto having requested that remarks be inserted into the Journal, his remarks read as follows:

"This bill prohibits employers from withholding training costs from employees. The department of labor testified that this would create an inconsistency with federal policy, that the terms need clarification and that this is unmanageable. We need to back off. We do not need to legislate everything."

The motion was then put by the Chair and carried, S.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 12, S.D. 1:

Senator Chun Oakland moved that S.B. No. 12, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Sakamoto rose in opposition of the measure as follows:

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

"This bill would mandate that unemployment compensation be paid after an offer of binding arbitration. Now, this is collective bargaining. This is not legislative. If our goal here at the legislature is to provide a mechanism that we can create jobs, pushing employers around, attempting to impose this burden of binding arbitration on top of collective bargaining, imposing this burden of paying unemployment compensation on top of currently existing mediation efforts that are currently in the process accepted procedure, this is really going too far.

"So I'll vote 'no' and I urge the Legislature to keep out of this arena. Thank you."

Senator Slom also rose in opposition to the measure and said:

"Mr. President, I'll be voting 'no' also on the measure.

"I think the whole purpose of arbitration is that it's an agreement between two parties. And what we're doing is once again having the Legislature get involved and in between these parties. The idea that we want to try to pursue is to have people reach agreements to create a better economy and to increase jobs. This bill will not do that. I will be voting 'no.'

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure as follows:

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

"Mr. President, this bill will create a level playing field between the employers and the employees. It encourages the employers and employees to take up our war cry of collaboration and arbitration. This bill will provide the collaboration and arbitration without budgetary constraints.

"Therefore, I ask my colleagues to vote 'aye' on this bill to create a level playing field. Thank you."

The motion was then put by the Chair and carried, S.B. No. 12, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYMENT SECURITY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, Ige, D., Sakamoto, Slom).

S.B. No. 691, S.D. 1:

Senator Chun Oakland moved that S.B. No. 691, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Slom rose in opposition to the measure and said:

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

"The bill allows any person having an expressed interest in workers' compensation to request a statement of attorney fees and costs paid by the employer or insurance company. It also provides for a fine of up to \$10,000 for failure to comply. I don't see how this is either going to improve employment relations, workers' compensation, or lower the cost. Even if a person finds out or discovers what the fees are, there's nothing to do other than to fine somebody for not making the information available. In no way does it improve workers' compensation.

"I'll be voting against the bill, Mr. President. Thank you."

Senator Sakamoto having requested his remarks be inserted into the Journal, it reads as follows:

"Requiring a statement of attorney fees and costs upon written request by the party of interest would only serve to drive costs up. This will not save money for anyone. The injured worker will not benefit. The employer will not benefit. The Department of Labor says that this would be difficult to enforce and the intent is unclear."

The motion was then put by the Chair and carried, S.B. No. 691, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION FEES AND COSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1242, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 1242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 26:

Senator Aki moved that S.B. No. 26, having been read throughout, pass Third Reading, seconded by Senator Tam.

Senator Kawamoto rose in support of the bill and said:

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

"Mr. President, two years ago the Department of Education and the Board of Education adopted a student code of conduct. This bill ties the parents and the guardians to this code. Therefore, I urge my colleagues to vote 'aye' on this bill. Thank you."

The motion was then put by the Chair and carried, S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Chumbley, Ige, D.). Excused, 1 (Ige, M.).

Stand. Com. Rep. No. 652 (S.B. No. 263, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 652 be adopted and S.B. No. 263, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"We keep overloading our prepaid health care act with additional mandates, required additional benefits. These all generate costs. Since small businesses provide between 90 and 100 percent of the total cost of all employer programs, we're adding to the cost. And I think Senator Solomon had brought up earlier that we're one of the few states, we are the only state in the Union that has a prepaid health care act. So I will oppose this bill, Mr. President.

"Thank you."

Senator D. Ige rose to support the bill and said:

"Mr. President, just some brief remarks in support of the measure.

"Testimony by the primary largest health care providers in the state was that the measure, as drafted, would not incur any additional costs on behalf of the business community. The way it's drafted, it just requires that any prepaid health provider who offers prescription health services also offer a choice of three oral contraceptives, that they get to choose, to their members. So, we're pretty certain that this measure, as drafted, would not increase cost for the businesses in this community.

"In addition, we do have a sunrise evaluation of extending to more expansive contraceptive services as proposed in the original draft of this bill.

"Thank you."

Senator Sakamoto having requested that remarks be inserted into the Journal, his remarks read as follows:

"The mandating of coverage, in this case for oral contraceptives, can only increase costs. President Clinton has just started a push for abstinence. The bill states that a policy 'shall cease to exclude contraceptive services for the enrollee or any dependent of the enrollee.' I have concerns about dispensing of contraceptives to children and teenagers who are not married."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 652 was adopted and S.B. No. 263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1939, S.D. 1:

Senator Baker moved that S.B. No. 1939, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

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

"While I think that all of us should be watching less television, unless of course it features legislators, we've heard a great deal that some of the members, unfortunately, Mr. President, because of their low salaries, cannot afford modern televisions with a complete band width. I think that we're already subsidizing access channels. We're already forcing that on the cable networks and now to tell the cable networks where they have to place the channels because it may be burdensome to look past your MTV to find some of the programs you want is not warranted.

"In addition to that, the cable operators did testify before the Commerce and Consumer Protection Committee that they have a policy and they will make it even clearer that any individual that does not have the technical capabilities will be furnished a

free converter box so that they can get the channels, whether they are on Channel 40 or 50 or 60.

"So I rise against this. I think it is unnecessary further government encouraging into private business.

"Thank you, Mr. President."

Senator Sakamoto added his remarks as follows:

"We should not be mandating businesses to comply with 1983 technology. We should ask that resources be applied for today and for tomorrow."

The motion was then put by the Chair and carried, S.B. No. 1939, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Iwase, Slom).

S.B. No. 1622, S.D. 1:

By unanimous consent, S.B. No. 1622, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," was recommitted to the Committee on Transportation and Intergovernmental Affairs.

At this time, Senator Sakamoto remarked on the action taken on S.B. No. 1622, S.D. 1, as follows:

"Mr. President, for this particular bill the House vehicle has crossed to the Senate, and there are also concerns about how we can clarify or clear up some of the problems presented. So we wish to recommit this bill."

Stand. Com. Rep. No. 663 (S.B. No. 527, S.D. 2):

On motion by Senator Tanaka, seconded by Senator Fernandes Salling and carried, Stand. Com. Rep. No. 663 was adopted and S.B. No. 527, S.D. 2, 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, 23. Noes, 1 (Iwase). Excused, 1 (Metcalf).

S.B. No. 1599, S.D. 1:

Senator Tanaka moved that S.B. No. 1599, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure and said:

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

"I think while the intention of the bill is good and some people may have had a clear understanding, testimony brought out that one of the problems of the bill is that we have so many people that like to fish, try to fish, and actually use that fish either to sell it themselves, privately, or they use it in a bartering situation, particularly true in the neighbor islands. And what this bill would do if we adhere to the strict letter of the law, is to require that they become commercially licensed fishermen.

"So I think that the bill goes further than the sponsors intended and so I'll be voting 'no' against this bill. Thank you, Mr. President."

Senator Anderson then said:

"Mr. President, I just wanted to say that I do agree with the former speaker."

The Chair interjected:

"Are you voting against the bill?"

Senator Anderson replied:

"I will go with reservations on this and I would hope that we would clarify it. And my reservations, I would like down in the book and that's why I stand on these particular measures.

"Thank you very much, Mr. President."

Senator Sakamoto having requested his remarks be inserted into the Journal, it reads as follows:

"Requiring licensing and reports won't help catch more fish or put more food in anyone's mouth. We need less paperwork and less regulation."

The motion was then put by the Chair and carried, S.B. No. 1599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Kawamoto, Slom, Solomon, Tanaka). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 666 (S.B. No. 633, S.D. 2):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 666 was adopted and S.B. No. 633, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 668 (S.B. No. 1598, S.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 668 was adopted and S.B. No. 1598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1665, S.D. 1:

Senator Iwase moved that S.B. No. 1665, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Solomon.

Senator Kanno then rose and said:

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

The motion was then put by the Chair and carried, S.B. No. 1665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 490, S.D. 1:

Senator Levin moved that S.B. No. 490, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Metcalf.

Senator Anderson noted his conflict of interest as follows:

"Mr. President, I'd like to have it noted that there's a conflict of interest. I do sell herbicides."

The Chair ruled that Senator Anderson was not in conflict.

Senator Anderson continued:

"Then with your permission I will speak against this, primarily because I think that we should all be educated in what the chemical companies are doing. They are USDA approved. They're biodegradable. They've changed everything and our streets are beginning to look terrible, and some of our parks, because we're not doing what we're supposed to do. And all they have to do is read the label and find out from whatever company they're buying from exactly what this herbicide will do -- if there's any danger to our drinking water or any other thing, and they can act accordingly.

"But I think that we have not only this bill but others, and I made the same comments some years ago in the House that if we don't look and talk to the people that are in the industry, we will continuously pass bills, pass legislation that is a hindrance. It is a burden and it is ruining business and it does not help business.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, S.B. No. 490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

S.B. No. 1113, S.D. 1:

Senator Baker moved that S.B. No. 1113, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chumbley.

Senator Levin rose to speak on the measure as follows:

"Mr. President, I'd like to flag some concerns I have on this bill, although I'll be voting 'aye.'

"I do legal work in this area. I have often been appointed to be a commissioner in judicial foreclosure sales. So I know that the procedure can be an expensive one. And I understand the desire to get into less expensive methods to deal with debts that are not paid. However, the reason that we have, traditionally in Hawaii, had only judicially supervised foreclosure sales, is protection for the consumer. And it's an important protection. It is a guarantee that there will be a gentleman in a black robe who will oversee the process and make sure that the consumer is not cheated, does not lose perhaps the biggest investment that he has made, and his family does not lose the family home.

"I would urge those who will be working on this bill as it works its way through the system to look into that concern. I know that it has already been of concern to the committee members, but it is an issue that is extremely important. The risk is very high and unless it is absolutely necessary that we come up with an alternate procedure, I would urge that we continue to limit ourselves in the State of Hawaii to something that we can be proud of; and that is that there are no non-judicial foreclosures in this jurisdiction.

"Thank you."

Senator Solomon also rose to speak on the measure and said:

"Mr. President, I too would like to note for the record that I will be voting w/r, and I'd like to support the remarks of the

previous speaker. As you know, Mr. President, any time we deal with these matters I always have concerns about how it impacts the rural communities. My concerns are the same as the previous speaker.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, S.B. No. 1113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:18 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:27 o'clock a.m.

S.B. No. 1247, S.D. 1:

By unanimous consent, S.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC BOARDS," was recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

At this time, Senator Baker remarked on the action taken on S.B. No. 1247, S.D. 1, as follows:

"Mr. President, your committee requests that this bill be recommitted. It seems that there were two similar measures referred to two different committees. While your CPI Committee attempted not to step on the jurisdiction of the other committee, we inadvertently did. Therefore, we ask that this bill be recommitted."

S.B. No. 1565, S.D. 1:

Senator Baker moved that S.B. No. 1565, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

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

"I think that we're all concerned about health issues and we certainly want people to have an understanding of what their own health conditions are. We're making tremendous strides, technologically, right now and part of that has to do with DNA and genetic information. I'm afraid, however, that this bill gives too much leeway and too much information to certain providers and certain carriers, particularly large groups. I'm afraid that the information could be used improperly. There could be abuse. There could be a lack of confidentiality. And most importantly, Mr. President, I think there could be a lot of human agony caused by the use of this information.

"Really, this is a 'shibai' bill because it says that it's going to restrict the use of genetic information and what it really does is make it available in large doses to certain providers. So, I'm going to be voting against this bill, Mr. President.

"Thank you."

Senator Anderson also rose in opposition and said:

"Mr. President, I'll be voting 'no' also.

"From what we've been able to get when we went into our caucus and looked at this is that the bill allows life insurance companies, disability insurance companies, LTC companies to discriminate on the basis of genetic information. And that's what bothers me. If these people can utilize this, then it is discriminatory and I believe we've gone a little too far. So I will be voting 'no.'"

The motion was then put by the Chair and carried, S.B. No. 1565, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1954, S.D. 1:

Senator Baker moved that S.B. No. 1954, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose in opposition to the measure and said:

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

"While I think, aesthetically, we would all like to see all of the utilities underground, there are some very real concerns -- one of which is that there is a tremendous cost factor involved here. Secondly, there is little or no scientific basis for the requirement and the mandating of all underground utilities. And thirdly, I think we're opening ourselves up for a great deal of additional litigation. So I'll be voting 'no.'

"Thank you, Mr. President."

Senator Matsunaga rose to speak on the measure and stated:

"Mr. President, I rise in support with reservations on this measure.

"I will be voting 'aye,' Mr. President, and while I certainly believe in the merits of underground utility lines, I just want to make sure that the PUC does not use this measure as an excuse to simply underground the utility lines -- the 138 KV lines -- that are planned for my community, directly through Palolo Valley.

"Thank you."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'll be voting 'no' on this particular measure.

"One of the reasons is that most of the new subdivisions and other areas that go up today, all lines are underground. What we're saying here is that you can get a group of people who are dissatisfied with what they've had and those people who have already paid for all assessments to their particular subdivision are now going to also have the burden because someone else wants their lines underground.

"For this reason, I'm voting 'no' and also because I'm getting older and in Waimanalo we don't have underground. We still have cesspools. I really don't want to be put into a position, at my age, to pay for all of these improvements.

"Thank you."

The motion was then put by the Chair and carried, S.B. No. 1954, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 259, S.D. 1:

Senator Chun Oakland moved that S.B. No. 259, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Slom rose in opposition to the measure and said:

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

"I think that the problem here is that the bill would allow HPERB to certify an exclusive bargaining agent based on the distribution and collection of signed union cards only. There's no provision in here for a secret ballot. I think that is one of the most important parts of our democracy, including labor relations. So, I think that this throws a chill into the whole area of this kind of representation, and I will be voting 'no.'

"Thank you, Mr. President."

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

"I also speak in opposition, Mr. President.

"Yes, it takes away that choice of secret ballot. Why don't we campaign? Why don't we go around the neighborhood and I'll bring a couple of big guys and collect cards.

"We're not going in the right direction if you can have intimidation, coercion and collect cards. Secret balloting is something that really protects the rights for employees.

"I'll vote 'no' and I encourage my colleagues to vote against this backroom type of proposal."

Senator Solomon rose to speak on the measure and stated:

"Mr. President, I, too, will be voting with reservations. And Mr. President, if I may, I would like the chair to yield to some questions."

The Chair posed the question and Senator Kanno having answered in the affirmative, Senator Solomon continued with her question:

"I would like to know, being that I'm not part of the committee, if this does take away the secret balloting process."

Senator Kanno replied:

"Yes, it does. It provides for certification of signature cards from the Hawaii Labor Relations Board, and so, yes it does."

Senator Solomon further questioned:

"Mr. President, if I may continue. And how would that benefit the employee? The reason I ask that, Mr. President, is because I had a difficult situation on my Kohala Coast when the ILWU got into a confrontation with the Teamsters on one of my hotel properties. The confrontation pertained to this issue that we're discussing. I would like to know how this would protect the employees so they can choose a union of their choice. How does this help facilitate that process?"

Senator Kanno answered:

"A previous speaker had indicated concerns about intimidation and coercion and I am aware that through the election process, as well, there are concerns that there are tactics used involved prior to the election, including those of intimidation and coercion. What this bill provides for is that a majority of the affected employees could submit signed cards. Those would be submitted and verified by the Hawaii Labor Relations Board.

"Previously, a concern came up -- what happens if it is indeed the signature of an employee, but they later change their mind. I would think that there would be a process where that individual could contact the Labor Relations Board and indicate that even though an individual previously signed the card,

possibly circumstances may have changed and they would like to rescind their card from consideration for the majority.

"The election process is a very time consuming one. It can be one of intimidation and coercion, not just from organizations, but also from employers. So what we're looking for is a means towards streamlining the process where there is a demonstrated majority of members supporting the organization, that the organization be certified without the time process that's involved with an election."

Senator Solomon then said:

"I would like to thank the chairman for his remarks. Mr. President, however, I would still like to note my w/r and the rationale for that is because, just as the previous speaker mentioned, I have grave concerns about intimidation. I think that was a major factor in the situation that I had experienced in my district when the Teamsters and the ILWU did get into this confrontation. As a matter of fact, Mr. President, there were instances when the Teamsters brought in their own people and they tried to influence the vote. Once the people had voted, they were released from that hotel property and a lot of members who had opted to go with the ILWU were immediately terminated. And so, I'm hoping that whatever process that we approve through the legislative process that we will protect the rights of the employees.

"Thank you, Mr. President."

Senator Anderson rose to speak on the measure and said:

"Mr. President, I am in the committee and I did go with reservations and I still have those same reservations for the same reasons as all three of the former speakers, so I'll just point it out that I'm going to continue with that. Thank you."

Senator Levin rose and said:

"Mr. President, will you please note my reservations as well."

Senator Bunda added:

"Mr. President, would you please have the Clerk cast my vote as 'aye, with reservations.'"

Senator M. Ige also said:

"Mr. President, 'aye, with reservations,' also. Thank you."

The motion was then put by the Chair and carried, S.B. No. 259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT RELATIONS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ige, D., Sakamoto, Slom).

S.B. No. 730, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 734, S.D. 1:

Senator Chun Oakland moved that S.B. No. 734, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"I think part of the problem of the bill is that it limits the definition of what a seaman is, and for purposes of excluding from wage and hour legislation. The bill defines a seaman so excluded as one 'Who is on a foreign, intercoastal, or coastwise voyage;' one 'Who performs work beyond three nautical miles offshore; or Whose wages provided for in a collective bargaining agreement are not less than the minimum wage ...' I think a number of concerns were raised during the committee hearing and a number of changes were made. However, I think there are still significant concerns relating to those people in the ocean recreational industry, particularly those that do go beyond 3 miles. They operate submarines; they operate charter vessels, and so forth. They do not want to have the possibility of their crew or employees being called seamen.

"The committee report attempts to address this but a strict reading of the law does not really support the committee report. So I'm going to be voting 'no' on this bill so there's no misunderstanding.

"Thank you, Mr. President."

Senator Anderson then rose and said:

"Mr. President, I had some reservations on this and I have been trying to get more information from some of the recreational people, and I've talked to some people with the barges. And I do have reservations and I'll continue to try to get more information.

"Thank you."

Senator Sakamoto having requested that remarks be inserted into the Journal, his remarks read as follows:

"This bill seeks to exclude seamen from the Wage and Hour Law exemption to target one company. This attempt to catch one company has put many other businesses and jobs in jeopardy."

The motion was then put by the Chair and carried, S.B. No. 734, 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, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

S.B. No. 736, S.D. 1:

Senator Chun Oakland moved that S.B. No. 736, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the measure and said:

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

"Mr. President, I think this measure is identical to S.B. No. 1057 in its original form, and the Judiciary Committee, after considering the effect and the merit of the original provisions in that bill, S.B. No. 1057, removed much of the language that the Human Resources Committee had left in the measure. I vote 'no' on this measure for the same reasons cited by the Judiciary Committee against the language in the bill and I think that the title, in fact, of this bill may be misleading.

"Thank you, Mr. President."

Senator Chumbley then rose and said:

"Mr. President, please order the Clerk to register my 'aye' vote with reservations on this measure for me. I am concerned about the pre-emption of the federal Arbitration Act and we

will be working with the co-chairs of HRE on this bill. Thank you."

Senator Matsunaga also rose and said:

"Mr. President, please register my 'aye' vote with reservations, also. I'm concerned about federal pre-emption, the possible unconstitutionality of the measure, and also about the fact that this bill goes away from the trend towards statewide arbitration.

"Thank you."

Senator Sakamoto then said:

"Mr. President, arbitration should be encouraged, not prohibited. And the Hawaii Supreme Court upheld the enforceability of mandatory arbitration agreements."

Senator Baker then interjected:

"Mr. President, would you ask the speaker for what purpose he rises."

Senator Sakamoto replied:

"I speak in opposition.

"The Hawaii Supreme Court upheld the enforceability of mandatory arbitration agreements, including those in employment applications in July 1996. And yes, as the previous speaker mentioned, the trend toward arbitration/mediation away from litigation makes sense. So, I'll vote 'no' and I'd like to encourage quick resolution of employee/employer disputes.

"Thank you."

The motion was then put by the Chair and carried, S.B. No. 736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Sakamoto, Slom). Excused, 1 (Metcalfe).

S.B. No. 1652, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Fernandes Salling and carried, S.B. No. 1652, 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 (Metcalfe).

S.B. No. 328, S.D. 1:

Senator Chumbley moved that S.B. No. 328, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure and said:

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

"I think that while we're all concerned about safety and we're concerned about growing violence and incidents of terrorism, I think we have to be very careful and a bill like this, I think, presents a problem for us. The measure will result in punishment, I think, far in excess of the crime committed.

"I think most of us saw the news just the other day over the weekend where a 14-year-old boy was injured -- fortunately, not seriously -- because he constructed an explosive device in the garage of his family's home. The parents, by all accounts,

had no indication or knowledge of what the 14-year-old was doing. If this bill becomes law, it will extend the broad police powers of confiscation and in such a case it would allow the police or other authorities to confiscate the home of this boy.

"We're also, I think, going from areas of extreme terrorism and dangerous devices down into devices that do cause harm and injury. But I think, again, as I said at the outset, I think that the punishment far exceeds the problems of the crime. So I'll be voting 'no,' Mr. President. Thank you."

Senator Matsunaga rose in support of the measure and stated:

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

"Mr. President, I just want to clarify that the current forfeiture law includes provisions to protect the public from excess forfeiture by allowing the court to limit the scope of the forfeiture. This bill does not amend that provision of the law. It simply extends the offenses for which property can be confiscated under the forfeiture law. Current law includes murder, kidnapping, gambling, and this bill extends it to explosive devices and other automatic firearms possession, which are already felonies under the law.

"Thank you."

Senator Slom then rose and said:

"Mr. President, would the co-chair yield to a question?"

Senator Matsunaga having answered in the affirmative, Senator Slom asked:

"With the definition that you just gave, would not an explosive device fall into the situation that I just described and which was widely reported in the news?"

Senator Matsunaga replied:

"Yes, an explosive device would fall within the definition. The intent is to go after the crystal methamphetamine labs, where it's a really big threat to the community."

Senator Slom continued to question:

"But the way the law is written, because that would be the situation, the parents' home, in fact, could be subject to confiscation?"

Senator Matsunaga answered:

"It's possible if that explosive device would fall within the definition of 134-8."

Senator Slom then said:

"Thank you, Mr. Chairman."

Senator Anderson rose in opposition and said:

"Mr. President, I'll be going no. I think the explanation from the chairman puts it where it goes a little further than we intended. Thank you."

The motion was then put by the Chair and carried, S.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Metcalfe).

Stand. Com. Rep. No. 701 (S.B. No. 1197, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 701 was adopted

and S.B. No. 1197, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Fernandes Salling). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 702 (S.B. No. 364, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 702 was adopted and S.B. No. 364, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kanno). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 704 (S.B. No. 1546, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 704 was adopted and S.B. No. 1546, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1750:

Senator Chumbley moved that S.B. No. 1750, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson, rising in opposition to the measure, then said:

"Mr. President, I'll be going 'no' on this. First, I think it's political. Secondly, I believe that anyone that is opposed to any types of amendments that the people ask for, or when the governor, himself, when there is a referendum because the advisory type that we could be using, is saying weeks ahead of time that he would veto it and then turns around and wants an amendment to the constitution, I believe that's using the thing both ways.

"We have constitutional amendments that we've wanted, very clear, specific, the way the community wants, they don't want that. But anything as political as this, just moving people around and putting them in the governor's office, I don't think that's fair and equitable. So I'll be voting 'no.' Thank you."

Senator Solomon then said:

"Would one of the chairs of the Judiciary Committee yield to a question, Mr. President?"

Senator Chumbley answered:

"Yes, go ahead please."

Senator Solomon questioned:

"Does this bill have any kind of impact on the Senate's confirmation prerogatives in terms of the separation of powers issue?"

Senator Chumbley replied:

"No, we felt that it didn't have any impact on the confirmation process. Thank you."

Senator Solomon then said:

"Mr. President, if I may further ask the chairman. (Chair: Please proceed.) Excuse me, I don't know if I heard you correctly, but does it have any impact in terms of the separation of powers between the Legislature and the executive branch if these boards and commissions are placed in the Office of the Governor?"

Senator Chumbley responded:

"No, we feel it's no violation."

Senator Solomon continued to question:

"And why is that, may I ask?"

Senator Chumbley answered:

"This simply allows, for example, that the Office of Aging could be placed under the executive branch, and other such special projects that the governor may want to take on."

Senator Solomon then asked:

"And how expansive are these projects? I mean, was the committee given any kind of indication as to how expansive these projects may be, whether or not it would impinge upon the jurisdiction of the Legislature?"

Senator Chumbley answered:

"No, we don't feel that it would impinge upon the jurisdiction of the Legislature because the scope of the activities of some of these special projects that would be placed under the governor's office would have oversight purview by us in the legislative branch."

Senator Solomon then said:

"I see. With those remarks, Mr. President, may I ask for a short recess."

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

Senator Solomon rose and said:

"Mr. President, thank you very much for the recess. I have been advised by the Chair that we the Legislature will be the gatekeeper. That is my main concern, Mr. President. And I would just like confirmation from the chairman. Thank you."

Senator Chumbley responded:

"Yes, Senator, that is the case. The Legislature will be the gatekeeper for these various commissions within the Office of the Governor."

The motion was then put by the Chair and carried, S.B. No. 1750, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO ALLOW FOR THE PLACEMENT OF EXECUTIVE BRANCH BOARDS AND COMMISSIONS WITHIN THE OFFICE OF THE GOVERNOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Aki).

S.B. No. 1860:

Senator Chumbley moved that, S.B. No. 1860, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Sakamoto having requested that his remarks be inserted into the Journal, it reads as follows:

"This bill would limit membership on a board or commission to two four year terms or eight years. There are some areas of specialization where there is a limited amount of qualified persons who are willing and able to serve. We should always want the best qualified individuals to serve."

The motion was then put by the Chair and carried, S.B. No. 1860, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Iwase, Solomon). Excused, 1 (Aki).

Stand. Com. Rep. No. 711 (S.B. No. 1057, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 711 and S.B. No. 1057, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was recommitted to the Committee on Judiciary.

At this time, Senator Chumbley remarked on the action taken on S.B. No. 1057, S.D. 2, as follows:

"Mr. President, your Committee on Judiciary recommends that this bill be recommitted. Members, we have already discussed and debated S.B. No. 736, which is almost identical to this measure."

Stand. Com. Rep. No. 716 (S.B. No. 1466, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 716 be adopted and S.B. No. 1466, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure and said:

"Mr. President, I rise to speak against the bill.

"A number of years ago, the Legislature agreed and the people supported the idea of any excess tax revenues to be returned to the taxpayers from which they came. I know it seems a little difficult right now, because of our present political situation and economic crisis, talking about excess funds, but, Mr. President, we're all trying to work to create a better environment and better economy and, therefore, this bill which would remove and repeal the return of taxpayer funds to the taxpayers is ill-advised. If we truly are in the belief that we can make Hawaii a better place to work, then we must keep this provision here. So I am asking my colleagues to vote 'no.'

"Thank you, Mr. President."

Senator Solomon rose and said:

"Mr. President, I will be voting for the measure. However, I would like to pose a question to either chair of the Committee on Judiciary."

The President then said:

"This issue was discussed in caucus but I will allow you to ask a question."

Senator Solomon continued:

"I just wanted to ask a very simple question, Mr. President. The budget stabilization rainy day fund, is that the same fund that was recommended by the Tax Review Commission in their report?"

Senator Chumbley replied:

"Yes, Mr. President, that budget stabilization fund is under another measure -- S.B. No. 941, S.D. 1, SSCR 722."

Senator Solomon then stated:

"Well, Mr. President, for the record, in the report of the 1995-1997 Tax Review Commission it does mention and recommend to the Legislature to consider establishing a stabilization fund. And also for the record, Mr. President, I would like to remind you that you have always been a very strong supporter of the rainy day fund and I remember when you yourself came up with the recommendation to help us deal with our human services program.

"So with that, Mr. President, I'm urging my colleagues to vote in the affirmative. Thank you."

Senator Anderson rose to speak against the bill and said:

"For the same reasons as Senator Slom, I will be voting 'no.' I was excused on the committee report and I didn't really get the chance to express myself because I normally vote with reservations or if I'm in another committee I can't make both, so it's either that I don't blanket something or if I'm excused I'll look at it after. So I do have the same concerns. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 716 was adopted and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson, Slom). Excused, 1 (Aki).

S.B. No. 1098, S.D. 1:

Senator Chumbley moved that S.B. No. 1098, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Kanno then said:

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

The motion was then put by the Chair and carried, S.B. No. 1098, 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 (Aki).

S.B. No. 1125, S.D. 1:

By unanimous consent, action on S.B. No. 1125, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 722 (S.B. No. 941, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 722 be adopted and S.B. No. 941, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak against the measure and said:

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

"Mr. President, just a few moments ago we took away any refund or return of taxpayer funds. Now we're supporting the idea of a slush, excuse me, a rainy day fund to put even more taxes, take more take-home pay away from our overburdened taxpayers here. It's interesting that we're very, very selective in

what we try to pick from the Tax Review Commission report. So I urge my colleagues to vote 'no' on this bill.

"Thank you, Mr. President."

Senator Anderson spoke against the measure as follows:

"Mr. President, I'll be voting 'no' for several reasons.

"First, exactly what the former speaker said. Actually, we should have had this some years back when we had a lot of money. In fact, when we brought it up on the floor and asked for it, everybody said you're out of your mind. We spent it as fast as we could make it. Now we want to have a stabilization fund. So I vote against it for that reason. I don't think it's something that we need it at this time. I vote against it because it is against the constitution or to put another constitutional amendment when we're not looking at the people, and it's the same thing. I look at it because it's the wrong time to do anything, except to try to move our state forward.

"Thank you very much."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 722 was adopted and S.B. No. 941, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, TO ESTABLISH A BUDGET STABILIZATION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 744 (S.B. No. 1597, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 744 was adopted and S.B. No. 1597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 747 (S.B. No. 209):

Senator Chumbley moved that Stand. Com. Rep. No. 747 be adopted and S.B. No. 209, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the measure and said:

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

"Current law provides for the Tax Review Commission to be appointed every five years. We've had some good reports from the Tax Review Commission. Unfortunately, the reports, like so many of our studies, have not been implemented. To push this back, to make it ten years, I think, separates our fact from the point that we are over-taxed and we should look at these reports. But more importantly than looking at them, we should implement them and have full disclosure. So I'll be voting against this measure, Mr. President. Thank you."

Senator M. Ige also rose in opposition to the measure and said:

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

"Mr. President, S.B. No. 209 amends the constitution to have the Tax Review Commission meet every ten years, instead of five. As you know, recommendations were recently made by the 1995-97 Tax Review Commission. In that report, the commission members wrote and I quote: 'The Commission members hope that the work reflected in this report will provide

direction for the development of long term tax policy plan which will allow all of the taxpayers of Hawaii to be treated equally and fairly while encouraging economic growth.'

"In its recommendations and analysis section, let me share what I believe to be the most important words of this entire report, and I quote: 'The tax burden on Hawaii residents is high. The Commission believes that only if government spending is reduced, can Hawaii effectively reduce its taxes so as to provide real equity for Hawaii's taxpayers.'

"Mr. President, is their recommendation of reducing government spending so challenging that we need to hear it every ten years instead of five? Is their recommendation so frightening that we need to sweep it under the rug, hoping in ten years the economic times will be so good that we may be able to forget their warning? I guess, Mr. President, it's like looking into the mirror. Do we not like what we see? Are we concerned that of the \$3.1 billion operating budget, employees' salaries, health benefits, retirement benefits, workers' compensation, and unemployment insurance for state employees are now slightly more than 55 percent. Or put it another way, that one-half of the budget pie goes to fund employee costs.

"With revenues down and health care costs up and rising, when will employee costs take up the whole pie -- in five years, in seven years? Mr. President, just as an aside, for this biennium the Department of Education is requesting 903 positions; the Department of Public Safety, 281; the Department of Land and Natural Resources, 65 -- 1,186 positions for just three departments.

"Mr. President, let us have the courage to take the Tax Review Commission's recommendations to heart. Let us reduce government spending now, and let us look forward to their message again in five years, hoping that this time this message will be filled with optimism and enthusiasm for the future.

"Mr. President, I ask you and my colleagues to accept this message in the same spirit that it was given to us by the commission, and I quote: 'with a shared concern for the future of our state.'

"Thank you."

Senator Fukunaga rose in support of the measure as follows:

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

"Your Committee on Ways and Means did, in fact, hold a number of hearings and discussions with the Tax Review Commission and noted that during the time the current Tax Review Commission conducted its deliberations, it had a very small operating budget. So it based many of its recommendations on work that had been put forth by the Tax Review Commission convened during the 1990-1991 time period.

"Your Committee on Ways and Means has adopted a number of the recommendations of the Tax Review Commission in the form of various tax measures that will be coming up later on the agenda. While we have not been able to implement these measures in quite as bold and sweeping a form as the Tax Review Commission recommended, your committee has undertaken its first steps toward implementing some of the Tax Review Commission's recommendations. In light of the times in which we find ourselves, we believe that we have acted prudently and we urge all members to vote in support. Thank you."

Senator Anderson rose to speak against the bill and stated:

"I'll be voting 'no,' Mr. President.

"I'm not sure of the former speaker. I think Senator M. Ige pointed out the cost factors. I think he pointed out direction. I think he pointed out all kinds of problems by extending the tax review from five years to ten years. It has nothing to do with what we're not doing or can't do or can't afford to do or shortsightedness. It's that we're going to even extend this further when we need a report sooner. For that reason I will be voting 'no,' Mr. President. Thank you very much."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 747 was adopted and S.B. No. 209, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka).

Stand. Com. Rep. No. 749 (S.B. No. 1239, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 749 be adopted and S.B. No. 1239, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose in to speak against the measure and said:

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

"Well, Mr. President, you know, we've talked about civil rights, extending civil rights for years and years, and the pleas of small business people that have been set upon by the Civil Rights Commission have gone unheeded. And now, Mr. President, I have this bill in front of me that would exempt labor organizations from the jurisdiction of the Civil Rights Commission? Excuse me, Mr. President, but I think that if it's good enough for small businesses and other employers and we're concerned about people in the state, it should be good enough for labor organizations also. I do not think that an exemption is warranted and I speak against this bill.

"Thank you, Mr. President."

Senator Sakamoto added his remarks as follows:

"This bill exempts actions of labor organizations from being regulated by the civil rights commission. If that is the case the employers or management side of the equation should be exempt from being regulated by the civil rights commission for any actions related to union matters as well."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 749 was adopted and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 750 (S.B. No. 5, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 750 be adopted and S.B. No. 5, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Kanno then rose and said:

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

Senator Matsunaga requested a ruling from the Chair as follows:

"Mr. President, I'd like to request a conflict ruling. My law firm represents a landowner upon which there is a motorsports facility."

The Chair ruled that Senator Matsunaga was not in conflict.

Senator Chun Oakland also requested a ruling from the Chair and said:

"Mr. President, I may have a conflict of interest. My father-in-law is involved in motorsports."

The Chair ruled that Senator Chun Oakland was not in conflict.

Senator Anderson rose in support of the measure and said:

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

"Let me explain. The title of the bill, Mr. President, it says, 'A Bill for an Act Relating to Motorsports Insurance.' We've had lots of problems in ocean sports and waiver is one of the things that regardless of how you spell it out, we seem to be in trouble. If this particular bill had only a sports insurance, then I would hope that we would amend it and put all the others under it because it really bothers me that canoeing and boating and others are not in this particular bill. And I believe that if there was a way, I would be for it. I am in favor of the bill and I know we can't amend it for the others, but at least we can think about the others.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 750 was adopted and S.B. No. 5, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 751 (S.B. No. 631, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 751 be adopted and S.B. No. 631, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Tam rose in opposition to the measure as follows:

"Mr. President. I rise to speak against S.B. No. 631, S.D. 1, A Bill Relating To Fireworks.

"This bill allows the counties to enact laws and adopt rules that provide for more stringent regulation of fireworks than those provided under state law.

"I oppose this bill on behalf of the various ethnic groups living in the State of Hawaii, especially on behalf of the Chinese community, for the following reasons:

1. The bill gives no specific language to exempt the use of fireworks for cultural and religious purposes and celebrations, except for the Chinese New Year, under the current law. In fact, the current restriction of specific time to burn fireworks interferes with the intent of Chinese New Year. The appropriate time to burn fireworks for Chinese New Year is before the first meal of the day, which is breakfast, not 9 p.m. Chinese New Year's Eve to 1:00 a.m. Chinese New Year's Day. In other words, the current law is out of practice. Thus the reason why the Chinese in Hawaii burn fireworks Chinese New Year's Day morning and not strictly according to the current law. It is the responsibility of the legislature to set a statewide standard of regulation in

the use of fireworks for cultural and religious purposes and celebrations and not to leave it to the discretion of the individual counties.

2. Any legislation on the further stringent restrictions of fireworks should be delayed until we study the cultural and religious uses of fireworks throughout the whole State of Hawaii. I will introduce a resolution to study the cultural and religious practices in the use of fireworks in the State of Hawaii by the ethnic communities, especially by the Chinese community.
3. At the monthly meeting of the United Chinese Society's trustees meeting last night, the trustees expressed opposition, overwhelmingly. For the record, the United Chinese Society is a statewide non-profit umbrella organization for over 100 individual Chinese societies throughout the State of Hawaii.

"In closing, I wish to thank the co-chairmen of the Judiciary Committee for their sincere attempt to address the use of fireworks for cultural purposes and celebrations in the committee report. Unfortunately, HRS Sections 132D-7 and 132D-10 do not adequately address cultural and religious practices and purposes and celebrations in the use of fireworks. For example, within the Chinese community, we also recognize 'Temple Worship Day,' which is not mentioned in the statutes at this time."

"Thank you."

Senator Chumbley rose in support of the measure and said:

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

"I applaud the remarks of the previous speaker and want to assure my colleagues that it is not the intention of this committee to in any way restrict cultural and other religious activities from having access to fireworks. As the previous speaker had mentioned, Sections 132D-7 and 132D-10 do allow for the application of a permit for the setting off of fireworks outside of this proposed law. We have heard the concerns of our fellow colleague and will be sure that in the discussion as this bill goes forward, that we create some language to protect cultural use of fireworks.

"However, your committee is concerned that in the last holiday season, the State of Hawaii became a dumping ground for fireworks and constituents across the state, not only in my district but I think in everyone's district, complained excessively about the huge volume of fireworks that were brought in and the disregard and lack of enforcement by police on those individuals who abused and violated the existing law. So, we are attempting to allow counties to have an opportunity to deal with this issue as they see fit. This is a good home rule issue, and we believe the counties should have some say over this issue.

"Thank you, Mr. President."

Senator Solomon rose to speak against the measure and said:

"I will be voting 'no,' Mr. President, and I would like to extend my appreciation for the remarks made by the Senator who does represent a large Chinese constituency.

"However, Mr. President, the reason for my voting 'no,' is I believe this is a county kuliaana. I want to applaud the Judiciary Committee to allow the counties to enact ordinances, but I really believe the state should be out of this business. We shouldn't even be dealing with this issue. The counties should make those decisions and whatever they see fit, however they see fit, in terms of regulations, the sales, when you can use the fireworks. To me that this is a home rule issue and it should belong to the counties.

"Thank you, Mr. President."

Senator Anderson rose in opposition to the measure and stated:

"Mr. President, I'll be voting 'no' on this particular measure.

"But more importantly, the Senator did say that we've turned out to be a dumping ground for fireworks, and that's very true. That's because the year before a lot of the big establishments didn't bring in enough fireworks and this year they were bringing them in by container loads, and that was the Wal-Marts, the Daieis, the Longs and the rest of them. When we were in the hearings, they wanted to raise fees and do other things and I was worried about the small business person that follows the letter of the law and if they're going to raise the fees, where the heck are they going to be?"

"But most importantly, the police department and others were concerned about fireworks that were going to be sent out interisland by planes. That really bothered them. And that's why they were opposed to this particular bill. They thought that the bills the way they are right now or the law the way it was provided a lot more safety. For that reason I will be voting 'no,' Mr. President."

Senator Bunda then rose and said:

"Mr. President, could I register an 'aye' vote with reservations."

Senator M. Ige also rose and said:

"I vote 'aye' with reservations."

Senator Sakamoto added his remarks as follows:

"Limitations to fireworks need to allow for culture practices. These need to be allowed irrespective of the specific times and locations spelled out in the bill."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 751 was adopted and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Aki, Anderson, Iwase, Slom, Solomon, Tam, Tanaka).

Stand. Com. Rep. No. 753 (S.B. No. 870, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 753 be adopted and S.B. No. 870, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Levin rose to speak on the measure as follows:

"Mr. President, I wanted to express my concerns with this bill, although I will be voting 'aye.'

"It is with mixed emotions that I speak on this bill. It is a difficult issue. As chair of the Health Committee, I certainly understand the risks involved in riding in the back of pickup trucks. But we also need to recognize that there are communities in this state, and I represent at least a couple of them, in which pickup trucks are the only transportation available and there are families that need to travel to various places -- whether it be the grocery store, the doctor or the beach. There are teens that require transportation. There are various reasons why pickup trucks are used as transportation for multiple people and multiple people ride in the backs of those pickup trucks.

"I don't know how to deal with that. I think that we need to recognize that there are not alternatives, and therefore I think

we have to be very cautious in terms of how we impose restrictions. At one time I know there was consideration of having a county option, and I think that might be appropriate.

"I also recognize that the committees have worked hard on this and have come up with other provisions with respect to speed limits, so that sitting in the back of pickup trucks would be allowed on some roads. And that is helpful, but it is not going to take care of many other problems in much of my district. And that is why I am concerned. Thank you."

Senator Anderson also rose to speak on the measure and stated:

"Mr. President, I'll be for the bill but I have some reservations, a reservation I should say.

"I want to thank both chairmen. They worked very, very hard and diligently on this with everybody from the community. However, the young lady that passed on was from my district. I happen to know that the speed limit posted -- 25 miles an hour -- had nothing to do with that particular thing. To say 45 miles an hour in the bill, I don't think that's what's going to do it. We're either going to take care of the businesses as we have, take care of everybody else, but to say that it's okay in areas 45 miles or more, that kind of bothers me. I think if we're going to restrict anything, we should leave the mileage out.

"Thank you very much."

Senator Solomon rose in opposition to the measure as follows:

"Mr. President, I will be voting 'no' on this bill and I would like to reiterate the remarks of my colleague from the Big Island. I, too, represent a huge constituency whose primary vehicle is a pickup.

"I want to thank the committee for its deliberations on this very difficult matter, but I feel very strongly that this is best dealt with at the county level. I feel that we could do what we did when we had the controversy on the extension of the runways for the airports where we made it a county option to make the determinations. And my thinking is that in this way it provides the constituencies in the various counties to come up with creative solutions on how to best solve this problem.

"I get very *kanalua* when we are now forcing, with legislation such as this, Mr. President, that if it does pass we're going to be forcing people to violate the law because in my district that's their only option. Most of the roads on the Big Island, especially those roads that one must traverse to get to the city centers such as Hilo or to get to Kona, have speed limits of greater than 45 miles.

"So with that, Mr. President, I would like to urge my colleagues to consider our special circumstances on the neighbor islands and to ask them to reconsider their position and to vote 'no.' Thank you."

Senator Baker spoke in favor of the measure and said:

"Mr. President, I rise to speak in support of this measure with some very serious reservations.

"Mr. President, I first would like to thank the committee chairs for attempting to limit this measure so that it wouldn't impact rural areas like much of my district. But, like the two Senators from the Big Island who spoke previously, I share some of their concerns. I certainly have lots of constituents for whom the only mode of transportation is a pickup truck. They have no other alternative because there is no public transportation in most of my district.

"To suggest that they must now either find another means of transportation, get another vehicle, borrow another vehicle, or just simply stop transporting their family members to work or recreation, I think, is simply asking too much.

"I acknowledge that safety is a concern, but where does the driver's or parents' responsibility come in? Isn't there some individual responsibility for one's actions in operating a motor vehicle? We cannot legislate every interaction in society and, perhaps, this is one.

"So as this measure goes forward, I would just ask those who will be considering the language in the House vehicle and subsequently conference, to consider that there are simply some situations that we have to ask families to be very careful about how they use motor vehicles, but not to make it impossible to use the only means of transportation they may have. Please be mindful that in much of our rural areas there are no alternatives.

"Thank you."

Senator Iwase rose to speak on the measure and stated:

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

"I commend the chairs of the Judiciary Committee. I know this is a very difficult problem. When I was on the City Council 11 years ago, this issue was around. I also am very familiar with the arguments of those who live in rural communities. One of the privileges of representing the First Council District is that you represent a microcosm of Oahu -- the suburban communities and, of course, the rural communities of the North Shore.

"The concerns raised by those who are from the neighbor islands have a lot of validity. On the other hand, there is the issue of safety. One of my then colleagues on the City Council had a family member killed when a pickup truck overturned on the H-1 freeway near Waialae. And I know that she went through a lot of difficult times.

"So, I hope we continue to address this issue. I, again, commend the chairs of the Judiciary Committee. It is a continuing effort. It's another step and I hope that there will be further discussions so that we can bring some fair resolution to this question.

"Thank you, Mr. President."

Senator Slom added his remarks as follows:

"Mr. President, I rise to add my strong reservations to the bill also.

"I think that while we're talking about health and safety matters and trying to balance those with economic matters, again, if we would do more to lower the taxes and to improve take-home pay for people, we'd allow them to have more choices and more opportunities here.

"In addition to that, one size, one speed limit, does not fit all, and I think the Senator from the Big Island is correct that we should be moving in the direction towards home rule and more county options.

"Thank you, Mr. President."

Senator Chumbley rose to support the measure as follows.

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

"Mr. President, of all the issues that I've dealt with in the Judiciary Committee so far, this is one, I think, that I really had to dig deep into my own personal heart about. I, too, represent a rural district. I have more of a rural area than almost every

colleague here, and this will have a definite impact on my constituents. However, when you sit in a hearing and you hear story, after story, after story, about irresponsible parents who take no action to protect their children, I think it's incumbent upon us to do something to protect the lives of those young children.

"Now, I've heard the concerns of my colleagues about the 45 mile an hour speed limit. I've heard the concerns about many of our constituents only having one vehicle. There was a doctor who testified from the Big Island who made reference to the situation that on a sunny day you see a lot of individuals riding in the back of pickup trucks on that island. On a rainy day you see no one riding in the back of those pickup trucks. So either they stay home during the rainy days or else they have an alternative means of transportation. We have one of the highest per capita of cars per family in the nation, so I don't buy into the excuse that it is their only means of transportation. Yes, it will have an impact on some individuals, but that's not a solid enough excuse not to explore this.

"I am committing to my colleagues that we will continue to search for the balance and search for the fairness as we move forward on this issue. It is a very, very difficult one, but it is an important issue, and one that I believe the Legislature needs to take some action on. Thank you."

Senator Kawamoto also rose to support the measure and said:

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

"We've heard the many concerns that were expressed from the neighbor islands -- people who live in the country, people who have only one car. I bring along an experience of 20 years in the military, in the flying gang, where we did not compromise on safety. You cannot be half pregnant as far as safety is concerned.

"We will look at these questions, these concerns and will address them in conference, but again, ladies and gentlemen and colleagues, we need to look at the item of safety. Thank you very much."

Senator Fernandes Salling rose to speak on the measure and said:

"Mr. President, I rise to speak in favor of this bill with reservations for those expressed by my colleagues from the Big Island and Molokai and Maui.

"I would just like to pose some questions for further consideration when this bill moves forward to the House, to the chairs handling this measure, and that is: How do we address the situation of workers, laborers, that are still being transported by trucks -- open-bed trucks -- to and from their areas of work. And we see this not only on the neighbor islands with respect to sugar cane laborers, but also contractors. This is a cheap way to transport them ... and also the counties. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 753 was adopted and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Bunda, Solomon, Tanaka).

S.B. No. 1746, S.D. 1:

Senator Chumbley moved that S.B. No. 1746, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Kawamoto rose in opposition to the measure as follows:

"Mr. President, I rise to speak against the bill.

"Mr. President, I'd like to commend the committee for looking at the youthful offenders and dropping the youth age from 16 to 14. The concern I have with this bill is that it allows the discretion of the courts to waive these youth offenders to the adult court. Many of us in the different communities have experienced where the court did not waive this youthful offender and that person either got out of juvenile detention and killed again, and again created a situation that was uncomfortable for everyone.

"I discussed this with the Judiciary co-chairs and one of them indicated that it would be a cruelty for children to automatically waive to adult court. I offer you what cruelty means as far as going to the graveyard everyday and wondering when, or how, or why this child or this juvenile will not live to the fullest. I extend to you the people that go to hospitals to look over or guard over a comatose patient for the rest of their lives. These are cruelties to the victims and their families. Again, I ask the Judiciary chairs to look again when they go to conference, if they do go to conference, look at this situation.

"I also would like to add that the Students for Youth Challenge Program also recommended that these youthful offenders, if they are charged as adults, be housed in the Juvenile Detention Center, and at age 18 be transferred over to the adult correctional facilities. Thank you very much."

Senator Matsunaga rose to support the bill as follows:

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

"First, let me thank the Senator from Waipahu for all of his input and valuable information that he's provided to our committee. It's been very, very helpful to us in coming up with what we believe is a very balanced approach to deal with a very, very serious problem in our community and that is juvenile crime.

"A couple of things I'd like to mention to my colleagues are:

1. We do want to make sure it is a balanced approach and we do want to make sure that judges do have the discretion to determine whether or not the youth would benefit from other types of services, such as drug treatment.
2. I know it's very sensational when you read about high profile cases, but please keep in mind that of the 13,000 arrests in 1995 of juveniles, there were only 19 of them for murder or manslaughter; 12 for rape. By and large, the juvenile crime problem deals mainly with property crimes. They're responsible for over 50 percent of our burglaries, of our auto thefts, and of our arson, so that's where our big focus should be.

"I would like to assure the Senator from Waipahu that we will keep his concerns in mind in going to conference. Thank you."

The motion was then put by the Chair and carried, S.B. No. 1746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Bunda, Kawamoto).

S.B. No. 1279, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 773 (S.B. No. 853, S.D. 2):

Senator Chumbley moved that Stand. Com. Rep. No. 773 be adopted and S.B. No. 853, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Anderson spoke in opposition to the measure and said:

"Mr. President, I'll be voting 'no' on this particular measure.

"One of the things, it's getting very, very close to a zero tolerance. It goes from a .02, which if you happen to have a child or a young person that might be 19, 20, 21 who has a glass of wine at dinner, goes out, gets in an accident that could nor would not possibly be his fault or her fault, they could still be charged because they have been drinking. I don't think that that's exactly what we want to do. I think it's the wrong way to go.

"I have always voted against drunk driving, anything to do with people who are not mindful of the law. I certainly agree that we should not drink and drive, but when you start getting down this way, I think it's in the wrong way to handle the law and I certainly shall be voting 'no.' Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 773 was adopted and S.B. No. 853, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 780 (S.B. No. 1264, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 780 be adopted and S.B. No. 1264, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure as follows:

"Mr. President, I rise to speak against the bill.

"While I certainly am in favor of stricter punishment for youthful offenders and we just debated a bill where we allow discretion for the courts, there is no discretion in this bill, Mr. President. It requires finger printing for any individual 12 years of age or older who attempts to commit any act which may constitute a violation of any federal, state or local law.

"Mr. President, I think that the law is much too broad in its application when we say any law or attempt to commit, and we continue to pass more and more laws everyday making criminals of far too many people. So I vote against this, Mr. President.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 780 was adopted and S.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Solomon).

Stand. Com. Rep. No. 781 (S.B. No. 1706, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 781 was

adopted and S.B. No. 1706, 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, 25. Noes, none.

Stand. Com. Rep. No. 783 (S.B. No. 1269, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 783 be adopted and S.B. No. 1269, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose to speak on the measure and said:

"Mr. President, I have some reservations on this particular bill. I will be voting with reservations which I guess is 'aye' with reservations. I can't vote w/r with 'no,' so I vote w/r with reservations.

"The bill states that we helped approximately 150 children. It also states that approximately \$195,000 were from charitable contributions, cash, in-kind services. And now what we're going to do is make this a permanent program. We're going to put it in the Department of the Attorney General and yet they will need additional personnel. And this is on page 3, line 10, item (c), plus other items which could be introduced. That's why I have reservations. Will this money really be going to benefit the children in the program, or is it going to be spent on personnel that are going to come up with all kinds of things that they believe is going to be necessary to help these missing children and the clearing house and all the other things that we might need on different programs.

"So I have those kinds of reservations for the clearing house -- wanting to know where the money is going. Is it going to be beneficial? And maybe someone, as we go along, will give us that information.

"Thank you very, very much."

Senator Slom also rose to speak on the measure as follows:

"Mr. President, I, too, rise to say that I will support the measure with reservations.

"As the Minority Leader has pointed out, here we are trying to have yet another governmental program -- a program that we have no dollar amount for, no estimate of cost. We have no qualifications for what we are going to do here, and yet we're talking about, already, more staff, more costs. I think that we've got to be careful because any time that we're talking about the children, we use the children as an excuse to raise our taxes and raise our governmental costs. So I register my strong reservations, Mr. President. Thank you."

Senator Chumbley supported the measure as follows:

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

"For those individuals who spoke earlier who had questions about what are the extent of costs of this measure, the cost as proposed to the Judiciary Committee was about \$86,000 per fiscal year. That's less than \$600 per child for the 150 children that had been found as a result of the efforts of the Missing Children's Clearinghouse.

"This is one of the best public/private partnerships that we have in this state and I would just recommend that we continue to support it through the appropriation of funds to help cover some of the administrative costs. Thank you."

Senator Anderson rose again and said:

"Just a comment to the former speaker, if I may.

"I didn't make any indication that I wanted to know the exact cost. I said that what had come down here is that they need additional personnel. They can also come up with other items that they may deem necessary. Now you don't have a dollar figure on anything that they may deem necessary.

"We've voted for more things in the State Legislature that have been free, voluntary, and all of a sudden we take it over and it goes wild. So I'm just worried that once these people are appointed into or hired into that particular department, what kinds of things they're going to deem necessary to make this a better program, and will it indeed become a better program or a more costly program.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 783 was adopted and S.B. No. 1269, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 784 (S.B. No. 715, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 784 be adopted and S.B. No. 715, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose in opposition to the measure and said:

"I hate to stand up so much, Mr. President. I don't want to get anybody to think that I'm not interested in the bill.

"I'll be voting 'no' on this particular measure and I believe that maybe that it could be that we have delays in people paying their fines and not being able to take care of it because they can't afford it. We've taken our fines up to, I believe parking right now is \$15 if you pay it right away; \$25 if you don't.

"If you go to a lot of the parking lots to make it easier -- easier on the employees, on the government, on counting -- you no longer have 10, 5, and 25 cent deposits; strictly quarters. And if you don't have a quarter and you have an appointment or you are in a doctor's office, or whatever, you get a parking ticket. And that citation ... all of a sudden now we're saying if you cannot afford to pay that right away, we're going to charge you an additional fee because you can't pay your fine right away. To everybody else, what you're doing is just disregarding it. What you're really doing is trying to find more money to put into the coffers because we're broke.

"That's the God's truth that we should be putting down -- we need more funds. Consequently, we're looking at raising fines and getting more dollars from the constituency because we haven't handled our money properly.

"Thank you, Mr. President; I will be going 'no.'"

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 784 was adopted and S.B. No. 715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Stand. Com. Rep. No. 785 (S.B. No. 842, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 785 was adopted and S.B. No. 842, S.D. 2, entitled: "A BILL FOR AN

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

Ayes, 25. Noes, none.

S.B. No. 722, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 722, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against the bill.

"Mr. President, I'm always for income tax cuts but we don't do that here. We do it piecemeal and have credits here, there and everywhere. This bill, first of all, the tax credit amount is blank, so we don't know how much we're talking about. Secondly, we've had testimony in opposition by the Tax Foundation on this measure. Thirdly, I'm more concerned because it just pinpoints one particular industry or one particular method and that is burglar alarms.

"Mr. President, I have a very strong and fierce watch-cat at home and he is a deterrent to burglars, so I think that maybe we should expand the bill so that people who have dogs, cats, pigs and other devices would get credits, as well. So I'll be voting 'no,' Mr. President. Thank you."

Senator Anderson also rose to speak against the measure as follows:

"Mr. President, I, too, will be voting 'no.' I raised my hand earlier because I thought you were just going to take the vote so I wasn't going to make any comments.

"I read the bill over and I've had a burglar alarm in the past and it didn't work. I've gone to my neighbor's home where you walk into the garage, lights go on. I guess because most people walk into the garage, everybody ignores it. Sirens go off, they say there goes that bloody thing; it's not working properly again.

"I really don't know who benefits because you might sell this to a new community association; thereby it will be in their cost when they buy their homes. Or, an individual could buy it and they get a tax credit. But what is that system going to cost them? And who really benefits -- the taxpayer who's going to buy this, and there's no real dollar sign on how much he or she is going to save? Or the people selling the system? Because when I bought my system years and years ago, it was a pyramiding effect -- you bought this; you give Senator Tanaka's name; if he buys it, you get yours a little more of a discount; and it goes that way. So I'm not sure how this particular system works, but I am against it.

"Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Iwase, Slom). Excused, 1 (Kanno).

Stand. Com. Rep. No. 787 (S.B. No. 1314, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 787 was adopted and S.B. No. 1314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL HEALTH CARE ADMINISTRATOR," having been read throughout,

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

Ayes, 25. Noes, none.

S.B. No. 1144, S.D. 1:

Senator Chun Oakland moved that S.B. No. 1144, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kanno.

Senator Sakamoto rose in opposition to the bill and said:

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

"This bill would change the law to allow unions to have jurisdiction over employees with less than 20 hours and more than 4 hours of work per week. This is without merit. The Department of Education, in their testimony, said they have 43,000 casual employees ranging from A+ workers to classroom cleaners, to part-time helpers, educational assistants. How will the students and the taxpayers benefit by unionizing all of these part-time workers?

"We need to legislate what makes sense for our taxpayers. I will vote 'no.' Twenty hours is common practice nationwide, and that should remain unchanged. Thank you."

Senator Slom rose to speak against the measure and said:

"Mr. President, I will be voting 'no,' also.

"In addition to the comments of my colleague, I think, obviously, the bill is an attempt to increase the sagging membership of non-governmental labor unions. I think if we all work together and improve the business climate here then there will be more jobs and there could be more unionized positions for everybody, working full-time, and that's what we should be doing -- trying to get people to work full-time. Thank you, Mr. President."

Senator Solomon rose and said:

"Mr. President, I'll be voting with reservations, and I'd like to pose a question to the Majority Leaders, Mr. President, if I may."

The Chair posed the question to Senator McCartney and Senator McCartney having answered in the affirmative, Senator Solomon then asked:

"On a point of information, being that this bill has a tremendous cost implication, especially with the large number of employees and part-time employees on our educational payroll, as reported by the remarks of the previous speaker, why wasn't this bill also referred to the Ways and Means Committee?"

Senator McCartney responded:

"I cannot answer that question. I'll do some research and I can get back to you on what the process of the referral was on that bill."

Senator Solomon continued:

"Okay, thank you. I would appreciate an answer, Mr. President, and thank you very much, Majority Leader.

"In response to the answer that I have received from the question posed, Mr. President, maybe the chairmen of the labor committee could answer the question. Do they have any idea ...

The President interjected:

"As far as the referral is concerned, I am responsible for referring that bill. It was just an oversight that the bill was not referred to the Ways and Means Committee."

Senator Solomon then said:

"Okay, thank you, Mr. President, but I would like to know if in any of the testimonies the cost factor and the impact of it to the taxpayers were presented?"

Senator Kanno responded:

"Part of the concern about the cost impact is addressed in the S.D. 1 and that the implementation of the bill has been pushed back to July 1, 1998 and it directs the administration to provide a report on the implementation 20 days prior to the next session. So we will have time to act on those kinds of ramifications during the 1998 session."

Senator Solomon rose again and said:

"Thank you, Mr. President, for allowing me the opportunity to pose the questions.

"Am I to interpret from the response of the chairman that when the figure comes in, we would have the opportunity at that time to say 'no' or 'yes'? I'm under the impression that in collective bargaining matters the Legislature does not have that kind of input. It's either we go up or down. I mean how does the committee envision this problem. And do you in fact have any hard numbers as to what would be the costs that the taxpayers would be responsible for if we do make this commitment?"

Senator Kanno replied:

"No, we do not have the cost, and yes, we would have the ability next session to go up or down on the recommendations of the report."

Senator Solomon then said:

"Thank you. With that, Mr. President, I still will be voting with reservations. Thank you."

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

The Senate reconvened at 1:00 o'clock p.m.

Senator Anderson rose to speak on the measure and said:

"Mr. President, as I explained, we had some real concerns and I'm going to go with reservations. My concerns are that we don't know the numbers. We don't know the cost. We're going to vote for this, then I understand there's going to be a study. I want to sit on this committee. That's my reasons for going with reservations. Normally I say the hell with it; go 'no' anyway.

"But on this particular bill, as a business person that would be like me saying, if you have 7 people, I'll hire them not knowing anything about them; how much I'm going to have to pay them. That's a lousy way to go, and that's what we're doing. We're going to vote for this and then the study will come out and the study will say, this is going to impact us with 4,000 people and then we're going to say no, not really, 4,000. Now we're going to have to pay them. They're a part of collective bargaining. And I think that's what's so frustrating. We're voting for this first and then we're going to, maybe next year, vote for the study. Instead of voting for a study and then look at it and say, yeh, the study says it's going to be so many people, the cost is going to be so much. Then it would give us a better way to look at it.

"And I say this, Mr. President, because I'm hoping that the chairmen are listening loud and clear, and that they'll consider this person for their committee. Thank you very much."

Senator Chumbley then rose and said:

"Mr. President, please mark my 'aye' vote with reservations. I'm concerned about the fiscal implications. Thank you."

Senator M. Ige then added:

"Mr. President, same with me. Thank you."

Senator Bunda also added:

"Same with me."

Senator Fukunaga rose and said:

"Mr. President, I'd like to have the record reflect that I share the concerns expressed earlier and it appears that the solution that we are contemplating is greater than the scope of the problem. Thank you."

Senator Fernandes Salling then added:

"Mr. President, I'd like my vote to be registered as 'aye with reservations,' and I ask that if this bill should come back to the Senate that it does be referred to Ways and Means also."

Senator Baker rose and said:

"Mr. President, since I voted with reservations in committee, I'll be consistent and ask that my 'aye' vote be with reservations."

Senator Iwase then added:

"Aye with reservations."

Senator Tanaka also rose and said:

"Aye with reservations."

The motion was then put by the Chair and carried, S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATE BARGAINING UNIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ige, D., Sakamoto, Slom).

S.B. No. 1285, S.D. 1:

Senator Baker moved that S.B. No. 1285, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fernandes Salling.

Senator Slom rose to speak on the measure and said:

"Mr. President, I just want to express my reservations about the bill.

"There was an awful lot of work that was put into this bill and I think we are all in agreement in what we want to try to do -- increase competition, provide for better notice, try to save the state money in terms of reducing superfluous legal notices and so forth, and also to leave the door open for electronic and other new technology. At the same time, I think we should be cognizant of the fact that there are problems that several organizations have pointed out in terms of getting notice. There are also problems in terms of certain areas of the state where one particular form of notification does not reach everyone else.

"So I think the bill needs a little bit more work, but it's a good start and I will support it with reservations. Thank you, Mr. President."

The motion was then put by the Chair and carried, S.B. No. 1285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:43 o'clock p.m.

S.B. No. 1812, S.D. 1:

Senator Baker moved that S.B. No. 1812, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator D. Ige rose to speak in support of the measure and said:

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

"On behalf of my co-chair and partner, Senator Baker, we would just like to, before I begin my remarks, just acknowledge a lot of people who had a hand in making this bill possible. First and foremost, I would like to thank all the committee members and adopted committee members who sat through the many hearings and offered many, many constructive suggestions on how we could improve this measure before us today. I can honestly say that there is a provision in this bill that was requested by each and every member of the committee in terms of offering an amendment that made the bill better than what it was when it started.

"The co-chairs would also like to thank the Senate Majority Office for their outstanding support on this measure. I lost track of the number of drafts and re-drafts we had on various provisions of this bill, and they were more than willing, always, to consider amendments and changes that we had requested.

"And last but not least, we would both like to thank our staff for their support on this measure. We went through a lot of paper in all of our proceedings and we definitely wouldn't have been able to make it without them.

"I would like to begin my remarks and talk a little bit about the process that we engaged in, in coming up with this bill before us. We truly believe that we needed to do three things in trying to fashion a comprehensive measure that addresses the cost of auto insurance in this state.

"First, we believed that we needed to get information. We believe that in order for us to make improvements, we needed to understand what the current law stated and what the current nature of auto insurance in the State of Hawaii was. Second, really, was to review alternatives and look at developing goals and a comprehensive framework under which we would undertake the no-fault reform in this state. And the third process really was to take the best ideas and to craft a comprehensive measure that provided a solution for all of our constituents.

"The informational briefings we began with were on a series of items. We started with an overview by the Insurance Commissioner. We also had a collaborative round-table discussion by many of the proponents and opponents to talk about the issues and different perspectives that we ought to take into consideration. We had a session on case studies to focus in on the consumer and what the impact of various proposals would be on them. We also had a review of the peer review

process and cost containment. Medical cost is a big part of our auto insurance law and we wanted to make sure that we understood what options were available to us.

"It's through these informational briefings that we identified and focussed in on the cost drivers of Hawaii's auto insurance system. And I just want to mention a couple of them. First and foremost, I think Hawaii has the most generous mandated benefits of all states in the country. We have mandatory coverages for items that are really duplicative and many consumers may or may not need them.

"We also are generous from the standpoint of allowing all kinds of providers to offer services to consumers who are injured in an auto accident. For example, we do allow for chiropractic care, acupuncture care, and faith healers to provide services to consumers who are hurt in auto accidents. We also would say that in spite of the recent changes made to our auto insurance laws, we still have only minimum cost containment programs on the medical portion of the existing auto insurance policies.

"The second really big cost driver that became evident in our hearings is the cost of litigation. Clearly, claims are much higher in cost when attorneys are involved. A 1993 study said that the average claim involving an attorney was \$34,000. Current estimates are raised to \$45,000. There is increasing litigation in the system. When no-fault was first passed in 1977, approximately 3 percent of the cases required attorneys to be involved. In 1992, the last year where a comprehensive study was done, litigation and attorneys were involved in 36 percent of the cases. In testimony presented to the committee, the peak was estimated as high as 45 percent of the cases in auto where attorneys and litigation may have been involved.

"And clearly, one of the cost drivers of our current system is the medical threshold where the dollar limit is clearly a target for plaintiff's attorneys and health care providers encouraging cost run-ups in unnecessary procedures. A 1995 Rand Corporation study concluded that as much as 57 percent of payments for medical benefits in Hawaii may be for unneeded or fraudulent services. So, clearly, as part of our fact-finding and informational purposes, we learned a lot about auto insurance in this state.

"After all of these informational briefings, we did focus and develop goals that we believed the committee should pursue in structuring an auto insurance reform proposal. First and foremost, there should be absolutely no cost transfer and shift from the auto insurance payer to businesses in this community. Our economy is not doing very well. It's really clear to us that any kind of cost shift from consumers to businesses is unacceptable.

"The second goal was that we really need to address the cost drivers in the system in order for us to get immediate rate reductions, as well as to provide a stable environment so that our consumers can enjoy benefits of reduced auto insurance premiums for a long period of time.

"And third and foremost, we must provide mandatory reductions significant for our consumers that can be defended by actuaries so that we don't run into the situation in 1992 where we mandated roll-backs that did not occur.

"Mr. President, in our review we've had hearings on all of the alternatives provided and presented to this body on different methods to reduce our insurance costs in this state. We had hearings on pure no-fault bills, on choice bills, on pay-at-the-pump, on verbal threshold, on tort based systems, as well as restructuring the current no-fault system, and the committee, working through all of those proposals, took the best and brightest ideas to fashion the proposal before us that really addresses the cost drivers in the system and achieves our goals.

"I'm very proud today to be able to stand in support of this measure. I would like to say that it is just a starting point for our discussions as we go through and the Legislature works toward getting a bill passed to really save money on behalf of the consumers.

"There are some in the community who have raised the issue of whether and what is foremost in the committee's mind and I just wanted to reassure all of you. Quoted in the January 1997 issue of *Consumer Reports*, probably the leading and foremost independent consumer advocate agency in the state ... I guess in the country ... they had a special on auto insurance reform and I just wanted to confirm that it's not only us who think that this approach is probably most appropriate. *Consumer Reports*, in their analysis of auto, basically stated what government can do in order to bring lower auto insurance costs to consumers. And this is a quote: 'Pass sensible no-fault insurance legislation in the 37 states that still don't have it and improve it in many of the states that do. Under no-fault, accident victims are compensated by their own insurance company for injuries they suffer in an auto accident instead of having to resort to expensive lawsuits to assess responsibility. Consumer Union believes that no-fault is the most equitable and efficient way to compensate accident victims, but not the way it is currently implemented in many jurisdictions. Fairness and good value for auto insurance protection is the right combination for everyone.'

"Mr. President, I would just like to urge all of our colleagues to vote in support of this measure. Thank you."

Senator Baker also rose in support of the measure and said:

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

"Mr. President and colleagues, the measure that is before us is the culmination, as my co-chair said, of a great deal of work and effort by your Committee on Commerce, Consumer Protection and Information Technology.

"I, too, want to thank the members of the committee and other Senators who have offered your co-chairs advice, suggestions and criticism. Some of our colleagues' concerns we have been able to address in this Senate draft, and I can guarantee we are still working on others. We've tried to be open and collaborative, keeping ever in mind the charge given to our committee to bring forth a bill that is fair, responsible and reduces premiums for all consumers. Mr. President, I believe that S.B. No. 1812, S.D. 1, sets us on that path.

"Your committee believes that the entire no-fault system must be reformed and overhauled to produce a workable, inexpensive, and fair system of motor vehicle insurance. We have taken an approach to fix the system by modifying or repealing its most critical defects. This is not just another tinkering with the system. Your committee has undertaken full scale changes which we believe will yield a significant reduction in premiums, control litigation, and provide adequate medical coverage without a cost shift to businesses and employers.

"Additionally, your committee has addressed concerns regarding fraud and has added some very strong provisions. We have also taken up the challenge with regard to unfair and deceptive practices by attorneys and providers. Insurance companies are already covered.

"The bill before us mandates a reduction in auto insurance premiums of between 20 to 35 percent. While this reduction is, in fact, targeted to basic auto coverage, we believe that all consumers, even those taking additional and optional coverages, will see a 10 to 20 percent reduction. So there will be cost savings for all consumers.

"Furthermore, the bill repeals the medical rehabilitative threshold. This has been shown to be one of the major cost drivers in the system because it oftentimes encourages unnecessary multiple treatments in an effort to reach the threshold.

"Additionally, Mr. President, this bill provides consumers with the flexibility to choose a plan that best suits their individual needs. For example, at the urging of AARP and others, wage loss and death benefits are optional coverages. More importantly, the bill does not shift the cost to employers or to pre-paid health care plans.

"For further cost savings, the bill allows for a managed care option. As written, the bill addresses the need for cost containment in the medical area, the most expensive portion of auto insurance, because it provides medical benefits in line with the most popularly used pre-paid health plans but does include some chiropractic care in line with the utilization schedules found in workers compensation. By bringing benefits in line with those offered in prepaid health, we can take advantage of the cost containment features of those plans including their own peer review process. While the measure relies upon a strong verbal threshold to discourage suits in tort, lawsuits are allowed for serious and permanent injuries, disfigurement or loss of an important bodily function or uncompensated economic loss, while providing for adequate return to attorneys who carry these cases forward. Our goal is to make the injured party as whole as possible in a timely and appropriate manner.

"I acknowledge that some of our colleagues have reservations about this draft -- I appreciate the concerns that they have expressed and I know they share our committee's goal to reform auto insurance and to reduce cost to consumers. I do not anticipate that our discussion here today will be the final discussion on this measure, nor would we want it to be. In fact, Mr. President, your committee will be hearing H.B. No. 100, H.D. 1, tomorrow at 9:00 a.m. in conference room 16 and I want to assure you, Mr. President, and all of our colleagues in this body that your committee remains dedicated to its open and flexible approach and to concluding this session with an auto insurance reform measure that has an actuarially supportable, significant mandatory premium reduction, is consumer-centered and responsible, and provides stability in this area.

"Thank you very much, Mr. President."

Senator Kawamoto rose to speak on the measure as follows:"

"Mr. President, I'd like to rise and cast a vote of 'aye' with reservations. I'd like to commend the two chairs of CPI and their committee for their efforts in bringing out this good bill.

"Taking a page from the Army, 'Be all you can be.' I believe that this bill is not all it can be. There are some concerns about the verbal threshold and the bottom line for my district is premium reduction. Last year we looked at a 45 percent rate reduction. I understand the strategy of putting on a good front for our sister house across the way to show a good front for this bill, but I offer another suggestion or another strategy, and that is, if we cannot compromise with the House, I offer, take the House bill, take our bill, and take a protection bill and offer a choice bill. Thank you very much."

Senator Metcalf then rose and said:

"Mr. President, would you please record my 'aye' vote with reservations."

Senator Taniguchi added:

"Same for me, Mr. President."

Senator Bunda rose and said:

"Mr. President, 'aye' with reservations."

Senator Chumbley also said:

"'Aye' with reservations, Mr. President."

Senator Matsunaga rose to speak on the measure and said:

"Mr. President, I'd like to record my 'aye' vote with reservations, and if you could add the quote of the Senator from Waipahu, 'Be all you can be'; if you could put that in the Journal as if they were my own words." (Laughter.)

Senator Kanno added:

"'Aye' with reservations."

Senator Levin rose to speak on the measure and said:

"Mr. President, I also rise to indicate reservations, although I will be voting 'aye.'

"I do have numerous problems with, and grave reservations about, this bill. I do want to start by saying that I couldn't have asked for more in terms of the hard work and effort by the consumer protection committee. It is tackling an impossible issue and the chairs have been objective; they have been fair; they have been open; they have been accessible. And as a result, some of us have been nags because they have been so accessible. But it is very much appreciated.

"Still, I cannot wholeheartedly support the bill, simply because there are hundreds and perhaps thousands of people in my district and throughout the state who cannot afford to pay rent, to put food on the table, and to pay for their auto insurance. And I know that this bill promises to reduce rates, but I am afraid that it will not reduce those rates enough to change that situation I just described. I also know that driving is a privilege and not a right; but I also know that driving is a necessity and not a luxury.

"Moreover, all of us know that there is somewhere between 20 or 30 or an even higher percentage of people on the roads, in spite of the fact that we have a mandatory insurance law, who are not covered by insurance. And that means that for any of us who want to protect ourselves and our families, we need to purchase uninsured motorist coverage in case a person has no insurance at all. We also have to buy under-insured motorist coverage in case the other driver has a minimum amount of insurance, if we are going to protect ourselves and our families. What I would urge is that we recognize that. And since we're going to have to buy those kinds of coverages anyway, even after whatever reform we put in place (since no state that I know of has managed to truly get all drivers insured even though virtually every state has mandatory insurance coverage), let's recognize that fact -- let's go out and buy the coverage that we each need, and not make criminals of those who cannot afford the coverage but who must drive in order to get to work or the doctor or the grocery store.

"My constituents don't want no-fault. I don't think that a verbal threshold is going to solve the problem. It may even make matters worse. It may actually increase litigation because under a verbal threshold, until we have established what exactly that means case by case, there is going to be virtually an unlimited amount of litigation. Verbal threshold may work in Michigan under certain standards imposed by its courts, but we don't know whether those standards are going to apply in Hawaii. In fact we know they won't. We know that our own courts will apply their own standards. And until numerous cases go through the court system and are decided by the appeals courts, we're not going to know what verbal threshold means. And in the meantime, insurance companies are going to be keeping the money and our constituents who are hurt are going to be waiting for decisions and not getting compensated.

"Again, I thank the committee. I know this is only the first cross. I am hoping that the final package will yield the level of relief that is so much needed. But I think that level can only be achieved by choice. What we have done is to give insurers a monopoly, a guaranteed market, and perhaps if we took away that guarantee, perhaps insurers would no longer be as arrogant as they are now. Perhaps rates could come down a bit just based on the fact that they won't be guaranteed that market. Choice would recognize the reality that not all people will have insurance. Choice would also get us out from the situation we have now, one that our constituents hate, and that is the fact that welfare recipients have free insurance that would not have to be provided anymore. We would eliminate the situation where people are brought into court as criminals and must face the consequences because they simply cannot afford coverage.

"I hope that as this bill works its way through the Legislature some of these problems can be addressed. Thank you."

Senator Anderson supported the measure as follows:

"Mr. President, I didn't think I'd be doing this but I'd like to speak in favor of the bill. Primarily, I'd like to congratulate the two chairmen.

"Having five cars on the street, I most certainly have been listening to and watching what's happening in the House. I don't believe in pure tort or giving the attorneys more chance to go into litigation. I think that the two chairmen have discussed the problems that we've had. They're making the attempts to do this. And I think the constituency is looking to have our rates brought down. It says here that mandatory 25 to 35 percent and for that reason I'll be going 'aye' on this particular bill.

"I, like everybody else, have reservations but with five cars I want some kind of relief, business-wise and personally. I can't afford and I don't believe that the rest of you can afford to have our state have the type of auto insurance that we have at this particular time. Thank you very much, Mr. President."

Senator Fernandes Salling then said:

"I'd like my vote to be registered as 'aye' with reservations."

Senator M. Ige rose to speak on the measure and said:

"Mr. President, an 'aye' vote with reservations, as well. However, could I ask that the vice president's remarks be inserted in the Journal as though they were my own. Thank you."

Senator Chun Oakland then added:

"'Aye' with reservations."

The motion was then put by the Chair and carried, S.B. No. 1812, S.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, 25. Noes, none.

Stand. Com. Rep. No. 798 (S.B. No. 1862, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 798 was adopted and S.B. No. 1862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY RATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 799 (S.B. No. 1472, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 799 be adopted and S.B. No. 1472, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against the bill.

"Mr. President, this bill would take additional monies from the transient accommodations tax -- another 5 percent -- for the growing debt of the convention center. The convention center is not open and already it's dragging us down. The figures for its original principal and interest payments have not been met. They continue to be exceeded. We continue to find new ways of looting the public treasury to pay for this event. And while we're doing this, we're harming the counties and making them continually come to the state to beg for their own subsistence even though the funds that are generated from the TAT come from the counties themselves. So I will be voting against this measure, Mr. President. Thank you."

Senator Anderson also rose to speak against the measure as follows:

"Mr. President, I'll be going 'no,' also, for the same reasons as the former speaker.

"But also if I remember correctly, there was a consideration to sell the convention center. It's costing us a lot of money. Everything that's been projected out has said it's going to be in the hole and then we're going to take this portfolio, I guess, and tell private enterprise this is how we're going to be losing money and would you like to buy it. And also at this particular time we find out that we can't sell it if the courts are right. So I would rather leave the money where it's at. I think it's a bad time to do this and I'll be voting 'no.'"

Senator Tanaka then said:

"I will be voting 'aye' with reservations."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 799 was adopted and S.B. No. 1472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 800 (S.B. No. 146, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 800 be adopted and S.B. No. 146, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

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

"I speak against this bill for two reasons. Primarily, first of all, it represents yet another tax increase singling out an industry. But secondly, and most importantly, I think that we have a constitutional problem with this bill. There's a very clear distinction between transient accommodations, rental units and what we're talking about here when we're talking about time share, which is an ownership and a sale. So for these and other reasons, I vote against the measure, Mr. President. Thank you."

Senator Iwase requested a ruling from the Chair as follows:

"Mr. President, I'd like to declare a ruling on a conflict. The law firm of which I am of counsel to, represents some who are involved in the time share industry."

The President ruled that Senator Iwase was not in conflict.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 800 was adopted and S.B. No. 146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A TRANSIENT OCCUPANCY TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 927, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 927, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

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

"Again, Mr. President, we're asking for tax increases. We're not using it for revenue. We're trying to use it to change social policy as long as this activity is still legal, then we have to have a justification for where the revenues go, rather than just to try to punish these individuals. I vote 'no,' Mr. President."

Senator Anderson also rose in opposition and said:

"Mr. President, I'll also be voting 'no.'

"I also heard that the director from the Department of Health said that this particular measure is a health concern, yet we're suing tobacco companies. And I did tell them in committee, if we're so intent on trying to take care of the problem, then we should be suing Congress because Congress subsidizes all of the tobacco firms. So why not get to the root of the evil and tell Congress you're the one who subsidized it and then you turn around and you ask people to stop smoking and you tax it like crazy. We're playing both sides of the fence. I think it's a very wrong way to go. I don't smoke. I used to but I don't ... for the last 30 years, I guess. So I do speak in opposition to this. Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Anderson, Slom, Solomon, Tanaka).

S.B. No. 1699, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 1699, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

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

"Again we're instituting a tax increase on class 5 liquor licenses. We have several problems here. First of all, the tax increase fails to establish any correlation between higher tax and the problems that it cites in the justification of the bill. Further, I think we may have a problem here because we seem to be singling out one type of ethnic activity for this tax. So I vote 'no,' Mr. President."

Senator Anderson spoke on the measure as follows:

"Mr. President, in the committee I did state my reservations and they were for the same reasons and concerns of the former speaker, so I wish to have my reservations marked. Thank you."

The motion was then put by the Chair and carried, S.B. No. 1699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Solomon).

S.B. No. 936:

Senator Fernandes Salling moved that S.B. No. 936, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure as follows:

"Mr. President, I rise to speak against this bill also.

"It's an attempt to tax imported services. The Tax Department has already said and testified that there's no way to enforce this law. Again, instead of trying to find new ways of taxing, we should find new ways of cutting our taxes and improving our business climate to create new local business and expanded investment. Thank you, Mr. President."

The motion was then put by the Chair and carried, S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO USE TAX ON IMPORTED SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 932, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 932, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHOLESALE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 498, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 498, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I wholeheartedly support reduction in taxes. The only problem is that we are providing for a tax decrease here for new businesses only and we are ignoring the 30,000 existing businesses in our state that have continued to struggle under the yoke of oppressive taxes, mandated benefits and unfair regulations. If we really and truly want to increase jobs, income and make this a better state, then we'll reduce the taxes for all businesses and give preference to those businesses who have been here, who have created the jobs and who have paid the taxes all along.

"Thank you, Mr. President."

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

"Mr. President, I rise to speak in opposition to the bill -- perhaps not with the intensity of the previous speaker, however, I do share his concerns.

"I think the committee report says that the purpose of this bill is to diversify our economy and to provide economic stimulus, but I think the problem with the bill, as the previous speaker points out, is in the definition -- newly created business merely means a business that has not done business in this state for the five years preceding the exemption. So it's not the newness of the activity. It's not a call to attract a new and different type of business activity into the state. It's merely that you're new.

"A law firm, God forbid, with a million dollars comes in with people who are just licensed, probably could qualify for this exemption. And that's certainly not going to diversify our economy. A new auto car company could come into this state, that does not diversify our economy, could get a tax break. In the meantime, they're competing against, to their advantage, local businesses which have struggled, have struggled, continue to struggle, have hired our local people and who are not eligible for this tax break. The problem here is not that there is a tax break. I don't think there is a problem for me with that. It's that we have to be more circumspect. I think we should focus on what kinds of activity we want to invest, rather than have this kind of broad approach that I think, in fact I don't think, it will -- it will hurt our local businesses. Thank you."

Senator Solomon rose in opposition and said:

"Mr. President, I, too, will be voting 'no,' and Mr. President, I would like the Journal to reflect that I do agree with the remarks of the previous speakers as to the impact on local businesses. And I think it would be more of a negative than a positive. Thank you."

Senator Anderson added his remarks in opposition as follows:

"Mr. President, I, too, will be voting against the measure for the same reasons, but I'd like to point out that the new businesses that they're talking about and the substantial investments go from 1 million on the first year, 2 1/2 million, 5 million, 10 million. We're leaving our people out altogether. I'm not sure exactly what types of businesses they're trying to bring in, but when they say substantial, they're talking about substantial. Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka).

Stand. Com. Rep. No. 812 (S.B. No. 1951):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 812 be adopted and S.B. No. 1951, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

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

"We would all like to see, I think, a stock exchange or commodities exchange here. We've been told since 1988 that we have all kinds of people that are interested in starting an exchange and all we have to do is give them the tax exemption. We've dangled the tax exemption out there since 1988. We've had no takers. They talk about having serious people right now. There is no serious consideration until we improve our business climate. If we do that, we'll have all kinds of people interested in both staying here and coming in. I think we're putting the cart before the horse. I vote 'no' on this measure. Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 812 was adopted and S.B. No. 1951, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

S.B. No. 1919, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 1919, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator M. Ige rose to speak against the measure and said:

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

"Mr. President, S.B. No. 1919 in its original draft related to public access and I supported the bill wholeheartedly. I believe that when the group called Common Cause came before the Ways and Means Committee, they said that we had one of the best public access programs across the country. And I think I need to acknowledge your leadership to provide this kind of access. And in S.B. No. 1919, what you did want to do was look at expanding that service to the neighbor islands which, again, is very noble and admirable, however, Mr. President, in Senate draft 1, we've allowed to include a Part V, which concerns me, which basically installs a new legislative computer information system. And when I was across the hall in the House, we spent millions of dollars on this system, and the bill doesn't get into the cost of this new system. It may cost a half a million ... it may cost a million ... no one really knows.

"Mr. President, I believe at this time of economic difficulty that we should be leading by example. I feel we should do our best to make use of what we have and lead by example. And at this time, Mr. President, I just cannot support this measure. Thank you."

Senator Anderson rose to speak against the bill and said:

"Mr. President, I'll be voting 'no' on this measure.

"Mr. President, the bill digest, the way I look at it, established a legislative broadcasting program but it doesn't have any specified amount of money. It appropriates an unspecified amount of money for the purpose of providing the neighboring island community access stations equipment broadcasting state legislative program. It requires an analyst to conduct a two-year comprehensive review of fiscal management practices. It appropriates an unspecified amount during 1997-1998 for replacing what we have.

"I think what bothers me most, Mr. President, in reading the report, is a lot of the legislators that are in favor are not passing out bills that's helping the economy. If we're going to help our people, as far as consumers, get better information, then pass some of the bills that will go ahead and help get some money into the coffers. Everything that we look at, we're spending, but we're not making any headway on revenue producing types of businesses. We're sitting on them. And as I told you earlier, there are departments that are putting people out of business. How the heck are we going to get revenues when they're going out of business.

"I'd like to support something that gives better communication to our people, but we don't even know how much it's going to cost, and we're not passing anything that's going to help pay for it. That's why I'm against it, Mr. President. Thank you."

Senator Iwase rose to speak against the measure and said:

"Mr. President, I'm rising to speak in opposition to the bill.

"Mr. President, as noted by the Senator from Kaneohe, the bill, when it first came out, was really one related to public access -- a simple bill, it was a 2-page bill on public access and funding for a legislative broadcast program. What caused me some concern, and still causes me some concern, is Part IV of the bill, legislative management, where in the Senate draft, we are inserting a blank dollar amount for the purpose of replacing the existing legislative information system. And I believe, correct me if I'm wrong, but in my questions during the committee hearing, while there was no cost estimate, I think one figure that was tossed out was \$1.5 million.

"Mr. President, I have no objections to improving our computer systems because, perhaps, it's not operating at optimum efficiency. I would note that the money is coming out of the general funds, general revenues, and we're taking general fund monies to improve our efficiency when, perhaps, the money should be spent elsewhere. I think there are computers in our schools that need this \$1.5 million more than we do. And for that reason, I cannot support the bill at this time. Thank you."

Senator Slom added his remarks against the measure and said:

"Mr. President, I rise to speak against the bill also.

"If I'm not mistaken, we just got a brand new computer, brand new computer printer, top of the line equipment the other day. In addition, I'm concerned, as other colleagues have mentioned, about the blank dollar amounts. But in the committee report it says here that the committee has found that 'public expectations of the State Legislature have changed. In particular, citizens have come to expect elected officials to increase community involvement in their deliberative processes.' Mr. President, I think what the public wants us to do is to listen to them. I think what the public wants us to do is cut their taxes, reduce the government and allow them to vote on things like constitutional amendments.

"I'll be voting 'no.' Thank you, Mr. President."

Senator Fukunaga rose to support the measure as follows:

"Mr. President, I rise to speak in support of this measure, just a quick response to my colleagues across the aisle.

"I note that we have recently voted upon S.B. No. 147, S.D. 1, which alleviates the pyramiding of the general excise tax on lease transactions. Along with a number of other measures, it does precisely what our Republican colleagues have asked us to do -- which is to help stimulate the economy.

"Turning now to S.B. No. 1919, one of the things that your Legislative Access Committee has done, Mr. President, has been to pursue jointly with the House the development of an RFP which is designed to improve the Senate's and House's computer system. As of October 1996, your Legislative Access Committee reported to both the Senate President and to the Speaker. The major objective of the RFP was procurement of a reliable, open and flexible information system meeting the internal needs as well as public responsibilities of the Hawaii State Legislature.

"The public's access to legislative information will be improved through the use of the joint legislative internet system, which must be integrated into the new legislative information system. Therefore, the current RFP procurement, which meets all state procurement requirements, is one that is designed to allow for expanded public participation and access to information. The system we now have in place is one that is no longer serving many of the needs for which it was originally designed, and in order to provide improved public access, we must take this next step to upgrade it. The procurement process is proceeding as planned.

"For those reasons, Mr. President, I'd like to urge all members to vote in support. Thank you."

Senator Anderson rose again and said:

"Mr. President, I make a point to my colleague on one of my statements. I didn't say we have not passed anything to help a little bit.

"I read the paper this morning about Dole Cannery having empty spaces. Giving them a break on a 4 percent pyramiding tax will not help them one damn bit. They're already out of business. I'm talking about helping revenue generating businesses, not to give somebody a break that we're already so overtaxed and overburdened. That's easy to say, well, we're giving you a little bit; we're not going to take your full dollar; we're only going to take 90 cents.

"We have to make sure that we improve the business climate enough so that we can provide good new businesses, provide good jobs, good paying jobs. That's what I'm saying -- not the small benefits that we feed out here and there and we think we're doing one hell of a good job.

"I'm not being disrespectful either -- I'm being concerned, because when I hear that a department can charge from \$500 to \$5,000 for a business, that scare's the hell out of me. That's a 1,000 percent increase. That's what we have to be looking at; not the little bit of petty things that we are doing. Thank you, Mr. President."

The motion was then put by the Chair and carried, S.B. No. 1919, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka).

S.B. No. 404:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 799, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 657, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 657, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

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

"Well, let's see, we've got co-chairs in the Senate and that's good fun. This bill would set up a joint operating committee to run the state capitol -- a committee that has the responsibility for maintaining the slowest operating elevators in the state and possibly the free world, to operate talapia ponds with no talapia, to take care of public access when we still have problems

behind closed doors. I think that DAGS should continue to run and operate the state capitol until such time as we can sell it along with the convention center and the Aloha Stadium, Mr. President. I'll be voting 'no.' Thank you."

Senator Iwase rose to speak against the measure and said:

"Mr. President, I rise to speak in opposition to the bill. I don't mean to keep following the Senator from Hawaii Kai and so my opposition is without the colorful language and the intensity, again.

"My concern is that we've just increased, perhaps, the legislative budget with the previous bill that I voted against, and we're going to be doing it again. I assume the joint committee, although the bill does not, I believe, specify what the funding of each expending agency would be, I assume it's the legislature because management of the capitol would be under us. But it raises concern about our ability to manage this capitol. We will have the authority to hire more people. I think that would overlap with the kind of work DAGS employees do now. We're going to be adding, again, to the cost of government and to the size of government. And I don't think we should do this, at least at this time, with the economy the state it's in and the money needs elsewhere. So, thank you, Mr. President."

Senator Anderson also rose in opposition and said:

"Mr. President, I, too, will be going 'no,' primarily because of the former statements.

"When we look at transfer of all control, care, custody, maintenance of the state buildings, it's a big job. It's a costly one, and I'm not sure if we really want to take on that deal for our legislative budget that we have here for the Senate. I will be voting 'no.' I would hope that DAGS would do a better job in some of the things that they've done because when we got back to this building, one of the first things that I said was we should have gotten new elevators and somebody said you would have if you paid for it. So I don't know what we spent the \$63 million on.

"So, I do have lots of concerns on where the money went and some of the things that are not here. But I don't believe that we taking it over would give it any better control than what we have now. Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka).

Stand. Com. Rep. No. 824 (S.B. No. 375):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 824 be adopted and S.B. No. 375, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I stand in opposition to S.B. No. 375.

"It seeks to raise costs, again, by increasing the disposal surcharge from 25 cents per ton to 35 cents per ton. The interesting thing about this, though, is the justification for raising the surcharge is that, quote: 'the previous surcharge has brought in less than expected revenue generation.' So, they can't bring in the revenue with the existing surcharge and the answer is to raise the surcharge. It doesn't compute, Mr. President. I vote 'no.' Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 824 was adopted and S.B. No. 375, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Ige, M., Sakamoto, Taniguchi).

Stand. Com. Rep. No. 825 (S.B. No. 1082, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 825 be adopted and S.B. No. 1082, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against S.B. No. 1082.

"This bill would enable the Department of Health to divert funds paid by the petroleum industry into the Environmental Response Revolving Fund for other purposes. I think that the bill may violate Article III, Section 14, of the State Constitution in that the title does not give adequate notice of the subject matter of the bill. For these and other reasons I oppose the measure. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 825 was adopted and S.B. No. 1082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Slom). Excused, 3 (Ige, M., Sakamoto, Taniguchi).

Stand. Com. Rep. No. 827 (S.B. No. 1089, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 827 was adopted and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ige, M., Sakamoto, Taniguchi).

At 2:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:39 o'clock p.m.

Stand. Com. Rep. No. 828 (S.B. No. 1088, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 828 was adopted and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 829 (S.B. No. 1605, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 829 be adopted and S.B. No. 1605, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure as follows:

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

"The bill would create a long-term supplemental funding source from the fuel tax for the trail and access program through revenues generated from fuel tax. It's my understanding, in what we've heard in hearings in the last couple of days, that we're going to be subject to a much higher fuel tax. We already have the highest fuel tax in the nation. So I don't see, first of all, the efficacy of removing money from the fuel tax to go into the trail program if we're just going to raise the fuel taxes.

"Secondarily, I also witnessed the transference from the highway fund into the general fund so that we could pay for the HSTA negotiations. And I'm just wondering if we have yet another special fund as this bill would create and how long it will be until these funds are transferred into the general fund for some other purpose.

"So, as much as I like to hike and go on the trails, I vote 'no' on this bill, Mr. President. Thank you."

Senator Anderson opposed the measure as follows:

"Mr. President, I'm sorry I got confused the last time. Two bills got stuck together. This one here is the bill I want to vote 'no' on, primarily because when we were in the House, we had recreational boating that also paid for the fuel tax and they also wanted to take a portion of that because they felt that they were entitled to it. They pay for fuel.

"We have this particular group and the young man who came to see me I happened to like very much. He's a paddler. However, if we are going to have to take care of the statewide trails, I think that we should do that not with the fuel tax because you've got some bikers riding it and they believe that's a good way to get some dollars, you should put that in DLNR's budget and they should pay for it, then you don't have to worry about taking care of those trails.

"I don't think they should take it from the fuel tax. I believe that they should put it into their budget, take care of the trails the way that they have it, and I will be going 'no.' Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 829 was adopted and S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 831 (S.B. No. 447, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 831 be adopted and S.B. No. 447, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose on conflict ruling as follows:

"Mr. President, same reason as I said earlier on the parks and herbicide, and also the same conflict."

The Chair ruled that Senator Anderson was not in conflict.

Senator Anderson then said:

"Thank you very much. I will be voting 'no.'"

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 831 was adopted and S.B. No. 447, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 832 (S.B. No. 1579, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 832 be adopted and S.B. No. 1579, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against S.B. No. 1579.

"Certainly, who can be against safe drinking water? Not I, but this is not the issue. The issue here is more money, more government, more regulations. What this does is create a drinking water fund, defined as a drinking water treatment revolving loan fund. And I am also troubled that we go beyond federal regulations and have even more bureaucracy in our water supply. So I'm voting 'no.' Mr. President. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 832 was adopted and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 835 (S.B. No. 257, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 835 be adopted and S.B. No. 257, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose in opposition as follows:

"I'll be voting 'no' on this, Mr. President.

"I did raise concerns in the committees in what this will be doing to the Employees' Retirement System. I'm opposed to it. I don't believe that we should fool around with trying to adjust it to take care of the state's funding. So I will be going 'no.' Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 835 was adopted and S.B. No. 257, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 836 (S.B. No. 1802, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 836 be adopted and S.B. No. 1802, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I rise in opposition to S.B. No. 1802.

"We're talking about unspecified stepped salary increases. We don't have the estimated cost nor the salaries themselves for a number of legislative and other governmental employees. I oppose the bill."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 836 was adopted and S.B. No. 1802, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 837 (S.B. No. 727, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 837 be adopted and S.B. No. 727, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, again we are increasing costs here at the public's expense. We're talking about extending health insurance coverage for student dependents from the age of 19, where it currently is, up to the age of 24 for public employees. The estimated cost is in excess of \$200,000. I think this is excessive. We don't need it. I oppose it."

Senator Anderson also rose and said:

"Mr. President, I discussed some reservations so I'm going to stick with reservations.

"The bill does not say if the unmarried independent might be mentally ill because he or she could be on drugs or addicted to other things and for that reason the cost factor might go up. They may not really qualify for the program. I'm just not sure who's going to be in the program. So, I'm going with reservations just in case anybody needs my vote or wants to deliberate with me, I can sit on the committee and talk about it. Thank you."

Senator Sakamoto having requested that remarks be inserted into the Journal, his remarks read as follows:

"The expansion of health benefits to more people is good for those who will now be eligible, but the costs need to be born by the taxpayers or other programs or wages need to be cut."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 837 was adopted and S.B. No. 727, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 838 (S.B. No. 728, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 838 be adopted and S.B. No. 728, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto inserted his remarks as follows:

"The Public Employees' Health Fund needs to work with other state agencies and not recreate another investment program for the time being."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 838 was adopted and S.B. No. 728, 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, 1 (Ige, M.).

Stand. Com. Rep. No. 839 (S.B. No. 262, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 839 be adopted and S.B. No. 262, S.D. 1, having been read

throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose and said:

"Yes, I had some concerns on this, Mr. President, and I really don't want to vest anybody back into the system after they left, with their services, but I will try to get more information. I did talk to the department and they're going to get back to me, so I do have reservations. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 839 was adopted and S.B. No. 262, 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, 1 (Slom).

Stand. Com. Rep. No. 842 (S.B. No. 30):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 842 be adopted and S.B. No. 30, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose to speak against the measure and said:

"I wish to speak in opposition.

"Compensation for serving as a witness ... each person must do their duty as a citizen to serve as a witness, particularly with our current crime problems. A person needs to do their part and testify willingly. Society needs to depend on the citizenship of its people. Having to pay people to show up as a witness in a criminal trial does not send the right message. I'll vote 'no.' People need to be willing to be part of the solution. Thank you."

Senator Slom rose to speak against the measure and said:

"Mr. President, I echo the remarks of my colleague and, in addition to that, the state is already paying for the judicial system. The state is already paying for the salaries. I note that federal employees must not take additional funds when they serve on jury or serve as a witness. I think the policy should be consistent and I oppose the bill. Thank you."

Senator M. Ige rose and said:

"Mr. President, 'aye' with reservations, please."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 842 was adopted and S.B. No. 30, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Sakamoto, Slom).

Stand. Com. Rep. No. 844 (S.B. No. 1421, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 844 be adopted and S.B. No. 1421, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I speak in opposition to S.B. No. 1421, the so-called payroll lag.

"The only thing that doesn't lag is that we continue to spend money and don't implement things that we've done before. We

are trying to have a band-aid approach to a real problem. We're looking at the symptom, rather than the cause.

"We have to get our financial house in order. The problems that we have right now are due to fiscal mismanagement. It's not a lack of funds or resources, and it won't be solved by having a payroll lag. I oppose the bill."

Senator Anderson also rose and opposed the measure as follows:

"Mr. President, I want to also vote 'no.' I want to be consistent. I think we passed this last year and I voted 'no' last year. I believe that we're not taking care of the problem so I will continue to vote 'no.' Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 844 was adopted and S.B. No. 1421, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 845 (S.B. No. 1474, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 845 be adopted and S.B. No. 1474, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

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

"On 845, what we're doing is transferring \$12 million, \$6 million per year for the biennium, from the housing revolving fund and it's not earmarked that it will be used for housing. I think that anytime we're going to take monies or have revenues and particularly if they're specified for a specific purpose, we should use it for that purpose. Otherwise, we shouldn't take it from the people in the first place. I oppose the bill."

Senator Anderson rose to speak on the measure and said:

"Would you please put me down with reservations for the reasons stated, plus a few others as far as transferring monies. And when we talked to the Tax Commission, they said that the problem was the administration keeps shifting dollars all over. And that's why they have a hard time giving us the true picture of what's happening in our state. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 845 was adopted and S.B. No. 1474, 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, 1 (Slom).

Stand. Com. Rep. No. 846 (S.B. No. 1701, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 846 and S.B. No. 1701, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 847 (S.B. No. 1632, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 847 be adopted and S.B. No. 1632, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator M. Ige rose in support of the measure as follows:

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

"Mr. President, this bill consolidates and streamlines the state's various housing functions. It essentially brings the Housing Finance and Development Corporation, the Hawaii Housing Authority, and the Rental Housing Trust Fund under one umbrella under the name of the Housing and Community Development Corporation of Hawaii.

"Through the deliberations on this consolidation proposal, we have tried to keep in mind government efficiency and following the spirit and intent of our mission, which is to provide housing.

"To date, this bill eliminates approximately 44 positions and I am hopeful that with the cooperation of the committee we will be able to trim an additional 12 positions by the end of this legislative session.

"This measure eliminates the State Housing Loan Program, the City Housing Loan Program, the Home Buyers Club, provisions for the development of employee housing, Taxable Mortgage Securities Program, Loan Participation Program, State Mortgage Guarantee Program, and the Downpayment Reserve Program. All of these programs are with no question desirable, but not absolutely essential to provide housing.

"Mr. President, this bill asks our employees to do more with less, but more importantly, it tries to focus our attention on our main mission -- which is to provide housing. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 847 was adopted and S.B. No. 1632, S.D. 2, 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, 25. Noes, none.

At 2:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:57 o'clock p.m.

Stand. Com. Rep. No. 849 (S.B. No. 538, S.D. 3):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 849 be adopted and S.B. No. 538, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Tam rose in support of the measure and said:

"Mr. President, I rise to speak in favor of S.B. No. 538, S.D. 3 -- A Bill Relating To Public Libraries.

"This bill is a public service oriented bill and a response for the public desire to be directly involved in the selection of purchasing books for the State of Hawaii's public libraries through our public service librarians. Specifically, the bill states, 'Decisions regarding the selection of books and other resources on behalf of the state library system that require the expenditure of public moneys shall be performed internally by the public service librarians of the state library system. The state librarian may contract with external sources for the purchase of books and other resources selected by the public service librarians. The state librarian shall be responsible for books or other resources acquired on behalf of the state library system.'

"This bill is the result of the public desire to terminate the current library book contract between the State of Hawaii's library system and Baker & Taylor, the book company which selects and purchases library books. Your Senate Committee of Education conducted two public hearings, respectively, on February 13 and 14 of this year and heard the loud outcry for direct involvement in the selection of their public reading

materials paid by public funds. If I may call your attention to this, this is the result in terms of all the testimony which was gathered respectfully by your Education Committee and the Government Operations and Housing Committee. Therefore, the Education Committee made the above recommendation based on the legislative role stated in the State of Hawaii's Constitution to redirect any public funds from contracts involving the selection of books, as the case may be in the Baker & Taylor book contract to Hawaii's public service librarians. The State of Hawaii's general practice in contractual agreements is that the existence and continuation of state contracts is dependent on the availability of funds.

"I wish to thank my colleagues for their positive involvement in S.B. No. 538, especially the Senate's Government Operations and Housing Committee. This bill truly emphasizes the State Senate's desire of using the communication linkage between the public service librarians and general public needs."

Senator Slom also rose in support of the measure as follows:

"Mr. President, I just want to rise in support of the measure also, and thank my colleagues for all the diligent work they put into this bill.

"I think it is unfortunate, though, that outsourcing itself has gotten a bad name because of the bill and actually because of the ineptness of certain members of the Board of Education and those that were responsible for drawing up a horrible contract. I think what we have to learn from this is that people have to learn how to read and be responsible and be accountable and listen to the professionals in the field -- like the librarians who came forward very courageously and in a spirit of trying to help the community and help this Legislature.

"But in the future, Mr. President, I would hope that we will have more people that have a business background that know how to read a contract and know how to commit the state and our taxpayer funds for things before they go ahead and do it. Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 849 was adopted and S.B. No. 538, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 851 (S.B. No. 68, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 851 be adopted and S.B. No. 68, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson spoke on the measure as follows:

"Mr. President, I have some reservations on this particular bill, primarily because when we had this in committee, the head of the Tax Department gave us some, what we call, soft figures on revenues that would be lost if we gave the school children, not to pay for their fundraising, any taxes. My comments at that time were, why should we not go ahead and allow them to have a fundraiser without paying any taxes on their fundraising efforts? I think that we have lots of people who are on the sides of the roads, roadside vendors if you would, who pay no taxes, pay nothing, and we're not worried about them or trying to enforce that law. You have lots of private schools, because of the tuition being so high, that anything that their children do to go ahead and go on fundraisers are also taxed.

"I would like to see all of the schools not being taxed for any fundraising efforts that they have. The cost for sending your child to public schools or private schools at times can be a little higher than you'd like to pay. So, having the benefit of a tax

benefit, I think, is fair and equitable. And if we're going to enforce anything, then I think we should charge all of those vendors who are illegal, or anybody who sells anything illegally. Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 851 was adopted and S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 852 (S.B. No. 1359, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 852 was adopted and S.B. No. 1359, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 857 (S.B. No. 1678, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 857 be adopted and S.B. No. 1678, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Tam spoke in favor of the measure and said:

"Mr. President, I rise to speak in favor of S.B. No. 1678. I believe that this measure will enhance the educational program for our children, and I urge all of my colleagues to vote in favor of this bill.

"Mr. President, your Committee on Education recognizes that for our children to effectively compete in tomorrow's workplace, we must provide them with a thorough grounding in the use and application of today's developing technology. We have seen, on an almost daily basis, an explosion of information available to our children through resources such as the Internet. We no longer can say that we are landlocked because it serves a limiting factor in education, and truly there are great treasures to be discovered by our young minds.

"We must not, however, lose our focus of vision in the dazzling light of technology's promise. We must equip our children with the mental ability that this information explosion requires; we must also make sure that we provide them with a foundation so that they are not cast adrift in a sea of thoughts and ideas. Context, reasoning, and the ability to capably question the world around us are that foundation from which our children can aspire to greatness.

"Technology, as most educators agree, is a wonderful tool for learning, but as with any tool, we need to make sure that it can be properly wielded. Through the development of standards for the implementation and use of technology, your committee seeks the effective integration of technology into the educational program. This measure seeks to do this in the following ways:

"First, this measure requires the development of concrete definitions of technology. By creating a precise index of the equipment to be employed by our schools, we can more effectively plan for its use.

"After these definitions are clear, the Department of Education must develop a master plan for the acquisition, implementation, maintenance, and upgrade of technology. Through the development of a sound implementation plan with concrete benchmarks and timelines, we can avoid many of the

very costly mistakes that have been made in the past with large scale technology projects. We will have a thoroughly integrated educational system, but we will do so in an efficient and responsible manner.

"As we integrate the physical components of technology with our educational infrastructure, we must also integrate the philosophical components of technology with the educational program. To do this, this measure requires the department to develop a second master plan that includes: guidelines for use of technology in instruction; the development of goals for technology for all grade levels; and policies and procedures for the use of technology in the classroom so to protect our children from any hazards this new technology might hold.

"Mr. President, the course set by this measure is bold but responsible. Through the creation of master plans which systematically integrate technology in the classroom, we can create an environment where our children can be equipped with the necessary tools for technological mastery. Your committee is confident that the department will be rigorous in its preparation of an implementation plan for education, and it is my hope that we are equally rigorous in finding the resources to make that plan a reality. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 857 was adopted and S.B. No. 1678, 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, 25. Noes, none.

Stand. Com. Rep. No. 858 (S.B. No. 1742, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 858 be adopted and S.B. No. 1742, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Tam supported the measure as follows:

"Mr. President, I rise to speak in favor of S.B. No. 1742.

"This measure would take a significant step in expanding upon the ideals of School/Community-Based Management, and would provide our schools with an effective tool for managing their resources.

"Mr. President, the debate over how much money goes to our schools rages on. As legislators, we have all heard from our districts about how funds have been shifted, reduced, or eliminated for seemingly arbitrary reasons. And, it appears that every year we try to correct this situation with the passage of some new law or study.

"The good news today is that this bill does not create another task force, commission, or independent audit to examine and restructure school finances. What this bill does is to create a process by which we can improve both the funding and uses of funding for our schools.

"Sometimes in our sincere efforts to educate our children, we often forget that we, too, need to be continually learning. More often than not it is a lack of education that leads to misunderstanding. Senate Bill 1742 will help us adults become more akamai in managing our schools.

"By requiring the Department of Education to provide thorough reports and training from the state and district offices on budget matters; principals, teachers, parents, and other members of the school community will become more knowledgeable in the management of school resources. Better information will mean better decisions at the school level.

"While this measure will require work on behalf of the department administration, I feel that it will ultimately work to their benefit. When schools have a better understanding of a budget policy, they may be more apt to accept sometimes unpleasant budget realities and work with, rather than against the department.

"Mr. President, knowledge is empowering. If we are true to the spirit of SCBM, then there can be no hesitation in allowing our schools to have all of the information they need to use their resources wisely. Senate Bill 1742 puts a lot of power back where it belongs -- at the school level. This bill truly endorses the empowerment of individual schools through their budget. This is a bottom-up approach rather than a top-down approach in budgeting. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 858 was adopted and S.B. No. 1742, 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, 25. Noes, none.

Stand. Com. Rep. No. 861 (S.B. No. 1551, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 861 be adopted and S.B. No. 1551, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose in support of the bill and said:

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

"Mr. President, as the Senator from God's country who has over half of the state's adult residential care homes, these care homes do have a vital part in our community and in our state. They have not received any increase in compensation since 1989. This is a well-deserved increase in their compensation.

"I urge all my colleagues to vote 'aye' on this bill. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 861 was adopted and S.B. No. 1551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 862 (S.B. No. 1879, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 862 be adopted and S.B. No. 1879, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

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

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

"Mr. President, again the same Senator from the same country. (Laughter.) Again, they serve a vital part in our community. And in these times when we have very limited intermediate care facilities, we need, again, these care homes to house limited numbers of nursing home level care patients. Therefore, I ask my colleagues to vote 'aye' on this bill also. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 862 was adopted and S.B. No. 1879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT

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

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

Stand. Com. Rep. No. 863 (S.B. No. 412, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 863 was adopted and S.B. No. 412, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FINANCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 864 (S.B. No. 1433, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 864 was adopted and S.B. No. 1433, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 865 (S.B. No. 1351, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 865 be adopted and S.B. No. 1351, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I speak in opposition to the bill.

"The bill, of course, would exempt Hawaii from federal requirements that deny cash assistance and food stamps for anyone with a felony conviction that has an element of possession, use or distribution of a controlled substance. If we don't go along with these measures then we continue to send mixed messages in terms of drug programs and substance abuse. So I vote 'no.' Thank you, Mr. President."

Senator Chun Oakland rose in support of the measure as follows:

"I would like to speak in favor of this measure.

"This particular bill would allow, especially women with children, women who have been convicted of drug use, possession or distribution to continue to get assistance while they are getting rehabilitated. And I think that investment is what the state policy should be. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 865 was adopted and S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 866 (S.B. No. 1572, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 866 be adopted and S.B. No. 1572, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

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

"The bill allows the department to increase fees for up to 10 percent per year, exempting the department from certain requirements for public input on those fees, and does not relate the fees to the actual cost of providing the services or materials."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 866 was adopted and S.B. No. 1572, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 870 (S.B. No. 1266, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 870 was adopted and S.B. No. 1266, S.D. 2, 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 (Metcalf).

Stand. Com. Rep. No. 872 (S.B. No. 717, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 872 be adopted and S.B. No. 717, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose and said:

"Mr. President, I have some concerns on this bill so I'm going w/r.

"My understanding is that we already have this type of programs going on and now we say we're going to establish a \$25 surcharge. I don't understand why, if we're having programs, we have to say that we have a bill to establish a \$25 surcharge for persons who are divorcing or separating and using the surcharge and other monies to fund a parent educational special fund for separating parents and their children. I would have thought that if we had that, we didn't need this additional money for that. Thank you very much."

Senator Slom rose to oppose the measure as follows:

"Mr. President, I speak in opposition to the bill.

"While I think the intent is a very positive one, unfortunately, the specific educational curricula is not defined in the bill, the education providers are not defined in the bill, and the purpose of the fund is not defined in the bill. I think we should do better work if we're going to pass the bill and require such a fund. I speak in opposition. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 872 was adopted and S.B. No. 717, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 874 (S.B. No. 1418, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 874 be adopted and S.B. No. 1418, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson spoke on the measure as follows:

"Mr. President, I'm opposed to the way we say that we're doing so well with the funding because it's been ... I think we have \$125,000 or such that's been donated, and it's by those people who are in a particular business that are benefiting by the Kamehameha Day Parade. We have only decided to fund the commissioner herself, I believe, and a little bit of staff. When we were funding the whole bit, most of that money went towards floats. Very little of it, really, when you gave it to the pa'u section, they were able to, maybe, donate a bag of feed for the horse or do the shoeing. That money was not what you would call a lot of money. The people who rode in the pa'u sections, it cost them money. And I'd like to have some of the queens that were at the head of those pa'u sections come in and tell you where the dollars went for their particular pa'u section, or the floats -- the cost of the floats, over and above whatever they received.

"But since we're so concerned about Kamehameha Day and the funding of it, I have suggested that we take it backwards -- we start from Magic Island; we end at Kamehameha Statue; we then pay homage to our King; go across the street to Iolani Palace; get rid of the horses and get them trailed back, and the floats; then we go and pay homage to our Queen Liliuokalani Statue.

"If, in fact, we're not able to pay because it has become such a tourist attraction ... very little money for what is a cultural practice to us. It started out to be a cultural practice -- it is no longer. It's strictly a tourist attraction, and I don't think that we should go all the way from Downtown Honolulu down to Kapiolani Park and expect only those people in that business to provide the dollars. The state collects a hell of a lot of money in tax revenue because of the people that come here from all over for Kamehameha Day.

"For those reasons, I have those reservations and I will speak up when we're in committee to try to see if we can get some kind of funding. Thank you so very much, Mr. President."

Senator Fernandes Salling, rising in support of the measure, then said:

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

"And for the very reasons pointed out by the good Senator from Waimanalo, I would just like to say that we had those concerns also and that is why the committee recommended that we go back to what we originally were doing -- which is to provide the funding so that we can see King Kamehameha Day once again reenacted as it has always been, and bring in those kinds of revenues and be part of the rich culture of the State of Hawaii."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 874 was adopted and S.B. No. 1418, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 875 (S.B. No. 426, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 875 be adopted and S.B. No. 426, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against the bill.

"It's not that I'm against culture, Mr. President, I do appreciate culture. The original bill was to set up, at taxpayer expense, a hula cultural center. The draft changed that and now we have a culture and arts revolving fund. I think the problem with this is, again, that we are spending the people's money and telling them what they should have, as far as culture. In addition to that, all too often some of these committees seem to be choosing some of the same people over and over again, and we don't have maximum citizen participation as to how their money should go for cultural or other activities. So I'm going to be voting 'no.' Thank you, Mr. President."

Senator Anderson spoke on the measure as follows:

"If I may, a very short reservation on this particular bill.

"It says culture and the arts, but, if I remember correctly, when I served on that committee, we did very little on culture -- it was mostly on arts. When we were running into difficulty on money, I suggested to the person who was the head of it at that particular time, maybe we should sell some of our art that we had purchased and paid such large amounts of money for. And they said, don't be ridiculous; we'd never be able to get those funds back, they're not worth that. And that's what bothers me. Why, then, are we funding art that we cannot, in any way, put a dollar sign that says we made a good investment, or this person is a good student and we want to help project them into making themselves a better artist or sculptor or whatever. When we can have the directors themselves tell us, we're buying this because ... And they have not done so, at most times, with local artists. I want to put that very clearly also.

"So those are the kinds of concerns I've had on the department that they call Culture and the Arts. Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 875 was adopted and S.B. No. 426, 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, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 878 (S.B. No. 1628, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 878 be adopted and S.B. No. 1628, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kanno rose and said:

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

Senator Anderson added:

"Aye with reservations."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 878 was adopted and S.B. No. 1628, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Chumbley, Ige, D., Matsunaga). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 882 (S.B. No. 1548, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 882 be adopted and S.B. No. 1548, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to vote 'no' just to make a point about this bill.

"I'm getting older every year and every year we have an emergency that requires an appropriation. This year it's for a total of about \$55 million. The medicaid program, the state-run health program, has been in constant trouble, but we can't call it an emergency if it happens every year. Again, what it shows is that we're not meeting our obligations and we're trying to promise too much and don't have the revenues to pay for it. So I think that at some point, hopefully now, Mr. President, we should get to the point where we say that we can't promise everything to everybody because we don't have the resources that we take out of other people's pockets to pay for it. So I'm registering this as a protest 'no' vote, Mr. President."

Senator Kawamoto then said:

"Mr. President, I rise for a clarification. I sit on the Board of the Waianae Comprehensive Center, a clear conflict of interest."

The Chair ruled that Senator Kawamoto was not in conflict.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 882 was adopted and S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 884 (S.B. No. 719, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 884 be adopted and S.B. No. 719, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise to speak against the measure. I heard the Chief Justice speak and I have a great deal of sympathy for all those lawyers, but times are tough for everybody and so, I don't think that we can justify a salary increase at this time. Thank you."

Senator Anderson spoke on the measure as follows:

"Mr. President, I am going with reservations. I did so in the committee. I asked if there was any study done as to the portion of this committee report that says 'necessary to attract and retain the finest judges'. When I asked if there was a study done on the amounts of dollars that the judges were losing, they started to give me a figure from the very large firms in town and I was talking about if I became a judge and I'm a private attorney, how many dollars am I losing? Am I a fine judge that they feel should be justified this kind of salary increase? They didn't do those kinds of studies. Consequently, I'm a little worried.

"I don't believe in any type of person today getting across the board raises for everyone. You have good judges and bad judges; you have good teachers and bad teachers; you have good employees and bad employees of any particular business that you're in. You just don't blanket anybody anymore. For those reasons, I am going to have some reservations to sit down and talk to some of the people that might be able to give me a more comprehensive report as to a study that could be done. Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 884 was adopted and S.B. No. 719, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 885 (S.B. No. 831, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 885 be adopted and S.B. No. 831, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Bunda rose to speak on the measure as follows:

"Mr. President, I rise with reservations on the measure.

"Mr. President, first, I'd like to commend both chairs for bringing forth some of the changes to our campaign spending laws. This subject, over the years, has caused a real great deal of public skepticism, if you will.

"Mr. President, the most significant area of concern in the bill and troublesome for the commission, especially since our recent elections, are loans to candidates which may or may not be repaid. And the bill valiantly tries to remove any underhandedness and tries to close an obvious loophole. This amendment, Mr. President, really is not going to solve the whole problem. I believe it creates more inequity. If you really want to bring skepticism to a close, I think we ought to take money out of campaigning -- period. But, of course, Mr. President, that's fairly impossible.

"My concern is that if a person decides to run for an elected office and borrows, say for instance, \$50,000 from a family member, the way the bill is worded, it is unclear if the candidate must repay the full amount by the end of the election period. And the question is, Does the \$50,000 become an outright contribution or not? This bill, I believe, prevents the candidate from fundraising to replace the money to the family member. The way I view it, Mr. President, the playing field becomes more unequal than ever. More so, it unfairly benefits the incumbent. Therefore, Mr. President, the real issue here is that the more regulations we impose, the less open and democratic the whole process becomes. And the irony of all campaign spending reform is that it's really counterintuitive.

"Mr. President, for your information, and for everybody's information, since reforms of the 70's and the 80's, the amount of money flowing in the campaigns has increased faster than ever before. And it puzzles me because money has become more important in politics, not less, when advocates want more regulation. The more caps, the more limits and other restrictions put on campaigns, the more you need experts to really figure them out. And it really created or it's created an industry of campaign professionals and really that's why you need more money.

"I say our laws can be tightened to prevent blatant abuses, but really -- let's not tie the hands of candidates who run against million dollar campaign war chests. I say pretty much -- don't scare away challengers by favoring incumbents -- and this bill probably will do that. I hope, however, as the bill moves in conference, that we amend and clarify this problem. Thank you, Mr. President."

Senator Kawamoto then said:

"Mr. President, could you cast a vote of 'aye with reservations,' also. Thank you."

Senator Iwase added:

"With reservations, thank you."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'm going to be voting 'no' on this particular bill. I'd like the comments of Senator Bunda put into the Journal as though they were my own.

"And just to give you a little idea -- one mailing as a Senator, if you will remember, will cost you \$5,000. If you're running for congress, it's roughly \$50,000. How are you going to communicate with your constituents if you don't have a bank roll that's going to be outstanding? The average person that would have to run and communicate with his constituents doesn't need these kinds of reforms to tie their hands. I think we all want to see reform, but the more restrictions we put on ourselves, the harder it gets to have someone run to do a good job. All we're going to end up with are the very rich and the professionals. We're not going to be having the people that would like to run, that would do a good job, afford to run. And these are the kinds of problems that I think these kinds of bills that we pass bring.

"When you say Common Cause and Ethics Commission, and these people are interested, everybody shys away. We can't go against them. But let me tell you -- that's not the public. The public wants to find out how you feel -- what you're going to do to benefit them. And if we're going to put these kinds of restrictions on, there's no communication ... there's no dialogue. So, I'm going to be voting 'no,' Mr. President. Thank you very much."

Senator Solomon rose and said:

"Mr. President, please note a w/r. Thank you."

Senator Matsunaga rose in support of the measure as follows:

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

"First, let me thank the good Senator from Wahiawa and the North Shore for his very kind words and for his helpful input as a member of the committee in helping craft this monumental piece of legislation.

"This bill is indeed aimed at closing a loophole. So long as you have unlimited loans, you do not effectively have a limit on the amount somebody can contribute to a campaign. And that's the intent of that aspect of this measure. I do want to assure my colleagues, and especially the Senator from Wahiawa and the North Shore, that we'll be happy to try and make this bill a little bit clearer in conference because we know this bill is going to conference committee. The intent is not to limit, in any way, the amount that someone can contribute to their own campaign. In fact, as the Supreme Court has ruled in Buckley v. Valeo, we cannot constitutionally do that. So, I do want to assure my colleagues that we will work on this in conference and clarify that language. Thank you."

Senator Anderson then said:

"Not to prolong this, but may I ask my colleague a question?"

The President posed the question and Senator Matsunaga having answered in the affirmative, Senator Anderson asked:

"Did you not say that this particular piece of legislation will take care of a loophole in the law?"

Senator Matsunaga replied:

"Yes, I did."

Senator Anderson then stated:

"That's the problem. Everything we do, Mr. President, is to take care of loopholes. We confine ourselves to the point that we won't be able to move. I understand what he's saying. And there's a lot of people out there that are saying that these loopholes have got to be fixed. We're going to fix every loophole and we're not going to be able to move. That was my point. Thank you very much, Mr. President."

Senator Sakamoto added his remarks as follows:

"The campaign spending commission seems to be creating a bureaucracy. It is not clear how the public will benefit from the changes proposed."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 885 was adopted and S.B. No. 831, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 887 (S.B. No. 1372, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 887 be adopted and S.B. No. 1372, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto having requested that remarks be inserted into the Journal, his remarks read as follows:

"Raising the limits to \$50,000 for exemption from formal bidding can lead to favoritism and abuse. The procedures for awarding of the 'small purchases' should be open for scrutiny by interested parties."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 887 was adopted and S.B. No. 1372, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 888 (S.B. No. 1806, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 888 be adopted and S.B. No. 1806, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Thank you, Mr. President. I rise to speak against the bill.

"Mr. President, I'm a sports fan. In fact, I'd rather be at a sporting event right now than where we are, but the problem is, here again, the state has gotten involved in so many different activities and here we're asked to continue state subsidy for the development promotion of the Pro Bowl, the Hawaiian Open, golf tournaments, the Marathon, the Trans Koolau Race, Major League Baseball, Winter League Baseball, processing camp for Olympics, and so forth. And the question is, Where will it end? The answer is, it doesn't end; it continues. We have more and more groups coming to us each and every year.

"I'm one of those old fashioned sports fans -- I reach into my own pocket; I pay the price of admission; I support it. We had testimony saying that if we don't continue to support it, we're going to lose these sports activities to other areas. Mr. President, we have lost other activities to other areas, primarily again because of our tax and business climate. Everybody's worried that we're going to lose the Pro Bowl and more golf tournaments to places like Orlando. I would point out to you

that the reason we lose things to places like Orlando is because of their tax and their business climate. We can't keep on doing this.

"In addition, we have asked these sports promoters, When will you be self sufficient? And the answer always is -- we can't say; we can't tell. I think we should all support sports. I think it's a wonderful opportunity for the state, but it should be self sufficient. So, I will oppose the bill. Thank you."

Senator Anderson spoke on the measure as follows:

"Mr. President. I'd like to speak with reservations.

"I'm for sports, but I don't see anything as an island state that we are promoting. I don't see canoeing; I don't see surfing. I don't see boating, swimming -- none of these things. And when you talk to the different people in the sport, they say, well, we have golf, we have football, we have this. That's great, but we're an island state. And if you would check the record, our people and our businesses are bringing in people from all over the United States and all over the world for different events that we put on. The Na Wahine O Ke Kai race, the men's race, surfing -- if we were to build an Olympic type swimming pool again like we had with the Natatorium, we could go back into swimming.

"There's lots of things that we could do and create because we are an island state. But, when I talk to these people, they said, 'no, we've got to go with what's there.' Well, that's not creative and imaginative and that's not saying Hawaii is unique and different. And for that reason, I'm going to go with reservations and still continue to talk to these people to see if we can go ahead and move along with something that we can do locally. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 888 was adopted and S.B. No. 1806, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalfe).

Stand. Com. Rep. No. 889 (S.B. No. 1005, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 889 be adopted and S.B. No. 1005, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

"Mr. President, I speak in opposition to the bill.

"Again, this is a specific bill for sports support for the Winter League baseball. Mr. President, I have my season tickets to the Sharks games. We have T-shirts. We have hats. We have everything else. The bill talks about the growing success. And yet, if there were growing success, they wouldn't have to come before the Legislature and ask for state taxpayer funds. I cannot support this, being the good sports fan that I am. Thank you, Mr. President."

Senator Anderson then said:

"I have the same concerns as I had on the other bill. With reservations."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 889 was adopted and S.B. No. 1005, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS PROMOTION," having

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

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalfe).

Stand. Com. Rep. No. 892 (S.B. No. 1934, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 892 was adopted and S.B. No. 1934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF AIRPORT REVENUES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 893 (S.B. No. 632, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 893 was adopted and S.B. No. 632, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 897 (S.B. No. 1773, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 897 be adopted and S.B. No. 1773, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Thank you, Mr. President. I'm going to vote 'no' on this bill.

"It increases the advanced disposal fee charged to glass container importers from 1 1/2 cents to 2 1/2 cents per glass container beginning on July 1 of this year. Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 897 was adopted and S.B. No. 1773, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalfe).

Stand. Com. Rep. No. 901 (S.B. No. 961, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 901 was adopted and S.B. No. 961, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 902 (S.B. No. 852, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 902 be adopted and S.B. No. 852, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to oppose the measure as follows:

"Thank you, Mr. President. I rise to speak against the bill.

"It is creating yet another special fund -- the Timeshare State Citation Special Fund -- with new fees and new costs, again targeting one particular business entity. I oppose it."

Senator Iwase rose for a conflict ruling as follows:

"Yes, Mr. President. Same request for a ruling on a conflict based on the previous rationale."

The Chair Ruled that Senator Iwase was not in conflict.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 902 was adopted and S.B. No. 852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 907 (S.B. No. 1470, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 907 be adopted and S.B. No. 1470, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the measure and said:

"Mr. President, I rise in opposition to the bill.

"The bill talks about changing the dollar amount for the current \$2 per day vehicle surcharge. It doesn't say what it's going to be. It doesn't say what it's going to be used for. In committee this year, we learned that after all these years that this, in fact, was not a highway tax. That it was not meant to maintain, beautify, construct, or, in any way, enhance highways. It was always a tourist tax even though it was called something else and it has been transferred from highways to the general fund. So I will oppose this tax."

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

"Thank you, Mr. President. For the reasons that the Minority Floor Leader said, I, too, will be voting 'no.' Also, I believe that we're not facing up to the fact that we have to reduce government, not go ahead and take money and push it around. And if, in fact, we had overcharged somebody \$2 all of these years and it came up to some \$20 million, if that money wasn't used for the reasons that it should have been, it should have been refunded to that particular industry or they should have been given some kind of tax break -- not turn around and say we're now going to put it into the general fund because it's not needed there. However, there's money needed over there, so what we're going to do is take the 4 percent gross income for the highway that used to be there and we're going to take it back. So all we're doing is shuffling dollars back and forth. Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 907 was adopted and S.B. No. 1470, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Aki, Anderson, Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 910 (S.B. No. 1023, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 910 be adopted and S.B. No. 1023, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose to speak against the bill and said:

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

"Dislocated workers for the closing, partial closing, relocation of a company or plant changed from 45 days to 60 days. Mr. President, if this were a business, it's within the 60 days now for this particular operation and if this were an operation, we would then be guaranteeing 60 days of pay, even if your staff is unneeded, as we go through this process. The Department of Labor testified that this change is unnecessary and would unduly burden employers without significantly increasing the benefit for workers. They stated that the 45 days is ample time for workers with regard to reemployment services. When companies are down, closing, moving -- this is not the time to pile on. Don't continue to bite the hand that feeds you. I'll vote 'no'. Enough is enough. Thank you, Mr. President."

Senator Anderson also rose in opposition and said:

"Mr. President, I'll also be voting 'no' on this measure, primarily because, as you well know, in business I've lost some accounts. A few years ago, I lost quite a bit of money. I had to let twenty-something people go. It's not easy to have to go up and tell people you no longer have a job. A young man that I was talking to yesterday had to make a phone call because if things go the way they're going right here, he's going to let 26 people go.

"So, if you don't have the money when you're in business ... You know, when you talk about saying, well, Sears Roebuck or a sugar plantation, but when you're saying business, if you're broke, you're broke. What do you want to do? Give 60 days so I sell my house to pay off and run another 60 days? If you're going to write a bill, it's got to be something that is meaningful, practical, and you know who you're gearing it to. You don't want to make sure that you put 60 days and it seems to blanket everybody. For those reasons, I'll be going 'no.'"

Senator Slom rose to oppose the measure as follows:

"Mr. President, I'll be voting 'no' also.

"The thrust of this bill, including the existing legislation, is dislocated workers. We have dislocated our economy. We have dislocated our employers. We have dislocated incentives and investment in this community. And it's high time, it's past time that we start looking at what the causes of our problems are. And it's not to force more notice on employers that are having difficulties and come down to this legislature year after year and tell us what they want to do. It's time to start listening to them and doing what must be done. Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 910 was adopted and S.B. No. 1023, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Sakamoto, Slom). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 914 (S.B. No. 1918, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 914 be adopted and S.B. No. 1918, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Iwase spoke against the measure as follows:

"Mr. President, I'm rising to speak in opposition to the bill.

"Mr. President, the purpose of this bill is to create a state subsidy to pay for private individuals who want to participate in hearings before the Public Utilities Commission. For example, the bill says it would pay for their attorneys. Mr. President, I thought that with all the talk at the beginning of the session about lacking resources, that we were going to attempt to do better with what we have rather than try to further spread ourselves out and do worse with what we attempt to do.

"This bill, I believe, is unnecessary. First of all, we have a consumer advocate. Under the statute, the purpose of the consumer advocate is to 'represent the interest of all consumers, including small businesses of utility services.' The state already provides, Mr. President, in short, representation for the tax paying public. If private parties want to intervene in PUC proceedings, they should pay for it.

"Second, it's unwarranted. We have limited revenues. We should not be ballooning up the cost of government. We should not be expanding services to where we shouldn't be. We should attempt to shrink down and do best with what we have.

"Third, it's unfair. This is limited only to indigent parties. Mr. President, when I was a deputy attorney general we advised the PUC. It is a very costly proceeding. It's utilities, motor vehicle and telephone ratemaking. It's complex, it's time consuming, and if we are going to provide representation for anyone, then it should be across the board. We should not be limited to a certain group of people. Middle class people cannot afford to participate in PUC proceedings -- believe me, it is too expensive. Why are they going to be excluded when they're going to be bearing the tax burden on this?

"This is wrong; this is unfair; this is unwarranted; this is unnecessary, and I hope we oppose this. Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 914 was adopted and S.B. No. 1918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 11 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka). Excused, 1 (Metcalfe).

At 3:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:54 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

S.B. No. 1891, S.D. 1:

Senator Tanaka moved that S.B. No. 1891, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Taniguchi.

Senator Sakamoto inserted his remarks as follows:

"The local use of the convention center makes sense as long as the economics work out. Operation of the facility for neighborhood boards or social groups does not seem to fit into the intended use. Local conventions or large events would make economic sense."

The motion was then put by the Chair and carried, S.B. No. 1891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 669 (S.B. No. 1611, S.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 669 was adopted and S.B. No. 1611, 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 (Metcalfe).

At 3:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:57 o'clock p.m.

Stand. Com. Rep. No. 811 (S.B. No. 1012):

By unanimous consent, Stand. Com. Rep. No. 811 and S.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was recommitted to the Committee on Ways and Means.

At this time, Senator Fukunaga remarked on the action taken on S.B. No. 1012 as follows:

"Mr. President, your committee co-chairs for the Committee on Ways and Means would like to request a recommitment on S.B. No. 1012. The parties and the Department of Taxation have arrived at a resolution of the issues contained in this measure. Therefore, the committee would like to recommit the bill and take it up next year if it is warranted."

Stand. Com. Rep. No. 853 (S.B. No. 760):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 853 be adopted and S.B. No. 760, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kanno rose and said:

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

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 853 was adopted and S.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS-WITHIN-SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 896 (S.B. No. 45, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 896 was adopted and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1125, S.D. 1:

By unanimous consent, S.B. No. 1125, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," was recommitted to the Committee on Judiciary.

At this time, Senator Chumbley remarked on the action taken on S.B. No. 1125, S.D. 1, as follows:

"Mr. President, your committee requests that this bill be recommitted. House bill 371 has already passed over and we have agreed to use that as the vehicle."

Stand. Com. Rep. No. 846 (S.B. No. 1701, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 846 was adopted and S.B. No. 1701, 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 (Metcalf).

ADJOURNMENT

At 4:02 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 6, 1997.